



Proposed Regulation Agency Background Document

Agency name	Department of Labor and Industry
Virginia Administrative Code (VAC) citation	16 VAC 25 -50
Regulation title	Boiler and Pressure Vessel Rules and Regulations
Action title	Amendment to Boiler and Pressure Vessel Rules and Regulations
Date this document prepared	December 15, 2008

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Orders 36 (2006) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

Brief summary

In a short paragraph, please summarize all substantive changes that are being proposed in this regulatory action.

The Boiler Safety Compliance Program seeks to amend the Boiler and Pressure Vessel Rules and Regulations. The proposal addresses the following suggested amendments:

1. In Paragraph A of 16 VAC 25-50-150, add a fee of \$10.00 for the reprinting of a certificate to cover direct administrative costs, i.e., printing, mailing and employee's work-related time.
2. In Paragraph D of 16 VAC 25-50-150, Inspection Certificate and Inspection Fees, revise fees from "\$800" to "\$1000" to reflect cost of living adjustment;
3. In 16 VAC 25-50-360, Paragraph C.5.a., the Factors of safety are modified for vessels and a dual standard is established. Prior to January 1, 1999, the Factor of Safety remains 4.5. Vessels built on or after this date would have a lower factor of safety of 4.0. This revision is necessary to conform to current International Boiler and Pressure Vessel Code.

4. In 16 VAC 25-50-380, paragraph B.3., Factors of safety are modified for vessels and a dual standard is established. Prior to January 1, 1999, the Factor of Safety remains 4.0. Vessels built on or after this date have a lower factor of safety of 3.5. This revision is necessary to conform to current International Boiler and Pressure Vessel Code.
5. In Paragraph A of 16 VAC 25-50-430, change "1.5" to "1.25" for the maximum allowable working pressure for a hydrostatic pressure test, when applied to boilers or pressure vessels. The revision is necessary to conform to current International Boiler and Pressure Vessel Code;
6. Delete last two sentences of Paragraph D of 16 VAC 25-50-480, which reads as follows: "A seal weld is a tube-to-tubesheet weld used to supplement an expanded tube joint to ensure leak tightness. Seal welds on carbon steel (P-1) tube joints made by qualified welders will not require an inspection nor a Form R-1."
7. Delete the term "welded" from Form R-1, Report of Repairs to conform to current forms;
8. Incorporation by reference of the most recent edition (2006) of B31.1, ASME Code for Pressure Piping, American National Standards Institute;
9. Incorporation by reference of the most recent edition (2006) of API510 as listed in the National Board Inspection Code;
10. Incorporation by reference of the most recent edition (2006) of CSD-1 and related section on maintenance that includes revised inspector's checklist;
11. Incorporation by reference of the most recent edition (2007) of the National Board Inspection Code (NBIC); and
12. Incorporation by reference of the most recent edition (2007) of the International Boiler and Pressure Vessel Code, including sections XII and VIII, Div 2.

Legal basis

Please identify the state and/or federal legal authority to promulgate this proposed regulation, including (1) the most relevant law and/or regulation, including Code of Virginia citation and General Assembly chapter number(s), if applicable, and (2) promulgating entity, i.e., the agency, board, or person. Describe the legal authority and the extent to which the authority is mandatory or discretionary.

The Safety and Health Codes Board is authorized by Title 40.1-51.6.A. of the *Code of Virginia* to:

“...formulate definitions, rules, regulations and standards which shall be designed for the protection of human life and property from the unsafe or dangerous construction, installation, inspection, operation, maintenance and repair of boilers and pressure vessels in this Commonwealth.”

Purpose

Please explain the need for the new or amended regulation by (1) detailing the specific reasons why this regulatory action is essential to protect the health, safety, or welfare of citizens, and (2) discussing the goals of the proposal, the environmental benefits, and the problems the proposal is intended to solve.

The purpose of the proposed regulatory action is to conform to the most current editions of ASME and National Board safety and inspection codes, as noted in Section II of this briefing package, as well as in-house administrative fee adjustments to cover increased costs of doing business.

Substance

Please briefly identify and explain the new substantive provisions, the substantive changes to existing sections, or both where appropriate. (More detail about these changes is requested in the “Detail of changes” section.)

The Boiler Safety Compliance Program seeks to amend the Boiler and Pressure Vessel Rules and Regulations. The proposal addresses the following suggested amendments:

1. In Paragraph A of 16 VAC 25-50-150, add a fee of \$10.00 for the reprinting of certificate to cover direct administrative costs, i.e., printing, mailing and employee’s work-related time.
2. In Paragraph D of 16 VAC 25-50-150, Inspection Certificate and Inspection Fees, revise fees from “\$800” to “\$1000” to reflect cost of living adjustment;

3. In 16 VAC 25-50-360, Paragraph C.5.a., the Factors of safety are modified for vessels and a dual standard is established. Prior to January 1, 1999, the Factor of Safety remains 4.5. Vessels built on or after this date would have a lower factor of safety of 4.0. This revision is necessary to conform to current International Boiler and Pressure Vessel Code.
4. In 16 VAC 25-50-380, paragraph B.3., Factors of safety are modified for vessels and a dual standard is established. Prior to January 1, 1999, the Factor of Safety remains 4.0. Vessels built on or after this date have a lower factor of safety of 3.5. This revision is necessary to conform to current International Boiler and Pressure Vessel Code.
5. In Paragraph A of 16 VAC 25-50-430, change "1.5" to "1.25" for the maximum allowable working pressure for a hydrostatic pressure test, when applied to boilers or pressure vessels. The revision is necessary to conform to current International Boiler and Pressure Vessel Code;
6. Delete last two sentences of Paragraph D of 16 VAC 25-50-480, which reads as follows: "A seal weld is a tube-to-tubesheet weld used to supplement an expanded tube joint to ensure leak tightness. Seal welds on carbon steel (P-1) tube joints made by qualified welders will not require an inspection nor a Form R-1."
7. Delete the term "welded" from Form R-1, Report of Repairs to conform to current forms;
8. Incorporation by reference of the most recent edition (2006) of B31.1, ASME Code for Pressure Piping, American National Standards Institute;
9. Incorporation by reference of the most recent edition (2006) of API510 as listed in the National Board Inspection Code;
10. Incorporation by reference of the most recent edition (2006) of CSD-1 and related section on maintenance that includes revised inspector's checklist;
11. Incorporation by reference of the most recent edition (2007) of the National Board Inspection Code (NBIC); and
12. Incorporation by reference of the most recent edition (2007) of the International Boiler and Pressure Vessel Code, including sections XII and VIII, Div 2.

Issues

Please identify the issues associated with the proposed regulatory action, including:

- 1) the primary advantages and disadvantages to the public, such as individual private citizens or businesses, of implementing the new or amended provisions;*
- 2) the primary advantages and disadvantages to the agency or the Commonwealth; and*
- 3) other pertinent matters of interest to the regulated community, government officials, and the public.*

If the regulatory action poses no disadvantages to the public or the Commonwealth, please so indicate.

1) The primary advantages and disadvantages to the public associated with this proposed regulatory action are as follows: there will be a \$200 increase in cost to the “R” Stamp holders in the Commonwealth who request a review of a manufacturer’s or repair organization’s facility. The \$200 increase, which will occur once in a three-year period (reviews are performed every three years), will increase the total cost of the review from \$800 to \$1,000. The last time the review fee was increased to address the additional costs of doing business was in the 1999 Edition of the Boiler Pressure Vessel Rules and Regulations. A review performed by the National Board would cost \$3,000.

The Department does not perform a large number of inspections annually, and generally only when requested by the owner. The increase in fees will affect a number of the approximately 50 “R” Stamp holders in the Commonwealth that have their reviews performed by the Department. During calendar year 2006, the Department performed 15 such inspections and in calendar year 2007, the Department performed 14 such inspections. For the current year, 13 inspections have been performed so far with an additional two anticipated by the end of the year for a total of 15.

While the Department presently does not charge for a duplicate Certificate of Inspection, a \$10.00 fee represents the cost to the Department of generating a duplicate certificate. This fee includes printing, mailing and employee’s work-related time. The fees that the Department charges are based upon state law which requires that the Boiler Safety Compliance Program of the Department of Labor and Industry recoup no more than the Department’s actual costs. The non-fee related changes are deemed necessary to update the proposed regulations to the current editions of ASME and National Board safety and inspection codes which are incorporated by reference into the Commonwealth’s Boiler and Pressure Vessel Rules and Regulations.

With respect to employees, the proposed regulation will provide both increased protection of human life (both employee safety and public safety) as well as property from the unsafe or dangerous construction, installation, inspection, operation, and repair of boilers and pressure vessels in the Commonwealth of Virginia. The proposed regulations create no disadvantages to employees.

2) The Department anticipates no additional fiscal impact beyond the cost to promulgate the revisions to the regulation. All revenue from boiler fees is deposited directly into the state

general fund. None of the funding stays with the Department.

3) There are no disadvantages to the public or to the Commonwealth.

Requirements more restrictive than federal

Please identify and describe any requirement of the proposal which are more restrictive than applicable federal requirements. Include a rationale for the need for the more restrictive requirements. If there are no applicable federal requirements or no requirements that exceed applicable federal requirements, include a statement to that effect.

There are no requirements of the proposal which are more restrictive than applicable federal requirements.

Localities particularly affected

Please identify any locality particularly affected by the proposed regulation. Locality particularly affected means any locality which bears any identified disproportionate material impact which would not be experienced by other localities.

There are no localities that are particularly affected by the proposed regulation.

Public participation

Please include a statement that in addition to any other comments on the proposal, the agency is seeking comments on the costs and benefits of the proposal and the impacts of the regulated community.

In addition to any other comments, the board/agency is seeking comments on the costs and benefits of the proposal and the potential impacts of this regulatory proposal. Also, the agency/board is seeking information on impacts on small businesses as defined in § 2.2-4007.1 of the Code of Virginia. Information may include 1) projected reporting, recordkeeping and other administrative costs, 2) probable effect of the regulation on affected small businesses, and 3) description of less intrusive or costly alternative methods of achieving the purpose of the regulation.

Anyone wishing to submit written comments may do so by mail, email or fax to Mr. Ed. Hilton, Chief Boiler Inspector, Virginia Department of Labor and Industry, Powers-Taylor Building, 13 South Thirteenth Street, Richmond, VA 23219-4104; telephone: # 804.786.3262; fax #: 804.371.2324; Ed.Hilton@doli.virginia.gov Written comments must include the name and address of the commenter. In order to be considered, comments must be received by the last date of the public comment period.

A public hearing will be held and notice of the public hearing may appear on the Virginia Regulatory Town Hall website (www.townhall.virginia.gov) and can be found in the Calendar

of Events section of the Virginia Register of Regulations. Both oral and written comments may be submitted at that time.

Economic impact

Please identify the anticipated economic impact of the proposed regulation.

<p>Projected cost to the state to implement and enforce the proposed regulation, including (a) fund source / fund detail, and (b) a delineation of one-time versus on-going expenditures</p>	<p>There is no significant fiscal impact to the state beyond the cost of promulgating the revisions to the regulation. All revenue from boiler fees is deposited directly into the state general fund.</p>
<p>Projected cost of the regulation on localities</p>	<p>No significant cost is anticipated on localities.</p>
<p>Description of the individuals, businesses or other entities likely to be affected by the regulation</p>	<p>“R” Stamp holders in the Commonwealth that have their reviews performed by the Department.</p>
<p>Agency’s best estimate of the number of such entities that will be affected. Please include an estimate of the number of small businesses affected. Small business means a business entity, including its affiliates, that (i) is independently owned and operated and (ii) employs fewer than 500 full-time employees or has gross annual sales of less than \$6 million.</p>	<p>There are approximately 50 “R” Stamp holders in the Commonwealth that have their reviews performed by the Department. In 2006, the Department performed 15 such inspections and in 2007, the Department performed 14 such inspections. In 2008, 13 inspections have been performed with an additional two anticipated by the year’s end for a total of 15.</p>
<p>All projected costs of the regulation for affected individuals, businesses, or other entities. Please be specific. Be sure to include the projected reporting, recordkeeping, and other administrative costs required for compliance by small businesses.</p>	<p>The increased cost to “R” Stamp holders who request a review of a manufacturer’s or repair organization’s facility for the purpose of national accreditation will be performed for an additional \$200 once in a three-year period (reviews are performed every three years). This will increase the total cost for the review from \$800 to \$1,000 to reflect a cost of living adjustment. A \$10.00 fee is being added to cover administrative costs associated with reprinting an Inspection Certificate, i.e., printing, mailing and employee’s work-related time. The fees that the Department charges are based upon state law which requires that the Boiler Safety Compliance Program of the Department of Labor and Industry recoup no more than the Department’s actual costs.</p>

Alternatives

Please describe any viable alternatives to the proposal considered and the rationale used by the agency to select the least burdensome or intrusive alternative that meets the essential purpose of the action. Also, include discussion of less intrusive or less costly alternatives for small businesses, as defined in §2.2-4007.1 of the Code of Virginia, of achieving the purpose of the regulation.

With respect to the increased costs for the reviews, the alternative for employers is to have the review be performed by the National Board which charges \$3,000 for the review. There are no other alternatives for the increase to cover administrative costs and cost of living adjustment. There are also no alternatives to revisions made to comply with the most current editions of the International Boiler and Pressure Vessel Code or the National Board Inspection Code.

Regulatory flexibility analysis

Please describe the agency's analysis of alternative regulatory methods, consistent with health, safety, environmental, and economic welfare, that will accomplish the objectives of applicable law while minimizing the adverse impact on small business. Alternative regulatory methods include, at a minimum: 1) the establishment of less stringent compliance or reporting requirements; 2) the establishment of less stringent schedules or deadlines for compliance or reporting requirements; 3) the consolidation or simplification of compliance or reporting requirements; 4) the establishment of performance standards for small businesses to replace design or operational standards required in the proposed regulation; and 5) the exemption of small businesses from all or any part of the requirements contained in the proposed regulation.

The non-fee related changes are necessary to update the Boiler and Pressure Vessel Rules and Regulations to conform to those of the most current editions of the American Society of Mechanical Engineers (ASME) Pressure Vessel Code and the National Board Safety and Inspection codes; therefore, there were no alternative regulatory methods to achieve this goal.

The proposed \$200 would raise the review fee for national accreditation from \$800 to \$1,000 for employers, which is considerably less than the \$3,000 fees charged by the National Board for the review. The purpose of this increase is to reflect a cost of living adjustment. The last time the review fee was increased to address the additional costs of doing business was in the 1999 Edition of the Boiler and Pressure Vessel Rules and Regulations.

With respect to the \$10 charge for a replacement certificate, at least one comment felt that the Department should charge \$20 to cover the Department's time to process the requests. Most commenters felt that other fees should have been increased as well to more accurately reflect the true cost of the inspections and of the cost of living adjustment.

Public comment

Please summarize all comments received during public comment period following the publication of the NOIRA, and provide the agency response.

Commenter	Comment	Agency response
<p>Commenter 1: Mr. Mark Anderson, American Boiler Inspection Services, Inc., June 30, 2008</p>	<p><u>Comment 1:</u> Mr. Anderson stated that he would support the DOLI proposed changes, with the exception of the change to charge \$10 for a replacement Certificate. He felt that \$10 would not “come close to covering the DOLI time to process the request and then to bill and process the payment of \$10.” Instead, Mr. Anderson suggested a charge of \$20.</p> <p><u>Comment 2:</u> “Increase the DOLI inspection fees listed in 16 VAC 25-50-250, paragraph C, section a) from \$135 to \$150; b) from \$70 to \$100, and section c) from \$50 to \$100.” He stated that “these rates more accurately reflect the true cost of the inspections and of the cost of living adjustment.”</p> <p><u>Comment 3:</u> “Allow DOLI to authorize Insurance and Contract Fee Inspectors to perform compliance inspections of objects when the certificates of inspection have lapsed for a minimum period specified by DOLI. Cost of the inspection to the Owner/User would not exceed the DOLI inspection fees listed in 16 VAC 25-50-250, paragraph C. The lists of these objects with lapsed certificates to be inspected would be provided to the inspection companies by DOLI.”</p> <p><u>Comment 4:</u> “Allow DOLI to authorize “Special Inspectors” to visit locations with unregistered boilers or pressure vessels to perform the first inspection and register the units with DOLI. The cost of the inspection to the Owner/User would be a maximum of the DOLI specified fee in 16 VAC 25-50-250, paragraph C to be paid to the “Authorized Inspection Agency”, or possibly for free.”</p> <p><u>Comment 5:</u> Set the minimum insurance limits for</p>	<p><u>Agency Response:</u> The fees the Department charges are based upon state law which requires that we recoup no more than our actual costs. While the original certificate fee is \$20, these costs reflect the time required to process the inspection report and generate and mail the invoice. While the Department presently does not charge for a duplicate Certificate of Inspection, we feel that a \$10 fee represents the cost to the Department of generating a duplicate certificate.</p> <p>The inspection fees of the Department reflect what are determined to be our actual costs. The Department does not perform a large number of inspections annually, and generally only when requested by the owner. While it is not possible to break out the total actual direct and indirect costs of an inspection performed within a day of enforcement activity, the inspection fees requested approximates what the Department estimates is the real cost.</p> <p><u>Agency Response to Comments 3 and 4:</u></p> <p>The Department does not believe that a regulatory amendment is necessary, as the Commissioner of the Department of Labor and Industry already has the authority to appoint state inspectors. Although DOLI has no interest at this time in pursuing this possibility, it is one option that the Department may use in the future.</p> <p>The specific insurance requirements for the Contract Fee Inspection Companies are set out in the <i>Code of Virginia</i> and are not addressed in regulations promulgated by the Board. Any such</p>

<p>Committer 2: Mr. Kurt D. Crist, Tidewater Immediate Inspections, Inc. (7/7/08)</p>	<p>all Contract Fee Inspectors to be the same limit amounts, regardless of business size.</p> <p><u>Comment 6:</u> Allow Inspection companies to be invoiced by DOLI for the inspections performed by that Inspection Company, allow the Inspection Company to collect DOLI Certificate fees and forward to DOLI as specified in 16 VAC 25-50-150, paragraph A, section 2. Speeding DOLI’s processing time and reducing DOLI’s invoicing and collection efforts.</p> <p><u>Comment 1:</u> Mr. Crist asked the Department to increase the inspection fees to conform with today’s rates:</p> <p>UPV \$80.00 External Boiler Inspection \$100.00 (this includes water heaters) Internal Boiler Inspections \$150.00</p> <p>Mr. Crist added that an increase in inspection fees “...would be in line with the insurance regulations in place and gasoline prices today since this business requires a lot of vehicular travel that is not currently compensated for.”</p> <p><u>Comment 2:</u> Mr. Crist suggested that the Department “...make the insurance required by contract fee inspectors realistic, not by how many objects....” He expressed concerns about only his inspecting 100 boilers in schools or other “high profile places” and the possibility of an accident. He questioned how the Department would explain to the parents of the school children that he [Mr. Crist] was only required to carry a low amount of</p>	<p>statutory change would require an act of the General Assembly.</p> <p>“Your suggestion that the Department invoice owners for inspections performed by Contract Fee Inspection Companies or conversely, have the Contact Fee Inspection Companies collect the certificate fees for the Department is not technically or economically feasible at this time. As you are aware, the Department uses software written by a third party to track inspections, prepare invoices, and print certificates. There are certain protocols as to how this information is input into the software over which the Department has no control. Enhancements to this software, if agreeable to the vendor, would be costly and be of little benefit to the Department. Regardless, given the current budgetary situation, the Department sees little possibility of additional funding for this purpose in the foreseeable future.</p> <p>The inspection fees of the Department reflect what are determined to be our actual costs. The Department does not perform a large number of inspections annually, and generally only when requested by the owner. While it is not possible to break out the total actual direct and indirect costs of an inspection performed within a day of enforcement activity, the inspection fees requested approximates what the Department estimates is the real cost.</p> <p>The specific insurance requirements for the Contract Fee Inspection Companies are set out in a separate regulation, 16 VAC 25-55-20, Financial Requirements, and, therefore, cannot be addressed in the Boiler and Pressure Vessel Rules and Regulation amendments under consideration in this action. It should be noted, however, that Mr. Crist has no regulatory maximum on the amount of insurance coverage he may carry. There is only a regulatory minimum dollar floor level requirement.</p>
---	--	--

<p>Committer 3: Mr. Jim Mannion, Valley Boiler Inspection (7/8/08)</p>	<p>insurance because he didn't inspect the required amount of objects to increase the value of their child.</p> <p><u>Comment 3:</u> Mr. Crist requested that "inspection companies be allowed to visit locations with unregistered objects without [inspection companies] being penalized for reporting them to DOLI." He complained that once his company turns them in, they call a different company to perform their inspection service.</p> <p><u>Comment 1:</u> Mr. Mannion stated that he is in agreement with most of the Department's proposed changes with the following additions:</p> <p>"If the fee charged for National Board reviews is to be raised due to cost of living, the fees charged for inspection of objects should also be raised for the same reason. With today's costs I would recommend fees of \$200.00 for power boilers, \$125.00 for heating boilers, and \$100.00 for pressure vessels."</p> <p><u>Comment 2:</u> The Department's certificate inspection fees should once again be collected by inspection companies, similar to the past decal program. This fee could be collected at the time of inspection and forwarded to DOLI with inspection reports. This program would eliminate a large amount of clerical work for DOLI, including complaints from owners wondering why they have received a second invoice. It would be a simpler, more economical program for DOLI, owners, users, and inspection companies.</p> <p><u>Comment 3:</u> "Another improvement to the program would be for the Department to authorize inspection companies to</p>	<p>While the Department may send an inspector to a location based on information provided by your company, the DOLI inspector does not inform the owner at that location of the source of this information. However, it is reasonable to believe that most companies might possibly make an informed guess as to why the Department visited shortly after your company was there. The Department takes issue with Mr. Crist's use of the term "penalized" as this scenario does not actually decrease his customer base and would impact all of his competitors as well.</p> <p>The inspection fees of the Department reflect what are determined to be our actual costs. The Department does not perform a large number of inspections annually, and generally only when requested by the owner. While it is not possible to break out the total actual direct and indirect costs of an inspection performed within a day of enforcement activity, the inspection fees requested approximates what the Department estimates is the real cost.</p> <p>Your suggestion that the Contract Fee Inspection Companies collect the certificate fees for the Department is not technically or economically feasible at this time. As you are aware, the Department uses software written and maintained by a third party to track inspections, prepare invoices, and print certificates. There are certain protocols as to how this information is input into the software over which we have no control. Such enhancements to this software, if indeed agreeable to the vendor, would be costly and seen by the Department as being of little benefit to the Department. Regardless, given the current state budgetary situation, the Department sees little possibility of additional funding for this purpose in the foreseeable future.</p> <p>Your recommendation that Insurance Company and Contract Fee Inspection Company inspectors be authorized by the Department to perform inspection of overdue objects and find unregistered objects is interesting and may have merit. The Department does not believe that it requires a change in the rules, as the Commissioner of the Department already has the authority to appoint state inspectors.</p>
--	---	--

	<p>inspect overdue and unregistered objects and collect fees set by DOLI. As you know, there is large percentage of objects that are not being inspected. When I contact these owners regarding inspecting their equipment the most common response I get is that they will have it inspected when somebody with authority forces them to. As a former Boiler Safety Division employee I am well aware that 2 Deputy Inspectors will never be able to clear up all of the overdue objects or find all of the many unregistered objects in the Commonwealth. Authorizing inspection companies to perform this work would definitely reduce the number of overdue objects and unregistered objects and also DOLI's work load."</p>	<p>While there is no interest at this time in pursuing this possibility, it is one option that the Department may consider for use in the future.</p>
--	--	---

Family impact

Please assess the impact of the proposed regulatory action on the institution of the family and family stability including to what extent the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.

The proposed amendments will have no impact on the institution of the family and family stability.

Detail of changes

Please detail all changes that are being proposed and the consequences of the proposed changes. Detail all new provisions and/or all changes to existing sections.

If the proposed regulation is intended to replace an emergency regulation, please list separately (1) all changes between the pre-emergency regulation and the proposed regulation, and (2) only changes made since the publication of the emergency regulation.

For changes to existing regulations, use this chart:

Current section number	Proposed new section number, if applicable	Current requirement	Proposed change and rationale
16 VAC25-		2. Payment may be presented to a	2. Payment may be presented to a special

50 A.		<p>special inspector, where the inspector is authorized to collect and forward such fees on the department's behalf. The commissioner may authorize special inspectors to collect and forward to the chief inspector \$16 for each inspection certificate. Pursuant to §40.1-51.10:1 of the Code of Virginia, special inspectors may charge owners or users a fee not exceeding \$4.00 for collecting and forwarding inspection certificate fees.</p> <p>An inspection certificate will not be issued to the owner or user until payment is received by either the department or, if previously authorized, by a special inspector.</p>	<p>inspector, where the inspector is authorized to collect and forward such fees on the department's behalf. The commissioner may authorize special inspectors to collect and forward to the chief inspector \$16 for each inspection certificate. Pursuant to §40.1-51.10:1 of the Code of Virginia, special inspectors may charge owners or users a fee not exceeding \$4.00 for collecting and forwarding inspection certificate fees.</p> <p>An inspection certificate will not be issued to the owner or user until payment is received by either the department or, if previously authorized, by a special inspector. <u>A fee of \$10.00 will be charged for each reprint of an inspection certificate.</u></p>
16 VAC25-50		<p>D. The review of a manufacturer's or repair organization's facility for the purpose of national accreditation will be performed by the chief inspector or his qualified designee for an additional fee of \$800 per review or survey.</p>	<p>D. The review of a manufacturer's or repair organization's facility for the purpose of national accreditation will be performed by the chief inspector or his qualified designee for an additional fee of \$800 <u>\$1000</u> per review or survey.</p>
16 VAC25-50-360 C.5.		<p>a. The lowest factor of safety permissible on existing installations shall be 4.5. Horizontal-return-tubular boilers having continuous longitudinal lap seams more than 12 feet in length, shall have a factor of safety of eight. When this type of boiler is removed from its existing setting, it shall not be reinstalled for pressures in excess of 15 psig.</p>	<p>a. The lowest factor of safety permissible on existing installations shall be 4.5 <u>for vessels built prior to January 1, 1999. For vessels built on or after January 1, 1999, the factor of safety may be 4.0.</u> Horizontal-return-tubular boilers having continuous longitudinal lap seams more than 12 feet in length, shall have a factor of safety of eight. When this type of boiler is removed from its existing setting, it shall not be reinstalled for pressures in excess of 15 psig.</p>
16 VAC25-50-380 B.		<p>3. Factors of safety. The minimum factor of safety shall in no case be less than four for existing installations. The factor of safety may be increased when deemed necessary by the inspector to insure the operation of the vessel within safe limits. The condition of the vessel and the particular service of which it is subject will be the determining factors.</p>	<p>3. Factors of safety. The minimum factor of safety shall in no case be less than four <u>3.5 for existing installations vessels built on or after January 1, 1999. For vessels built prior to January 1, 1999, the minimum factor of safety shall in no case be less than 4.0.</u> The factor of safety may be increased when deemed necessary by the inspector to insure the operation of the vessel within safe limits. The condition of the vessel and the particular service of which it is subject will be the determining factors.</p>

<p>16 VAC25-50-430</p>		<p>A. A hydrostatic pressure test, when applied to boilers or pressure vessels, shall not exceed 4 1/2 <u>1.25</u> times the maximum allowable working pressure, except as provided by the ASME Code. The pressure shall be under proper control so that in no case shall the required test pressure be exceeded by more than 2.0%.</p>	<p>A. A hydrostatic pressure test, when applied to boilers or pressure vessels, shall not exceed 4 1/2 <u>1.25</u> times the maximum allowable working pressure, except as provided by the ASME Code. The pressure shall be under proper control so that in no case shall the required test pressure be exceeded by more than 2.0%.</p>
<p>16 VAC25-50-430</p>		<p>C. When a hydrostatic test is to be applied to existing installations, the pressure shall be as follows:</p> <p>2. For all cases involving the question of safety, the pressure shall be equal to 1-1/2 times the maximum allowable working pressure for temperature. During such test the safety valve or valves shall be removed or each valve disk shall be held to its seat by means of a testing clamp and not by screwing down the compression screw upon the spring.</p>	<p>C. When a hydrostatic test is to be applied to existing installations, the pressure shall be as follows:</p> <p>2. For all cases involving the question of safety, the <u>test</u> pressure shall be equal to 1-1/2 <u>not exceed 1.25</u> times the maximum allowable working pressure for temperature. During such test the safety valve or valves shall be removed or each valve disk shall be held to its seat by means of a testing clamp and not by screwing down the compression screw upon the spring.</p>
<p>16 VAC25-50-480</p>		<p>D. All repairs and alterations, except seal welds as defined in this subsection, shall be reported on the applicable Report of Welded Repair or Alteration form. The completed form including proper certification shall be forwarded to the chief inspector by the organization performing the repair or alteration. A seal weld is a tube-to-tubesheet weld used to supplement an expanded tube joint to ensure leak tightness. Seal welds on carbon steel (P-1) tube joints made by qualified welders will not require an inspection nor a Form R-1.</p> <p>The completed forms for routine repairs, as the term is defined in the National Board Inspection Code, need not be forwarded to the chief inspector.</p>	<p>D. All repairs and alterations, except seal welds as defined in this subsection, shall be reported on the applicable Report of Welded Repair or Alteration form. The completed form including proper certification shall be forwarded to the chief inspector by the organization performing the repair or alteration. A seal weld is a tube to tubesheet weld used to supplement an expanded tube joint to ensure leak tightness. Seal welds on carbon steel (P-1) tube joints made by qualified welders will not require an inspection nor a Form R-1.</p>
<p>FORMS</p>		<p style="text-align: center;">FORMS</p> <p>Form R-1, Report of Welded Repair, National Board Inspection Code (eff.1/1/99).</p>	<p style="text-align: center;">FORMS</p> <p>Form R-1, Report of Welded Repair, National Board Inspection Code (eff.1/1/99).</p> <p>Documents Incorporated by Reference</p>

Documents Incorporated by Reference	Documents Incorporated by Reference	
	<p>2001 Boiler and Pressure Vessel Code, ASME Code, American Society of Mechanical Engineers.</p> <p>ANSI/NB 23, 2001 National Board Inspection Code, National Board of Boiler and Pressure Vessel Inspectors.</p> <p>ASME B 31.1, ASME Code for Pressure Piping, American National Standards Institute, 1998.</p> <p>Part CG (General), Part CW (Steam and Waterside Control) and Part CF (Combustion Side Control) Flame Safeguard of ANSI/ASME CSD-1, Controls and Safety Devices for Automatically fired Boilers, 1998, American Society of Mechanical Engineers.</p> <p>API510, Pressure Vessel Inspection Code, Maintenance Inspection, Rating, Repair and Alteration, Sixth Edition, June 1989, American Petroleum Institute.</p>	<p>2004 <u>2007</u> Boiler and Pressure Vessel Code, ASME Code, American Society of Mechanical Engineers.</p> <p>ANSI/NB 23, 2004 <u>2007</u> National Board Inspection Code, National Board of Boiler and Pressure Vessel Inspectors.</p> <p>ASME B 31.1, ASME Code for Pressure Piping, American National Standards Institute, 1998 <u>2006</u>.</p> <p>Part CG (General), Part CW (Steam and Waterside Control) and Part CF (Combustion Side Control) Flame Safeguard of ANSI/ASME CSD-1, Controls and Safety Devices for Automatically fired Boilers, 1998 <u>2006</u>, American Society of Mechanical Engineers.</p> <p>API510, Pressure Vessel Inspection Code, Maintenance Inspection, Rating, Repair and Alteration, Sixth Edition, June 1989 <u>Seventh Edition, June 2006</u>, American Petroleum Institute.</p>