

STATE OF MAINE

Maine Boiler and Pressure Vessel Safety Program Laws and Rules



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CHAPTER 131

BOILERS AND PRESSURE VESSELS

§15101. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 1995, c. 560, Pt. H, §14 (NEW); PL 1995, c. 560, Pt. H, §17 (AFF).]

1. Approved.

[PL 2013, c. 70, Pt. C, §1 (RP).]

2. Authorized inspector. "Authorized inspector" means a person holding a license to inspect boilers and pressure vessels within this State issued under section 15120.

[PL 2013, c. 70, Pt. C, §2 (AMD).]

3. Board.

[PL 2013, c. 70, Pt. C, §3 (RP).]

4. Chief inspector. "Chief inspector" means the Chief Inspector of Boilers and Pressure Vessels approved under section 15106.

[PL 1999, c. 386, Pt. W, §3 (AMD).]

5. Code. "Code" means the boiler and pressure vessel code of the American Society of Mechanical Engineers and amendments and interpretations made and approved by the council of the society.

[PL 1995, c. 560, Pt. H, §14 (NEW); PL 1995, c. 560, Pt. H, §17 (AFF).]

6. Commissioner. "Commissioner" means the Commissioner of Professional and Financial Regulation.

[PL 1995, c. 560, Pt. H, §14 (NEW); PL 1995, c. 560, Pt. H, §17 (AFF).]

7. Department. "Department" means the Department of Professional and Financial Regulation.

[PL 1995, c. 560, Pt. H, §14 (NEW); PL 1995, c. 560, Pt. H, §17 (AFF).]

8. Deputy inspector. "Deputy inspector" means a person, employed by the State and supervised by the chief inspector, authorized to inspect boilers and pressure vessels within this State.

[PL 2013, c. 70, Pt. C, §4 (AMD).]

8-A. Director. "Director" means the Director of the Office of Professional and Occupational Regulation within the department.

[PL 2013, c. 70, Pt. C, §5 (NEW).]

9. Miniature boiler. "Miniature boiler" means a boiler as defined by the code.

[PL 1995, c. 560, Pt. H, §14 (NEW); PL 1995, c. 560, Pt. H, §17 (AFF).]

10. Schoolhouse. "Schoolhouse" includes, but is not limited to, any structure used by schools or colleges, public or private, for the purpose of housing classrooms, gymnasiums, auditoriums or dormitories.

[PL 1995, c. 560, Pt. H, §14 (NEW); PL 1995, c. 560, Pt. H, §17 (AFF).]

SECTION HISTORY

PL 1995, c. 560, §H14 (NEW). PL 1995, c. 560, §H17 (AFF). PL 1999, c. 386, §W3 (AMD). PL 2013, c. 70, Pt. C, §§1-5 (AMD).

§15101-A. Declaration of policy

It is the policy of the State to protect its citizens from unnecessary mechanical hazards in the operation of boilers and pressure vessels and to ensure that reasonable design and construction are used,

that accepted safety devices and sufficient personnel are provided and that periodic maintenance, inspections and adjustments considered essential for the safe operation of boilers and pressure vessels are made. The responsibility for design, construction, maintenance and inspection rests with the firm, person, partnership, association, corporation or company that owns boilers and pressure vessels. [PL 2013, c. 70, Pt. C, §6 (NEW).]

SECTION HISTORY

PL 2013, c. 70, Pt. C, §6 (NEW).

§15102. Exemptions

1. Boilers. This chapter does not apply to:

- A. Boilers that are under federal control; [PL 1995, c. 560, Pt. H, §14 (NEW); PL 1995, c. 560, Pt. H, §17 (AFF).]
- B. Boilers used solely for propelling motor road vehicles; [PL 1995, c. 560, Pt. H, §14 (NEW); PL 1995, c. 560, Pt. H, §17 (AFF).]
- C. Boilers of steam fire engines brought into the State for temporary use in times of emergency to check conflagrations; [PL 1995, c. 560, Pt. H, §14 (NEW); PL 1995, c. 560, Pt. H, §17 (AFF).]
- D. Boilers used for agricultural purposes only; [PL 1995, c. 560, Pt. H, §14 (NEW); PL 1995, c. 560, Pt. H, §17 (AFF).]
- E. Steam heating boilers, hot water heating boilers and hot water supply boilers, with the exception of boilers located in schoolhouses; or [PL 2015, c. 311, §1 (AMD).]
- F. Miniature boilers exempt pursuant to section 15103-A. [PL 2013, c. 70, Pt. C, §8 (AMD).]
[PL 2015, c. 311, §1 (AMD).]

2. Pressure vessels. This chapter does not apply to:

- A. Pressure vessels that are under federal control; [PL 1995, c. 560, Pt. H, §14 (NEW); PL 1995, c. 560, Pt. H, §17 (AFF).]
- B. Pressure vessels used for the transportation and storage of compressed or liquefied gases constructed in compliance with specifications of the United States Department of Transportation; [PL 1995, c. 560, Pt. H, §14 (NEW); PL 1995, c. 560, Pt. H, §17 (AFF).]
- C. Pressure vessels located on vehicles operating under the rules of other state authorities and used for carrying passengers or freight; [PL 1995, c. 560, Pt. H, §14 (NEW); PL 1995, c. 560, Pt. H, §17 (AFF).]
- D. Pressure vessels installed on the right-of-way of railroads and used directly in the operation of trains; [PL 1995, c. 560, Pt. H, §14 (NEW); PL 1995, c. 560, Pt. H, §17 (AFF).]
- E. Pressure vessels used solely for agricultural purposes on farms; [PL 1995, c. 560, Pt. H, §14 (NEW); PL 1995, c. 560, Pt. H, §17 (AFF).]
- F. Pressure vessels located in private residences and apartment houses with fewer than 6 apartments; [PL 1995, c. 560, Pt. H, §14 (NEW); PL 1995, c. 560, Pt. H, §17 (AFF).]
- G. Pressure vessels having an internal or external operating pressure not exceeding 15 pounds per square inch; [PL 1995, c. 560, Pt. H, §14 (NEW); PL 1995, c. 560, Pt. H, §17 (AFF).]
- H. Vessels for containing water under pressure, including those containing air, the compression of which serves only as a cushion, when neither of the following limitations is exceeded:

- (1) A design pressure of 300 pressure pounds per square inch; or

(2) A design temperature of 210 degrees Fahrenheit; [PL 1995, c. 560, Pt. H, §14 (NEW); PL 1995, c. 560, Pt. H, §17 (AFF).]

I. Pressure vessels containing water heated by steam or any other direct or indirect means when none of the following limitations are exceeded:

- (1) A heat input of 200,000 British thermal units per hour;
- (2) A water temperature of 200 degrees Fahrenheit; or
- (3) A normal water-containing capacity of 120 gallons; [PL 1995, c. 560, Pt. H, §14 (NEW); PL 1995, c. 560, Pt. H, §17 (AFF).]

J. Pressure vessels that do not exceed:

- (1) Five cubic feet in volume and 250 pounds per square inch gauge pressure;
- (2) One and 1/2 cubic feet in volume and 600 pounds per square inch gauge pressure; or
- (3) An inside diameter of 6 inches with no limitation on pressure; or [PL 2003, c. 204, Pt. G, §1 (AMD).]

K. Pressure vessels that are used as an integral part of a circuit breaker or transformer. [PL 1995, c. 560, Pt. H, §14 (NEW); PL 1995, c. 560, Pt. H, §17 (AFF).]

[PL 2003, c. 204, Pt. G, §1 (AMD).]

SECTION HISTORY

PL 1995, c. 560, §H14 (NEW). PL 1995, c. 560, §H17 (AFF). PL 1999, c. 386, §W4 (AMD). PL 2003, c. 204, §G1 (AMD). PL 2013, c. 70, Pt. C, §§7, 8 (AMD). PL 2013, c. 595, Pt. U, §11 (AMD). PL 2015, c. 311, §1 (AMD).

§15103. Board of Boilers and Pressure Vessels

(REPEALED)

SECTION HISTORY

PL 1995, c. 560, §H14 (NEW). PL 1995, c. 560, §H17 (AFF). PL 1999, c. 386, §W5 (AMD). PL 2007, c. 402, Pt. MM, §1 (AMD). PL 2013, c. 70, Pt. C, §9 (RP).

§15103-A. Director's powers and duties

1. Regulation. The director shall administer, coordinate and enforce this chapter. The director may appoint an advisory committee to assist the director on any matter that may arise under this chapter, as needed.

[PL 2013, c. 70, Pt. C, §10 (NEW).]

2. Rule-making authority. The director shall establish guidelines and adopt rules necessary for the proper administration and enforcement of this chapter. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. The rules must address, but are not limited to:

A. Requirements for the safe and proper construction, installation, repair, use and operation of boilers and pressure vessels in this State. The rules must conform as nearly as practicable to the code; [PL 2013, c. 70, Pt. C, §10 (NEW).]

B. Requirements for licensure of boiler operators, stationary steam engineers and authorized inspectors; [PL 2013, c. 70, Pt. C, §10 (NEW).]

C. Qualifications of welders performing welding on boilers and pressure vessels; [PL 2013, c. 70, Pt. C, §10 (NEW).]

D. Requirements for the method and frequency of boiler and pressure vessel inspections; [PL 2013, c. 70, Pt. C, §10 (NEW).]

E. Requirements for the nature and size of miniature boilers or pressure vessels to be inspected; and [PL 2013, c. 70, Pt. C, §10 (NEW).]

F. Criteria by which a temporary extension of an inspection certificate beyond 14 months in the case of boilers and beyond 38 months in the case of pressure vessels may be authorized. [PL 2013, c. 70, Pt. C, §10 (NEW).]

[PL 2013, c. 70, Pt. C, §10 (NEW).]

SECTION HISTORY

PL 2013, c. 70, Pt. C, §10 (NEW).

§15104. Rules

(REPEALED)

SECTION HISTORY

PL 1995, c. 560, §H14 (NEW). PL 1995, c. 560, §H17 (AFF). PL 1999, c. 386, §W6 (RP).

§15104-A. Powers and duties

(REPEALED)

SECTION HISTORY

PL 1999, c. 386, §W7 (NEW). PL 2001, c. 573, §A1 (AMD). PL 2007, c. 402, Pt. MM, §2 (AMD). PL 2013, c. 70, Pt. C, §11 (RP).

§15104-B. Appeals; variances

A person aggrieved by an order or act of the chief inspector or a deputy inspector under this chapter may, within 15 days after notice of the order or act, appeal from the order or act to the director, who shall hold a hearing pursuant to Title 5, chapter 375, subchapter 4. After the hearing, the director shall issue an appropriate order either approving or disapproving the order or act. [PL 2013, c. 70, Pt. C, §12 (AMD).]

A person who is or will be aggrieved by the application of any law, code or rule relating to the installation or alteration of boilers and pressure vessels may file a petition for a variance, whether compliance with that provision is required at the time of filing or at the time that provision becomes effective. The filing fee for a petition for a variance must be set by the director under section 15104-C. The chief inspector may grant a variance if, owing to conditions especially affecting the particular boiler or pressure vessel involved, the enforcement of any law, code or rule relating to boilers or pressure vessels would do manifest injustice or cause substantial hardship, financial or otherwise, to the petitioner or would be unreasonable under the circumstances as long as desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of that law, code or rule. In granting a variance under this section, the chief inspector may impose limitations both of time and of use, and a continuation of the use permitted may be conditioned upon compliance with rules made and amended from time to time. A copy of the decision must be sent to all interested parties. [PL 2013, c. 70, Pt. C, §12 (AMD).]

SECTION HISTORY

PL 2001, c. 573, §A2 (NEW). PL 2007, c. 695, Pt. B, §20 (AMD). PL 2011, c. 286, Pt. B, §5 (REV). PL 2013, c. 70, Pt. C, §12 (AMD).

§15104-C. Fees

The director may establish by rule fees for purposes authorized under this chapter in amounts that are reasonable and necessary for their respective purposes, except that the fee for any accreditation review, facility review or inspection of any one boiler or pressure vessel may not exceed \$500, the fee for any shop inspection may not exceed \$3,000, the fee for an inspection certificate for any one boiler or pressure vessel may not exceed \$100, the fee for a late inspection or a late certificate may not exceed \$250 and the fee for any other purpose may not exceed \$150. Rules adopted pursuant to this section are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A. [PL 2013, c. 70, Pt. C, §13 (AMD).]

SECTION HISTORY

PL 2007, c. 402, Pt. MM, §3 (NEW). PL 2011, c. 286, Pt. B, §5 (REV). PL 2013, c. 70, Pt. C, §13 (AMD).

§15105. Installation of new boilers and pressure vessels

A new boiler or pressure vessel that does not conform to the rules adopted by the director governing new installations may not be installed in this State. [PL 2013, c. 70, Pt. C, §14 (AMD).]

Unless otherwise exempt, all new boilers and pressure vessels to be installed must be inspected during construction by an inspector authorized to inspect boilers in this State, or, if constructed outside the State, by an inspector holding a license from this State or an inspector who holds a certificate of inspection issued by the National Board of Boiler and Pressure Vessel Inspectors, or its successor or other organization approved by the director. [PL 2013, c. 70, Pt. C, §14 (AMD).]

SECTION HISTORY

PL 1995, c. 560, §H14 (NEW). PL 1995, c. 560, §H17 (AFF). PL 1999, c. 386, §W8 (AMD). PL 2007, c. 402, Pt. MM, §4 (AMD). PL 2013, c. 70, Pt. C, §14 (AMD).

§15106. Chief and deputy inspectors

The commissioner shall appoint and may remove for cause when so appointed a person to be chief inspector at any time the office may become vacant. The chief inspector must have, at the time of the appointment, not fewer than 5 years' practical experience with steam boilers as a steam engineer, mechanical engineer, boilermaker or boiler inspector as described in section 15103-A. [PL 2013, c. 70, Pt. C, §15 (AMD).]

The commissioner may likewise hire deputy inspectors as necessary to carry out this chapter. [PL 1999, c. 386, Pt. W, §9 (AMD).]

SECTION HISTORY

PL 1995, c. 560, §H14 (NEW). PL 1995, c. 560, §H17 (AFF). PL 1999, c. 386, §W9 (AMD). PL 2013, c. 70, Pt. C, §15 (AMD).

§15107. Deputy and authorized inspectors to be examined

(REPEALED)

SECTION HISTORY

PL 1995, c. 560, §H14 (NEW). PL 1995, c. 560, §H17 (AFF). PL 1999, c. 386, §W10 (RP).

§15108. Chief and deputy inspectors to furnish bond

(REPEALED)

SECTION HISTORY

PL 1995, c. 560, §H14 (NEW). PL 1995, c. 560, §H17 (AFF). PL 1999, c. 386, §W10 (RP).

§15108-A. Boiler and pressure vessel inspectors

(REPEALED)

SECTION HISTORY

PL 1999, c. 386, §W11 (NEW). PL 2001, c. 323, §35 (AMD). PL 2007, c. 695, Pt. B, §21 (AMD). PL 2013, c. 70, Pt. C, §16 (RP).

§15108-B. Investigations of complaints; revocation of license, registration or certificate**(REPEALED)**

SECTION HISTORY

PL 1999, c. 386, §W11 (NEW). PL 1999, c. 547, §B78 (AMD). PL 1999, c. 547, §B80 (AFF). PL 2001, c. 573, §A3 (AMD). PL 2007, c. 402, Pt. MM, §5 (RP).

§15108-C. Denial or refusal to renew license; disciplinary action

In addition to the grounds enumerated in Title 10, section 8003, subsection 5-A, paragraph A, the director may deny a license, refuse to renew a license or impose the disciplinary sanctions authorized by Title 10, section 8003, subsection 5-A for: [PL 2013, c. 70, Pt. C, §17 (AMD).]

1. Operating under the influence. Operating or being in charge of a plant while under the influence of intoxicating beverages or narcotic drugs; [PL 2007, c. 402, Pt. MM, §6 (NEW).]

2. Physical or mental incapacity. Suffering from physical or mental incapacity that would jeopardize physical property or lives in the exercise of the license; or [PL 2007, c. 402, Pt. MM, §6 (NEW).]

3. Operating without authority. Operating or having charge of a plant over which the licensee or applicant lacked authority. [PL 2007, c. 402, Pt. MM, §6 (NEW).]

SECTION HISTORY

PL 2007, c. 402, Pt. MM, §6 (NEW). PL 2013, c. 70, Pt. C, §17 (AMD).

§15109. Stationary steam engineers and boiler operators

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Capacity" means the potential output of a steam boiler designated in pounds per hour of steam flow or its equivalent based on heating surface in the applicable chapter of the code. [PL 1995, c. 560, Pt. H, §14 (NEW); PL 1995, c. 560, Pt. H, §17 (AFF).]

B. [PL 2017, c. 210, Pt. H, §1 (RP).]

C. "Have charge of" means the general supervisory control over the operation and maintenance of a plant and other stationary steam engineers or other personnel engaged in the operation of the plant. [PL 1995, c. 560, Pt. H, §14 (NEW); PL 1995, c. 560, Pt. H, §17 (AFF).]

D. "Operate" means to control by observation and manipulation of mechanical or automatic and remote controls equipment in connection with a plant, but does not include persons who "have charge of" the plant. [PL 1995, c. 560, Pt. H, §14 (NEW); PL 1995, c. 560, Pt. H, §17 (AFF).]

E. "Plant" means heating plant, power plant or process plant. [PL 1995, c. 560, Pt. H, §14 (NEW); PL 1995, c. 560, Pt. H, §17 (AFF).]

F. "#/HR" means pounds of steam per hour output or equivalent. [PL 1995, c. 560, Pt. H, §14 (NEW); PL 1995, c. 560, Pt. H, §17 (AFF).]

G. "Psi" means pounds per square inch. [PL 1995, c. 560, Pt. H, §14 (NEW); PL 1995, c. 560, Pt. H, §17 (AFF).]

H. "Supervise" means to have supervisory control over the operation and maintenance of a plant, other stationary steam engines or other personnel engaged in the operation or maintenance of a plant, but does not mean "have charge of" as defined in paragraph C. [PL 1995, c. 560, Pt. H, §14 (NEW); PL 1995, c. 560, Pt. H, §17 (AFF).]
[PL 2017, c. 210, Pt. H, §1 (AMD).]

2. Licenses.

[PL 2003, c. 597, §1 (RP).]

2-A. Licenses. In order to safeguard life, health and property, the director shall provide for the mandatory licensing of stationary steam engineers and boiler operators. This subsection does not apply to:

A. Persons operating boilers exempt under section 15102; [PL 2003, c. 597, §2 (NEW).]

B. Persons employed by entities under the jurisdiction of the Public Utilities Commission or the United States Nuclear Regulatory Commission, or its successor or other organization approved by the director; or [PL 2013, c. 70, Pt. C, §18 (AMD).]

C. Persons operating steam heating boilers, hot water heating boilers and hot water supply boilers located in schoolhouses or owned by municipalities. [PL 2003, c. 597, §2 (NEW).]
[PL 2013, c. 70, Pt. C, §18 (AMD).]

3. Issuance of license. The director shall issue a license to an applicant in the grade requested, upon payment of the application fee and license fee as set under section 15104-C, if the applicant has satisfactorily met the examination and other requirements of this section.

A. A license expires on the date set by the commissioner pursuant to Title 10, section 8003, subsection 4 for the licensing period for which the license is issued. A license may be renewed upon receipt of the application for renewal and payment of the renewal fee as set in section 15104-C.

A license may be renewed up to 90 days after the date of its expiration upon payment of a late fee in addition to the renewal fee as set under section 15104-C. Any person who submits an application for renewal more than 90 days after the license expiration date shall pay an additional late fee as set under section 15104-C and is subject to all requirements governing new applicants under this chapter, except that the director, after giving due consideration to the protection of the public, may waive examination or other requirements. Notwithstanding any other provision of this chapter, the director shall waive examination if a renewal application is made within 90 days after separation from the United States Armed Forces, under conditions other than dishonorable, by a person who has failed to renew that person's license because that person was on active duty in the Armed Forces; except that the waiver of examination may not be granted if the person served more than 4 years in the Armed Forces, except if that person is required by some mandatory provision to serve a longer period and that person submits satisfactory evidence of this mandatory provision to the director. [PL 2013, c. 70, Pt. C, §19 (AMD).]

B. [PL 2017, c. 210, Pt. H, §2 (RP).]

C. The director shall determine the eligibility for licensure of any applicant who holds a current stationary steam engineering license issued by the proper authority of any state, territory or possession of the United States, the District of Columbia or Canada that has requirements equal to those of this State and recognizes the license issued by this State without further examination. The director shall certify as eligible for a license any applicant who holds a current Canadian marine or United States Coast Guard marine engineer's license and who has worked as a boiler engineer or

operator 3 of the last 5 years prior to application. The applicant bears the burden of proving those matters necessary for a license based on reciprocity. [PL 2013, c. 70, Pt. C, §19 (AMD).]
[PL 2017, c. 210, Pt. H, §2 (AMD).]

4. Denial or revocation of license.

[PL 1999, c. 386, Pt. W, §13 (RP).]

5. Examination committee.

[PL 2007, c. 402, Pt. MM, §9 (RP).]

5-A. Examination committee; duties.

[PL 2007, c. 402, Pt. MM, §10 (RP).]

6. Examinations.

[PL 1999, c. 386, Pt. W, §16 (RP).]

6-A. Examinations. Applicants for licensure shall present to the director a written application for examination accompanied by the required fee as set under section 15104-C. Examinations must be in whole or in part in writing and of a thorough and practical character commensurate with the responsibilities of the prospective license holder.

The passing grade on any examination may not be less than 70%.

[PL 2013, c. 70, Pt. C, §20 (AMD).]

7. Scope of licenses. The scope of a boiler operator's license and 4 classes of engineering licenses is as set out in this subsection.

A. [PL 2003, c. 597, §4 (RP).]

B. The holder of a boiler operator's license may operate, supervise or have charge of a heating plant having a capacity of not more than 20,000 #/HR or operate or supervise a plant up to the capacity of the license of the engineer in charge of the plant in which the licensee is employed. The applicant for a boiler operator's license must have 6 months' operating experience prior to examination under a boiler operator's training permit. The director shall issue a permit for the purpose of gaining that experience upon receipt of the required fee as set under section 15104-C. Such a permit must be limited to a specified plant and must be limited to one year. The director may extend the permit for a period not to exceed one year under unusual circumstances. The director may allow the owner of a small plant to sit for the boiler operator's examination without first obtaining a boiler operator's training permit. [PL 2013, c. 70, Pt. C, §21 (AMD).]

C. The holder of a 4th-class engineer's license may have charge of a plant of not more than 50,000 #/HR or operate or supervise a plant up to the capacity of the license of the engineer in charge of the plant in which the licensee is employed. An applicant for a 4th-class engineer's license must be a high school graduate or have equivalent education and at least one year of operating or supervising experience under a duly licensed engineer having charge of a plant. An applicant for a 4th-class engineer's license must have at least one year operating or supervising experience as a boiler operator. [PL 2003, c. 597, §6 (AMD).]

D. The holder of a 3rd-class engineer's license may have charge of a plant of not more than 100,000 #/HR or operate or supervise a plant up to the capacity of the license of the engineer in charge of the plant in which the licensee is employed. An applicant for a 3rd-class engineer's license must have at least one year operating or supervising experience as a 4th-class engineer. [PL 1995, c. 560, Pt. H, §14 (NEW); PL 1995, c. 560, Pt. H, §17 (AFF).]

E. The holder of a 2nd-class engineer's license may have charge of a plant of not more than 200,000 #/HR or operate or supervise a plant up to the capacity of the license of the engineer in charge of the plant in which the licensee is employed. An applicant for a 2nd-class engineer's license must

have at least 2 years operating or supervising experience as a 3rd-class engineer. [PL 1995, c. 560, Pt. H, §14 (NEW); PL 1995, c. 560, Pt. H, §17 (AFF).]

F. The holder of a first-class engineer's license may operate, supervise or have charge of a plant of unlimited steam capacity. An applicant for a first-class engineer's license must have at least 2 years operating or supervisory experience as a 2nd-class engineer. [PL 1995, c. 560, Pt. H, §14 (NEW); PL 1995, c. 560, Pt. H, §17 (AFF).]

G. One year of schooling in the field of boiler operation in a school approved by the director is equivalent to 6 months of operating experience. The director may conduct an accreditation review of the technical school. The technical school shall pay a fee for the accreditation review. [PL 2013, c. 70, Pt. C, §22 (AMD).]

H. In the event of a lack of qualified personnel in the plant in which the applicant is employed, the director may waive the operating experience requirements of the applicant for examination for the next higher grade of license. Any such license issued must be limited to that plant. [PL 2013, c. 70, Pt. C, §23 (AMD).]

I. Notwithstanding the provisions of this subsection, the director may permit an applicant to take the examination for a license if, in the director's opinion, the experience or educational qualifications, or both, of the applicant are equivalent to the operating experience required by this subsection. [PL 2013, c. 70, Pt. C, §23 (AMD).]

[PL 2013, c. 70, Pt. C, §§21-23 (AMD).]

8. Rules.

[PL 2013, c. 70, Pt. C, §24 (RP).]

9. Fees.

[PL 2007, c. 402, Pt. MM, §14 (RP).]

10. Committee expenses.

[PL 2007, c. 402, Pt. MM, §15 (RP).]

SECTION HISTORY

PL 1995, c. 560, §H14 (NEW). PL 1995, c. 560, §H17 (AFF). PL 1997, c. 691, §2 (AMD). PL 1999, c. 127, §D5 (AFF). PL 1999, c. 386, §§W12-20 (AMD). PL 2001, c. 323, §§36-39 (AMD). PL 2001, c. 573, §A4 (AMD). PL 2003, c. 597, §§1-6 (AMD). PL 2007, c. 402, Pt. MM, §§7-15 (AMD). PL 2013, c. 70, Pt. C, §§18-24 (AMD). PL 2017, c. 210, Pt. H, §§1, 2 (AMD).

§15110. Welding on boilers and pressure vessels; certificates for welders

A welder may not make welded repairs to any boiler or pressure vessel covered by this chapter, without first receiving authorization from the chief inspector or the authorized inspector employed by the insurance company responsible for the inspection of the boiler or pressure vessel. The authorization may be in the form of a general agreement between the chief inspector or the appropriate authorized inspector and the owner or the owner's representative. [PL 1995, c. 560, Pt. H, §14 (NEW); PL 1995, c. 560, Pt. H, §17 (AFF).]

The director may conduct a welding test facility review. The welding test facility shall pay the required fee for the review. [PL 2013, c. 70, Pt. C, §25 (AMD).]

SECTION HISTORY

PL 1995, c. 560, §H14 (NEW). PL 1995, c. 560, §H17 (AFF). PL 1999, c. 386, §W21 (AMD). PL 2001, c. 323, §§40,41 (AMD). PL 2013, c. 70, Pt. C, §25 (AMD).

§15111. Operation of condemned vessels

A boiler or pressure vessel that has been condemned for further use in this or any other state by an authorized inspector employed by an insurance company or by an inspector authorized to inspect boilers by a state or the Federal Government may not be installed or operated in this State. [PL 2013, c. 70, Pt. C, §26 (AMD).]

SECTION HISTORY

PL 1995, c. 560, §H14 (NEW). PL 1995, c. 560, §H17 (AFF). PL 1999, c. 386, §W22 (AMD). PL 2013, c. 70, Pt. C, §26 (AMD).

§15112. Condemned vessels stamped

A boiler or pressure vessel condemned in this State must be stamped "XXX Me.," and the chief inspector must immediately be notified of the condemnation. [PL 2013, c. 70, Pt. C, §27 (AMD).]

The stamp "XXX Me." placed on condemned boilers must be made across the registration mark or number of the boiler, or if the boiler has no registration mark or number, a stamp must be placed in the location of this mark as determined by the rules of the code. [PL 1995, c. 560, Pt. H, §14 (NEW); PL 1995, c. 560, Pt. H, §17 (AFF).]

The stamping must be done with individual letters, driven into the plate so far as to thoroughly cancel any previous registration and must be made with letters at least 3/8 of an inch high. [PL 1995, c. 560, Pt. H, §14 (NEW); PL 1995, c. 560, Pt. H, §17 (AFF).]

The laws and regulations of the code must be used in all mathematical computations necessary to determine the safety of a boiler. [PL 1995, c. 560, Pt. H, §14 (NEW); PL 1995, c. 560, Pt. H, §17 (AFF).]

SECTION HISTORY

PL 1995, c. 560, §H14 (NEW). PL 1995, c. 560, §H17 (AFF). PL 2013, c. 70, Pt. C, §27 (AMD).

§15113. Registration; stamping

A boiler, except one exempt under section 15102, may not be operated in this State unless the boiler is registered in the office of the director upon blanks to be furnished by the director upon request. The completed blanks must contain information regarding maker's name, type of construction, date of construction, age, location and when last inspected and other information as may be required. [PL 2013, c. 70, Pt. C, §28 (AMD).]

A pressure vessel, except those exempt under section 15102, may not be installed and operated in this State after June 30, 1974, unless it is constructed, inspected and stamped in conformity with Section VIII of the code and is registered with and approved by the director. [PL 2013, c. 70, Pt. C, §28 (AMD).]

The director may conduct shop inspections. The shop shall pay the required fee for the inspection. [PL 2013, c. 70, Pt. C, §28 (AMD).]

A pressure vessel that does not bear the code stamping may be registered with and approved by the director, if the person desiring to install the vessel makes application to the director and files a copy of the manufacturer's data report or a copy of the construction details together with material specifications for review and approval prior to installation. [PL 2013, c. 70, Pt. C, §28 (AMD).]

After a boiler or pressure vessel has been registered with the director, the director shall furnish and the owner or user shall stamp or have stamped a number as given, on the shell of the boiler in the space commonly used for such purposes, with letters and figures not less than 3/8 of an inch high. [PL 2013, c. 70, Pt. C, §28 (AMD).]

If a boiler or pressure vessel subject to this section is moved from one location to another, notice must be given to the director of the removal and of the new location in which the boiler or pressure vessel is to be set up. [PL 2017, c. 210, Pt. H, §3 (AMD).]

SECTION HISTORY

PL 1995, c. 560, §H14 (NEW). PL 1995, c. 560, §H17 (AFF). PL 1999, c. 386, §W23 (AMD). PL 2001, c. 323, §42 (AMD). PL 2013, c. 70, Pt. C, §28 (AMD). PL 2017, c. 210, Pt. H, §3 (AMD).

§15114. Certificate required

It is unlawful for any person, firm, partnership or corporation to operate under pressure in this State a boiler or pressure vessel to which this chapter applies without a valid inspection certificate as provided in this chapter. The operation of a boiler or pressure vessel without an inspection certificate constitutes a Class E crime on the part of the owner or user of the boiler or pressure vessel and is punishable by a fine of not more than \$100 or by imprisonment for not more than 30 days, or by both. [PL 1999, c. 386, Pt. W, §24 (AMD).]

SECTION HISTORY

PL 1995, c. 560, §H14 (NEW). PL 1995, c. 560, §H17 (AFF). PL 1999, c. 386, §W24 (AMD).

§15115. Temporary certificate

If an emergency affecting public safety and welfare exists, the chief inspector may issue a temporary inspection certificate for a period not exceeding 6 months after an inspection certificate has expired. A temporary inspection certificate may be issued without an internal inspection being made. If the boiler or pressure vessel is insured, the temporary inspection certificate may not be issued until recommended in writing by the authorized inspector of the company insuring the boiler or pressure vessel and by the chief inspector or one of the deputies; or, if the boiler or pressure vessel is not insured, the temporary inspection certificate must be recommended in writing by at least 2 authorized state inspectors. The provisions as to posting of the inspection certificate apply to the temporary inspection certificate. [PL 2013, c. 70, Pt. C, §29 (AMD).]

SECTION HISTORY

PL 1995, c. 560, §H14 (NEW). PL 1995, c. 560, §H17 (AFF). PL 1999, c. 386, §W25 (AMD). PL 2013, c. 70, Pt. C, §29 (AMD).

§15116. Insurance

When a boiler or pressure vessel is insured and inspected by a duly accredited insurance company licensed to do business in this State, a copy of the record of each certificate inspection of the boiler or pressure vessel must be filed with the director. [PL 2013, c. 70, Pt. C, §30 (AMD).]

When an insurance company cancels insurance upon any boiler or pressure vessel requiring inspection under section 15117 that is not exempt under section 15102 or the policy expires and is not renewed, notice must immediately be given to the director. An insurance company shall notify the director immediately upon insuring a boiler or pressure vessel pursuant to this section. [PL 2013, c. 70, Pt. C, §30 (AMD).]

SECTION HISTORY

PL 1995, c. 560, §H14 (NEW). PL 1995, c. 560, §H17 (AFF). PL 1999, c. 386, §W26 (AMD). PL 1999, c. 687, §E15 (AMD). PL 2013, c. 70, Pt. C, §30 (AMD).

§15117. Inspection required; certificates issued

Each boiler or pressure vessel used or proposed for use within this State, except boilers or pressure vessels exempt under section 15102, must be thoroughly inspected by the chief inspector, a deputy

inspector or an authorized inspector as to its design, construction, installation, condition and operation. When any boiler or pressure vessel inspected as specified by the director is found to be suitable and to conform to the rules of the director, the chief inspector shall issue to the owner or user of that boiler or pressure vessel, upon payment of a fee to the director, an inspection certificate for each boiler or pressure vessel. The fee under section 15104-C must be set by the director. Inspection certificates must specify the maximum pressure that the boiler or pressure vessel inspected is allowed to carry. The inspection certificate may be valid for not more than 14 months from the date of inspection in the case of boilers and 38 months from the date of inspection in the case of pressure vessels and must be posted under glass in the engine or boiler room containing the boiler or pressure vessel or an engine operated by it or, in the case of a portable boiler, in the office of the plant where it is temporarily located. [PL 2013, c. 70, Pt. C, §31 (AMD).]

In accordance with the provisions of the Maine Administrative Procedure Act, the chief inspector or any deputy inspector may at any time suspend an inspection certificate when, in the inspector's opinion, the boiler or pressure vessel for which it was issued may not continue to be operated without menace to the public safety. An authorized inspector has corresponding powers with respect to inspection certificates for boilers and pressure vessels insured by the company employing the inspector. [PL 2013, c. 70, Pt. C, §31 (AMD).]

SECTION HISTORY

PL 1995, c. 560, §H14 (NEW). PL 1995, c. 560, §H17 (AFF). PL 1999, c. 386, §W27 (AMD). PL 1999, c. 687, §E16 (AMD). PL 2001, c. 323, §43 (AMD). PL 2001, c. 573, §A5 (AMD). PL 2007, c. 695, Pt. B, §22 (AMD). PL 2013, c. 70, Pt. C, §31 (AMD).

§15118. Inspection charge

The owner or user of each boiler or pressure vessel required by this chapter to be inspected by the chief inspector or a deputy inspector shall pay an inspection fee or fees as set under section 15104-C. Not more than one inspection fee may be collected for the inspection of any one boiler or pressure vessel made in any one year, unless additional inspections are required by the owners or users of the boiler or pressure vessel or unless the boiler or pressure vessel has been inspected and an inspection certificate has been refused, withheld or withdrawn or unless an additional inspection is required because of the change of location of a stationary boiler or pressure vessel. [PL 2013, c. 70, Pt. C, §32 (AMD).]

The fees for additional inspections required by the code must be paid by the boiler owner or contractor and those fees must include the wages and expenses of the inspector. [PL 1995, c. 560, Pt. H, §14 (NEW); PL 1995, c. 560, Pt. H, §17 (AFF).]

SECTION HISTORY

PL 1995, c. 560, §H14 (NEW). PL 1995, c. 560, §H17 (AFF). PL 1999, c. 386, §W28 (AMD). PL 2001, c. 323, §44 (AMD). PL 2007, c. 402, Pt. MM, §16 (AMD). PL 2013, c. 70, Pt. C, §32 (AMD).

§15119. Powers of chief inspector

The chief inspector may: [PL 1995, c. 560, Pt. H, §14 (NEW); PL 1995, c. 560, Pt. H, §17 (AFF).]

1. Free access to premises. Have free access for the chief inspector or a deputy or deputy inspectors during reasonable hours to any premises in the State where a boiler or pressure vessel is built or where a boiler or pressure vessel or power plant apparatus is being installed or operated, for the purpose of ascertaining whether the boiler or pressure vessel is built, installed and operated in accordance with this chapter; [PL 1999, c. 386, Pt. W, §29 (AMD).]

2. Inspection certificates. Issue, suspend and revoke inspection certificates allowing boilers or pressure vessels to be operated, as provided in sections 15115 and 15117, and as provided in the Maine Administrative Procedure Act;
[PL 2001, c. 573, Pt. A, §6 (AMD).]

3. Enforce laws and rules. Enforce the laws of the State governing the use of boilers and pressure vessels and enforce the rules of the director; and
[PL 2013, c. 70, Pt. C, §33 (AMD).]

4. Examinations and certificates of competency.
[PL 1999, c. 386, Pt. W, §29 (RP).]

5. Order uninspected or unrepaired boilers and pressure vessels out of service. In addition to the chief inspector's powers under section 15117, order that a boiler or pressure vessel be taken out of service if an inspection report is not submitted to the chief inspector as required by section 15121, subsection 1, if the inspection certificate fee is not submitted as required by section 15121, subsection 2 or if the owner fails to make repairs as required by the chief inspector.
[PL 2013, c. 70, Pt. C, §34 (AMD).]

SECTION HISTORY

PL 1995, c. 560, §H14 (NEW). PL 1995, c. 560, §H17 (AFF). PL 1999, c. 386, §W29 (AMD). PL 2001, c. 573, §§A6,7 (AMD). PL 2013, c. 70, Pt. C, §§33, 34 (AMD).

§15120. Authorized inspectors

1. Issue license. The director shall, upon the request of an individual who works for a company authorized to insure against loss from explosion of boilers or pressure vessels in this State, issue to the boiler inspector of the company a license to inspect boilers and pressure vessels as an authorized inspector, upon payment of the fee as set under section 15104-C, if the boiler inspector has satisfactorily met the examination and other requirements as specified by this section and rule. The boiler inspector must have a current commission issued by the National Board of Boiler and Pressure Vessel Inspectors, or its successor.
[PL 2013, c. 70, Pt. C, §35 (NEW).]

2. Not entitled to compensation by State. Authorized inspectors are not entitled to receive a salary from, nor may any of their expenses be paid by, the State.
[PL 2013, c. 70, Pt. C, §35 (NEW).]

3. Conditions. The continuance of an authorized inspector's license is conditioned upon the authorized inspector continuing in the employ of a boiler inspection and insurance company duly authorized and upon maintenance of the standards imposed by this chapter.
[PL 2013, c. 70, Pt. C, §35 (NEW).]

4. Exempt from fees. Authorized inspectors shall inspect all boilers and pressure vessels insured by their respective companies, and the owners or users of those insured boilers are exempt from the payment of the fees provided for in section 15118.
[PL 2013, c. 70, Pt. C, §35 (NEW).]

5. Additional inspections authorized. Authorized inspectors may, with the permission of the chief inspector, also inspect boilers and pressure vessels for which an application for insurance against loss from explosion of boilers or pressure vessels has been made or when a new boiler or pressure vessel is installed at an insured location and the prospective insured owner or user is exempt from the payment of fees provided for in section 15118.
[PL 2013, c. 70, Pt. C, §35 (NEW).]

6. Report to chief inspector. Each company employing authorized inspectors shall, within 30 days following each certificate inspection made by the inspectors, file a report of the inspection with the chief inspector.

[PL 2013, c. 70, Pt. C, §35 (NEW).]

SECTION HISTORY

PL 1995, c. 560, §H14 (NEW). PL 1995, c. 560, §H17 (AFF). PL 1999, c. 386, §W30 (AMD). PL 1999, c. 687, §E17 (AMD). PL 2001, c. 573, §A8 (AMD). PL 2007, c. 402, Pt. MM, §17 (AMD). PL 2013, c. 70, Pt. C, §35 (RPR).

§15121. Duties of owners of boilers and pressure vessels

1. Responsibility for inspection. It is the responsibility of the owner to arrange for an inspection of a boiler or pressure vessel and to prepare the boiler or pressure vessel for inspection. The late inspection fee set by the director under section 15104-C may be assessed against the owner if an inspection report is not submitted within 60 days of the expiration of the most recent inspection certificate.

[PL 2013, c. 70, Pt. C, §36 (AMD).]

2. Obtain inspection certificate. The owner of a boiler or pressure vessel shall submit the inspection certificate fee as set under section 15104-C within 60 days of notification from the director that the inspection report required under section 15120 has been received by the director. Failure to submit the required fee within the 60 days provided may result in the assessment of a late certificate fee as set under section 15104-C.

[PL 2013, c. 70, Pt. C, §36 (AMD).]

3. Failure to qualify for inspection certificate. The owner of a boiler or pressure vessel that does not qualify for an inspection certificate shall take the boiler or pressure vessel out of operation until the required repairs have been made and a new inspection certificate has been issued.

[PL 2001, c. 573, Pt. A, §9 (NEW).]

4. Notify director when required repairs made. The owner of a boiler or pressure vessel shall notify the director when required repairs have been made and provide the director with satisfactory evidence of completion.

[PL 2013, c. 70, Pt. C, §36 (AMD).]

5. Notify director when boiler or pressure vessel removed. The owner of a boiler or pressure vessel shall notify the director within 30 days of the removal of the boiler or pressure vessel.

[PL 2013, c. 70, Pt. C, §36 (AMD).]

6. Change of ownership. The owner of a boiler or pressure vessel shall notify the director of a transfer of ownership within 30 days of such a transfer.

[PL 2013, c. 70, Pt. C, §36 (AMD).]

7. Failure to comply. In addition to the remedies available under this chapter, an owner of a boiler or pressure vessel who fails to comply with the provisions of this chapter or rules adopted by the director is subject to the provisions of Title 10, section 8003, subsection 5 whether or not the boiler or pressure vessel has a current inspection certificate, except that, notwithstanding Title 10, section 8003, subsection 5, paragraph A-1, subparagraph 3, a civil penalty of up to \$3,000 may be imposed for each violation.

[PL 2013, c. 70, Pt. C, §36 (AMD).]

SECTION HISTORY

PL 2001, c. 573, §A9 (NEW). PL 2007, c. 402, Pt. MM, §§18, 19 (AMD). PL 2011, c. 286, Pt. B, §5 (REV). PL 2013, c. 70, Pt. C, §36 (AMD).

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**MAINE BOILER
AND PRESSURE
VESSEL SAFETY
PROGRAM
RULES**

Chapter 1: DEFINITIONS

Summary: This Chapter defines (1) terms that are used in the rules adopted by the Board and (2) terms used in Title 32, Chapter 131, but not defined by statute. Terms used in the Board's rules also are defined by statute and by the national codes adopted in Chapter 11.

1. Incorporation by Reference; Conflicts

The Board incorporates in its rules the definitions that appear in 32 M.R.S.A. Chapter 131 and the national codes adopted in Chapter 11 of these Rules.

If a conflict exists as to definitions contained in any of the above sources, the definitions in Title 32, Chapter 131 prevail over both the definitions in the Board's rules and the definitions in the national codes, and the definitions in the Board's rules prevail over the definitions in the national codes.

2. Definitions

As used in the Board's rules, unless the context otherwise indicates, the following terms have the following meanings:

- A. **ANSI.** "ANSI" means the American National Standards Institute.
- B. **ASME.** "ASME" means the American Society of Mechanical Engineers International.
- C. **Boiler.** "Boiler" includes power boilers and low pressure boilers and means a closed vessel in which water is heated, steam is generated, steam is superheated, or any combination thereof, under pressure or vacuum for use external to itself by the direct application of heat. "Boiler" also includes fired units for heating or vaporizing liquids other than water where these units are separate from processing systems and complete within themselves. As used in the Board's rules, the "boiler" includes only those units that are not exempt under 32 M.R.S.A. § 15102(1). When referring to power boilers, "boilers" includes boiler external piping.
- D. **Boiler Operation.** The Board recognizes 2 methods by which boilers are operated, manual and automatic.
 - (1) "Manual operation" means that a full-time boiler operator or stationary steam engineer is required to observe boiler pressures, temperatures, and levels and to make adjustments as the output demand fluctuates. A partially automated boiler must be classified as being manually operated.

- (2) “Automatic operation” means that a boiler is fully equipped with automatic control systems and does not require a boiler operator or stationary steam engineer to make adjustments as the output demand fluctuates.
- E. **Boiler Operator.** “Boiler operator” means a licensed person who controls a low pressure boiler by observation and manipulation of mechanical, automatic, or remote control.
- F. **Chief Inspector.** “Chief Inspector” means the Chief Inspector of Boilers and Pressure Vessels or the Chief Inspector’s designee.
- G. **Electric Boiler.** “Electric boiler” means a power boiler or low pressure boiler in which the source of heat is electricity.
- H. **Engineer-in-Charge.** “Engineer-in-charge” means the licensed person designated by an owner to be responsible for ensuring that a boiler plant is maintained and operated in a safe condition by the company or organization to which the boiler or boilers are registered by the State of Maine.
- I. **Low Pressure Boiler.** “Low pressure boiler” means a boiler in which either: (1) steam or other vapor is generated at a pressure of no more than 15 PSIG or (2) fluid is heated to no more than 250 degrees Fahrenheit or the operating pressure is no more than 160 PSIG. “Low pressure boiler” is referred to as a “heating boiler” or a “process boiler.”
- NOTE: Low pressure boiler types are identified in Section E-100 of Appendix E of Section IV of the ASME Boiler and Pressure Vessel Code.
- J. **Inspector.** “Inspector” means the Chief Inspector of Boilers and Pressure Vessels, a Deputy Inspector, or an Authorized Inspector, all as defined in 32 M.R.S.A. §15101.
- K. **MAWP.** “MAWP” means maximum allowable working pressure.
- L. **National Board.** “National Board” means the National Board of Boiler and Pressure Vessel Inspectors.
- M. **NBIC.** “NBIC” means the National Board Inspection Code.
- N. **NPS.** “NPS” means nominal pipe size.
- O. **Organic Fluid Boiler.** “Organic fluid boiler” means a pressure vessel in which organic fluid is vaporized or heated.
- P. **Owner.** “Owner” means a firm, person, partnership, association, corporation, or state or political subdivision that owns a boiler or pressure vessel.
- Q. **Place Out of Service.** “Place out of service” means to render safe and completely inoperable, other than to make repairs, for an indefinite period.
- R. **Plant.** “Plant” means the buildings, equipment, and fixtures of an institution or an industrial or manufacturing establishment at any one site.

- (1) **Heating Plant.** A “heating plant” consists of the boiler or boilers and the auxiliary equipment and would not necessarily include piping and radiation equipment used for space heating.
 - (2) **Power Plant.** A “power plant” consists of the boiler or boilers, the auxiliary equipment and prime mover machinery used to produce electric power to be used outside the boiler and engine spaces.
 - (3). **Process Plant.** A “process plant” consists of the boiler and the auxiliary equipment, which may or may not have prime moving machinery and will not necessarily include machinery and equipment used for manufacturing of a product. Process plant includes both low pressure and power boilers.
- S. **Power Boiler.** “Power boiler,” also commonly known as a “high pressure boiler,” means a boiler in which steam or other vapor is generated at a pressure of more than 15 PSI for use external to itself, and includes electric boilers, miniature boilers, organic fluid boilers, and high-temperature water boilers.
- Note:** The term “power boiler” includes boiler external piping up to and including the required stop valve(s).
- T. **Pressure Vessel.** “Pressure vessel” means a container for the containment of pressure, either internal or external. This pressure may be obtained from an external source, or by the application of heat from a direct or indirect source, chemical reaction, or any combination thereof. As used in the Board’s rules, “pressure vessel” includes only those units that are not exempt under 32 M.R.S.A. § 15102(2).
- U. **PSI.** “PSI” means pounds per square inch.
- V. **PSIG.** “PSIG” means pounds per square inch gauge.
- W. **Relocation.** “Relocation,” when applied to a boiler or pressure vessel, means movement of the boiler or pressure vessel to any extent from its current site. A “relocated” boiler or pressure vessel is a boiler, other than a portable boiler, or a pressure vessel that is moved.
- X. **Reportable Accident.** “Reportable Accident” means an unexpected and sudden event that renders a boiler or pressure vessel inoperative and adversely affects its pressure retaining capability.
- Y. **Stamp.** “Stamp” means a code symbol issued by the American Society of Mechanical Engineers or the National Board of Boiler and Pressure Vessel Inspectors. “Stamped” and “stamping” mean the application of such a code symbol.
- Z. **Stationary Steam Engineer.** “Stationary steam engineer” means a person licensed by the Board to operate a high pressure boiler or to be responsible for the operation and maintenance of equipment in a plant, in accordance with Maine law, and includes high pressure boiler operators.

AA. **Suspend Operation.** “Suspend Operation” means the discontinuance of operation of a boiler or pressure vessel for any purpose, other than to make repairs, for a limited period of time.

AB. **TAPPI.** “TAPPI” means Technical Association Pulp and Paper Industry.

AUTHORITY: 32 MRSA § 15101, § 15104-A, and § 15109

EFFECTIVE DATE:

January 15, 2005 – filing 2005-7

02 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

174 BOARD OF BOILERS AND PRESSURE VESSELS

Chapter 2: VARIANCES

Summary: This Chapter prescribes the procedure for the filing of a petition for a variance under 32 M.R.S.A. § 15104-B.

A petition for a variance must be submitted to the Chief Inspector on a petition form provided by the Department and must be accompanied by the filing fee prescribed by the Office of Licensing and Registration Rules, Chapter 10, "Establishment of License Fees," Section 4, Subsection 9. The owner must comply with any request by the Chief Inspector for additional information.

AUTHORITY: 32 M.R.S.A. § 15104-A and § 15104-B

EFFECTIVE DATE:

January 15, 2005 – filing 2005-8 repealed former Chapter 2
filing 2005-9 adopted new Chapter 2

02 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

174 BOARD OF BOILERS AND PRESSURE VESSELS

Chapter 3: BOARD MEETINGS

Summary: This Chapter establishes procedures for meetings of the Board in addition to the procedures established by 32 M.R.S.A. § 15103(3).

1. Agenda for Meetings

- A. The Department shall prepare an agenda for all meetings of the Board. The agenda must include business requiring consideration or action by the Board. The agenda must also include business items requested by Board members, provided that the Department receives the request at least 10 business days before the meeting. The Department shall send the agenda to the members of the Board at least 7 business days before the meeting.
- B. The Board may consider business not included on the agenda if a majority of the Board members present votes affirmatively to consider the item.

2. Election of Chair and Vice-Chair

The Board shall elect a chair and vice-chair at the first meeting of the calendar year. If the chair leaves office for any reason, the vice-chair shall act as chair until the Board elects a new chair.

AUTHORITY: 32 M.R.S.A. § 15103, § 15104-A

EFFECTIVE DATE:

January 15, 2005 filing 2005-10 repealed old Chapter 3
filing 2005-11 adopted new Chapter 3

Summary: This Chapter establishes requirements and guidelines for the Board's discretionary issuance of advisory rulings.

1. Authority and Scope

The Board may issue an advisory ruling in accordance with 5 M.R.S.A. § 9001 concerning the applicability of a statute or rule to existing facts. The Board shall review each request for an advisory ruling to determine whether the requested ruling is appropriate. The Board may, at its discretion, decline to issue an advisory ruling if the question is hypothetical, if there is insufficient information upon which to base a ruling, or for any other reason the Board deems proper.

2. Submission

A request for an advisory ruling must be submitted to the Board in writing and must set forth in detail all facts pertinent to the question. The Board may require submission of additional information it deems necessary to provide a complete factual background.

3. Ruling

The Board shall issue advisory rulings in writing. The advisory ruling must include a statement of the facts or assumptions, or both, upon which the ruling is based. The statement must be sufficiently detailed to apprise the reader of the factual basis of the opinion without reference to other documents. The assent of four members of the Board is required for the issuance of an advisory ruling. The ruling must be signed by the Board's Chair, identified specifically as an advisory ruling, and numbered serially.

4. Publication

The Department shall mail the advisory ruling to the requesting party and the Board Administrator shall retain a copy. An advisory ruling is a public document and is available for public inspection during the normal working hours of the Board. In addition, the Board may otherwise publish or circulate an advisory opinion as it deems appropriate.

AUTHORITY: 5 M.R.S.A. § 9001 and 32 M.R.S.A. § 15104-A

EFFECTIVE DATE:

January 15, 2005 – filing 2005-12 repealed old Chapter 4
filing 2005-13 adopted new Chapter 4

02 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

174 BOARD OF BOILERS AND PRESSURE VESSELS

Chapter 11: NATIONAL CODES APPLICABLE TO BOILERS AND PRESSURE VESSELS

Summary: This Chapter specifies the national safety codes and standards that apply to boilers and pressure vessels regulated in the State of Maine. Additional requirements are contained in Title 32, Chapter 131, and in other chapters of these rules.

1. Adoption of Codes

The Board adopts, and incorporates in this Chapter, the standards of the following national codes to govern construction, installation, inspection, operation, and alteration and repair of boilers and pressure vessels:

- A. ASME Boiler and Pressure Vessel Code (2004 Edition), with the exception of Sections III and XI;
- B. ASME Pressure Piping Code B31.1 (2004 Edition);
- C. National Board Inspection Code, ANSI/NB-23 (2001 Edition, 2001, 2002, 2003 addendum);
- D. ASME Controls and Safety Devices for Automatically Fired Boilers (CSD-1) (2002 Edition), with the exception of Part CF; and
- E. TAPPI, Technical Information Paper 0402-16, 2001 revision, Guidelines for inspection and nondestructive examination of paper machine dryers.

NOTE: Part CF, "Combustion Side Controls," is an adopted standard of the Oil and Solid Fuel Board and the Propane and Natural Gas Board.

2. Exceptions

- A. Notwithstanding the provisions of Section 1, Paragraphs A and B, boilers and pressure vessels existing as of the effective date of this Chapter must:
 - (1) At a minimum, be maintained in accordance with the code of construction in effect at the time of installation; or
 - (2) Comply with the applicable current standard in Section 1 of this Chapter.
- B. The Board adopts the National Board Inspection Code, ANSI/NB23 with the exception of RC-2031(a)(1-4), "Routine Repairs." For information regarding repairs refer to Chapter 15 of these rules.

3. Conflicts

When a rule in another Chapter refers to a national code, the reference is to the edition of the code, addendum, and/or appendix adopted in this Chapter. In the event of a conflict between a standard in a national code and the provision of a Maine statute or the Board's rules, the provision of the Maine statute or the Board's rules governs.

NOTE:

Copies of the ASME Codes may be purchased from:

The American Society of Mechanical Engineers
ASME SERVICE CENTER
22 Law Drive, Box 2900
Fairfield, NJ 07007-2900
Tel. 1-800-843-2763
www.asme.org

Copies of the National Board Inspection Code may be purchased from:

The National Board of Boiler and Pressure Vessel Inspectors
1055 Crupper Avenue
Columbus, Ohio 43229
Tel. 614-888-8320
www.nationalboard.org

Copies of TAPPI may be purchased from:

TAPPI
P.O. Box 105113
Atlanta, GA 30348-5113
Tel. 1-800-332-8686
www.tappi.org

AUTHORITY: 32 M.R.S.A. § 15104-A

REPEALED AND REPLACED:

January 15, 2005 – filing 2005-20 repealed old Chapter 11
filing 2005-21 adopted new Chapter 11

Chapter 12: POWER BOILERS

SUMMARY: This Chapter establishes requirements for the design, construction, installation, operation, and inspection of power boilers.

1. New Installations

- A. **Approval of Installation.** Before a power boiler is installed, the owner must submit to the Chief Inspector detailed plans and specifications of the installation for approval at least 30 days prior to installation on a form provided by the Board. The owner must comply with any request by the Chief Inspector for additional information. A power boiler may not be installed unless the Chief Inspector has issued a written approval for the installation. Emergency situations will be handled on a case by case basis by contacting the Chief Inspector.
- B. **Initial Inspections**
- (1) **Inspection.** The Chief Inspector shall conduct the initial inspection of a new or relocated power boiler in accordance with the applicable code(s) specified in Chapter 11 of these rules. The initial inspection must consist of an internal and external inspection, if construction permits. Additionally, a hydrostatic test must be completed of the entire boiler and boiler external piping after field installation. The Chief Inspector shall record and submit the results of the inspection to the Board.
 - (2) **Interim Inspection Certificate.** If after initial inspection the Chief Inspector determines that a power boiler complies with all provisions of Title 32, Chapter 131, the Board's rules, and the applicable national code(s), the Chief Inspector may issue an interim inspection certificate for the operation of the power boiler up to 60 days pending issuance of the initial inspection certificate.
 - (3) **Expenses.** The owner or the owner's designee must pay the initial inspection fee and any related expenses for the initial inspection of a power boiler. If the fee has not been paid by the date the interim certificate expires, the Chief Inspector shall direct the owner to suspend operation of the power boiler.
- C. **Approval of Operation.** Before a newly installed power boiler is operated, the owner must comply with the provisions of Paragraphs A and B, and the Chief Inspector must approve the operation on a form provided by the Board.
- D. **Relocation.** Before a relocated power boiler is installed, the owner must petition the Chief Inspector for a variance to approve the installation. A relocated boiler must meet the requirements for new installations, where practicable.

2. Existing Power Boilers

- A. **Rules Applicable to Construction and Installation.** The design, construction, construction-related inspection, installation, and stamping of all existing power boilers must comply with the rules of the Board in effect at the time of installation.
- B. **Rules Applicable after Installation.** The maintenance, operation, and post-installation inspection of all existing power boilers must comply with the rules of the Board in effect at the time of the maintenance, operation, or post-installation inspection.

3. Registration Numbers

- A. **Display; Not Transferable.** The assigned State of Maine registration number must appear on each power boiler at all times. The registration number assigned to a power boiler may not be transferred to another boiler.
- B. **High Pressure Numbers.** Before any power boiler may be operated in this State, the assigned State of Maine registration number preceded by the letters "ME" must be stamped on the power boiler with the numbers and letters not less than 3/8 of an inch in height. The stamp must appear in the vicinity of the manufacturer's code stamping.

4. Periodic Inspections of Power Boilers

- A. **Frequency and Method.** Before the initial inspection certificate expires, and annually thereafter, all power boilers in the State must be inspected as follows: an Inspector must conduct 1 annual certificate inspection, which must be an internal inspection, and 1 annual external inspection conducted approximately 6 months from the date of the certificate inspection while the boiler is in operation. Miniature boilers must receive a certificate inspection once every year and an internal inspection once every 2 years. The external inspection must be documented by the Authorized Inspector on the inspection certificate.
- B. **Report.** An Inspector must submit a report of each certificate inspection required under Paragraph A to the Board on a form approved by the Board.

5. MAWP of Existing Power Boilers Not Constructed to Code

The MAWP on the shell of a power boiler or drum shall be determined by the strength of the weakest course computed from the thickness of the plate, the tensile strength of the plate, the efficiency of the longitudinal joint, the inside diameter of the course, and the factor of safety allowed by Paragraph A. The formula for determining MAWP is as follows:

$$\text{TStE} = \text{MAWP, PSIG} \\ \text{RFS}$$

Where:

TS	=	Ultimate tensile strength of shell plates, PSI
R	=	Inside radius of the weakest course of the shell or drum, inches.
t	=	Minimum thickness of shell plates in weakest course, inches.
E	=	Efficiency of longitudinal joint, as calculated in the ASME Boiler and Pressure Vessel Code specified in Chapter 11 of the Board's rules.
FS	=	Factor of Safety allowed by Paragraph A.

- A. **Factor of Safety.** The factor of safety must be at least 5.
- B. **Tensile Strength.** When the tensile strength of steel or wrought-iron shell plates is not known, it must be assumed to be 55,000 PSI for steel and 45,000 PSI for wrought iron.
- C. **Strength of Rivets.** Calculations concerning riveted joints must be those established by the ASME Boiler and Pressure Vessel Code specified in Chapter 11 of these rules, or as approved by the Board.

6. Lap Seam Boilers

No boiler of longitudinal lap seam construction may be installed or operated as a power boiler within the State.

7. Non-Code H.R.T. Boilers

A non-code horizontal return tubular boiler may not be installed or operated as a power boiler unless it was in use in this State before January 9, 1936.

8. Pitch Horizontal Firetube Boilers

Horizontal firetube boilers must be pitched toward the blow-off outlet not less than 1 inch for each 10 feet of tube length when set.

9. Manual Dampers

Fully closable manual dampers are prohibited on automatically fired power boilers. The owner must ensure that any such existing dampers are removed.

10. Engineers-in-Charge

The owner must assign an engineer-in-charge for any power boiler operated in the State of Maine. The engineer-in-charge must comply with the provisions of Chapter 32, Section 7 of these rules.

AUTHORITY: 32 MRS § 15104-A(1)

REPEALED AND REPLACED:

January 15, 2005 - filing 2005-22 repealed old Chapter 12
filing 2005-23 adopted new Chapter 12

Chapter 13: LOW PRESSURE BOILERS

SUMMARY: This Chapter establishes specific requirements for the identification, construction, installation, inspection, and operation of low pressure boilers. Consistent with 32 M.R.S.A. § 15102(1), the Board's rules regulate only those heating boilers located in schoolhouses or owned by municipalities and includes remote central heating plants. This Chapter also establishes specific requirements for low pressure "process" boilers and water heaters with a heat input greater than 200,000 Btu/hour.

1. Exceptions to this Chapter.

- A. Hot water heating boilers and hot water supply boilers are exempt from the certificate inspection process provided the following conditions are met:
 - (1) The boilers are constructed and installed in accordance with the Board rules and pass an initial installation inspection;
 - (2) The heat input to any one object is less than 200,000 Btu/hour; and
 - (3) The aggregate heat input of the plant is less than 300,000 Btu/hour.
- B. Water heaters are exempt from the provisions of this Chapter provided the following conditions are met.
 - (1) The water heater is built and installed to a nationally recognized code;
 - (2) The heat input is less than 200,000 Btu/hour;
 - (3) A properly sized ASME/NB rated pressure relief device is installed and functional;
 - (4) The object has proper controls to ensure water temperature does not exceed 210 degrees Fahrenheit;
 - (5) The water capacity is less than 120 gallons; and
 - (6) The aggregate heat input of the plant is less than 300,000 Btu/hour.

2. New Installations

A. Registration and Certification

Before any low pressure boiler is operated in the State of Maine, the owner of the low pressure boiler must register the low pressure boiler with the Board and must obtain a current, valid inspection certificate for the low pressure boiler.

B. Installation Inspections

- (1) **Notification.** The owner of a low pressure boiler must notify the State and the owner's insurance company when applicable before placing a new low pressure boiler in service.
- (2) **Inspection.** An Inspector must conduct the initial inspection of a low pressure boiler in accordance with the applicable code specified in Chapter 11 of these rules. The initial inspection must consist of an internal and external inspection, if construction permits. The Inspector must report the results of the inspection to the Board on forms provided by the Board.

- C. **Relocation.** Before a relocated low pressure boiler is installed, the owner must petition the Chief Inspector for a variance to approve the installation. The Chief Inspector must perform the initial inspection of a relocated boiler.

3. Existing Low Pressure Boilers

- A. **Rules Applicable to Construction and Installation.** The design, construction, construction-related inspection, installation, and stamping of all existing low pressure boilers must comply with the rules of the Board in effect at the time of installation.

- B. **Rules Applicable after Installation.** The maintenance, operation and post-installation inspection of all existing low pressure boilers must comply with the rules of the Board in effect at the time of the maintenance, operation, or post-installation inspection.

4. Registration Numbers

- A. **Display; Not Transferable.** The assigned State of Maine registration number must appear on each low pressure boiler at all times. The registration number assigned to a low pressure boiler may not be transferred to another boiler.

- B. **Low Pressure Boiler Numbers.** The Inspector must place the assigned State of Maine registration number, preceded by the letter "H," on a self-locking metal tag issued by the Board and must affix the tag to a suitable fitting on the low pressure boiler.

5. Periodic Inspections of Low Pressure Boilers

- A. **Inspection Methods and Frequency.** Before the initial inspection certificate expires, and annually thereafter, all low pressure boilers in the State must be inspected as follows:
- (1) An Inspector must perform 1 annual certificate inspection, which must be an external inspection conducted while the boiler is in operation; and
 - (2) When construction permits, an Inspector must perform an internal inspection every third year.
- B. **Report.** An Inspector must submit to the Board a report of each inspection performed pursuant to Paragraph A on a form approved by the Board.

6. MAWP of Existing Low Pressure Boilers Not Constructed to Code

The MAWP on the shell of a low pressure boiler or drum shall be determined by the strength of the weakest course computed from the thickness of the plate, the tensile strength of the plate, the efficiency of the longitudinal joint, the inside diameter of the course, and the factor of safety allowed by paragraph A. The formula for determining MAWP is as follows:

$$\frac{TStE}{RFS} = \text{MAWP, PSIG}$$

Where:

TS	=	Ultimate tensile strength of shell plates, PSI
R	=	Inside radius of the weakest course of the shell or drum, inches.
t	=	Minimum thickness of shell plates in weakest course, inches.
E	=	Efficiency of longitudinal joint, as calculated in the ASME Boiler and Pressure Vessel Code specified in Chapter 11 of the Board's rules.
FS	=	Factor of Safety allowed by Paragraph A.

- A. **Factor of Safety.** The factor of safety must be at least 5.
- B. **Tensile Strength.** When the tensile strength of steel or wrought-iron shell plates is not known, it must be assumed to be 55,000 PSI for steel and 45,000 PSI for wrought iron.
- C. **Strength of Rivets.** Calculations concerning riveted joints must be those established by the ASME Boiler and Pressure Vessel Code specified in Chapter 11 of these rules, or as approved by the Board.

7. Pitch Horizontal Firetube Boilers

Horizontal firetube boilers must be pitched toward the blow-off outlet not less than 1 inch for each 10 feet of tube length when set.

8. Manual Dampers

Fully closable manual dampers are prohibited on automatically fired low pressure boilers. The owner must ensure that any such existing dampers are removed.

AUTHORITY: 32 MRSA § 15104-A(1)

REPEALED AND REPLACED:

January 15, 2005 - filing 2005-24 repealed old Chapter 13
filing 2005-25 adopted new Chapter 13

Chapter 14: PRESSURE VESSELS

Summary: This Chapter establishes requirements for the design, construction, installation, inspection, and operation of pressure vessels.

1. New Installations**A. Registration and Certification**

Before any pressure vessel is operated in the State of Maine, the owner of the pressure vessel must register the pressure vessel with the Board and must obtain a current, valid inspection certificate for the pressure vessel.

B. Installation Inspections

- (1) **Notification.** The owner of a pressure vessel must notify the State and the owner's insurance company when applicable before placing a new vessel in service.
- (2) **Inspection.** An Inspector must conduct the initial inspection of a pressure vessel in accordance with the applicable code specified in Chapter 11 of these rules. The initial inspection must consist of an internal and external inspection, if construction permits. The Inspector must report the results of the inspection to the Board on forms provided by the Board.

- C. Relocation.** Before a relocated pressure vessel is installed, the owner must petition the Chief Inspector for a variance to approve the installation. The Chief Inspector must perform the initial inspection of a relocated pressure vessel.

2. Existing Pressure Vessels

- A. If an existing pressure vessel has not yet been registered, an Inspector must perform an initial inspection to determine the vessel's external condition and the adequacy of the safety relieving devices. The Inspector must submit a report of inspection to the Chief Inspector on a form provided by the Board.
- B. Any pressure vessel installed and operated after July 1, 1998, must be constructed to ASME code and must be stamped and registered with the National Board. The owner of any such pressure vessel not constructed to ASME Code or stamped or registered with the National Board may seek to register the pressure vessel with the Board only by petitioning the Board for a variance.

- C. Any pressure vessel installed between June 30, 1974, and July 1, 1998, must be constructed to ASME Code. The owner of any such pressure vessel not constructed to ASME Code may seek to register the pressure vessel with the Board only by petitioning the Board for a variance.
- D. Any pressure vessel installed before June 30, 1974, must be adequately designed for its intended use. An owner seeking to register such a pressure vessel must provide the Chief Inspector with a copy of the manufacturer's data report relating to the vessel, a copy of the construction details with material specifications, and any other information or materials requested by the Chief Inspector.

3. **Periodic Inspections of Pressure Vessels**

- A. **Inspection Methods and Frequency.** Before the initial inspection certificate expires, and every 3 years thereafter, all pressure vessels in the State must be inspected as follows:
 - (1) An Inspector must perform a certificate inspection of the pressure vessel; and
 - (2) The triennial certificate inspection must be internal whenever construction permits. In the event that an internal inspection is not feasible due to construction features, the Inspector must use an alternative method of determining material thickness of the shell and/or head.
- B. **Report.** The Inspector must submit to the Board a report of each inspection performed pursuant to Paragraph A on a form approved by the Board.

Exception: Those companies that are participating in the TAPPI Paper Machine Dryer Can Inspection Program may request permission to be issued an inspection certificate from the Board upon verification by the Authorized Inspector that the company is adhering to the TAPPI standards.

4. **Registration Numbers**

- A. **Display; Not Transferable.** The assigned State of Maine registration number must appear on each pressure vessel at all times. The registration number assigned to a pressure vessel may not be transferred to another pressure vessel.
- B. **Registration Number.** The Inspector must place the assigned State of Maine registration number, preceded by the letters "PV," on a self-locking metal tag issued by the Board and must affix the tag in the vicinity of the manufacturer's name plate.
- C. **Group of Pressure Vessels.** For purposes of assignment of a registration number, the Board may consider a group of pressure vessels, such as the rolls of a paper machine or a dryer operating as a single machine or unit, to be one pressure vessel. In that event, the group of pressure vessels must be assigned a single master registration number and the individual pressure vessels must be assigned separate registration numbers related to the master registration number. The owner must pay a certificate fee for only a single pressure vessel.

5. MAWP of Existing Pressure Vessels Not Constructed to Code

The MAWP on the shell of a pressure vessel or drum shall be determined by the strength of the weakest course computed from the thickness of the plate, the tensile strength of the plate, the efficiency of the longitudinal joint, the inside diameter of the course, and the factor of safety allowed by paragraph A. The formula for determining MAWP is as follows:

$$\frac{TStE}{RFS} = \text{MAWP, PSIG}$$

Where:

TS	=	Ultimate tensile strength of shell plates, PSI
R	=	Inside radius of the weakest course of the shell or drum, inches.
T	=	Minimum thickness of shell plates in weakest course, inches.
E	=	Efficiency of longitudinal joint, as calculated in the ASME Boiler and Pressure Vessel Code specified in Chapter 11 of the Board's rules.
FS	=	Factor of Safety allowed by paragraph A.

- A. **Factor of Safety.** The factor of safety must be at least 5.
- B. **Tensile Strength.** When the tensile strength of steel or wrought-iron shell plates is not known, it must be assumed to be 55,000 PSI for steel and 45,000 PSI for wrought iron.
- C. **Strength of Rivets.** Calculations concerning riveted joints must be those established by the ASME Boiler and Pressure Vessel Code specified in Chapter 11 of these rules, or as approved by the Board.

6. Ten or More Pressure Vessels

Whenever 10 or more pressure vessels are installed at a plant, the owner must comply with Chapter 21(10)(B) of these rules.

7. Modified Pressure Vessels

When any major pressure retaining item is changed on an existing pressure vessel, the change must be considered an alteration as set forth in Chapter 15.

AUTHORITY: 32 MRSA § 15104-A(1) and § 15109(8)

REPEALED AND REPLACED:

January 15, 2005 - filing 2005-26 repealed old Chapter 14
 filing 2005-27 adopted new Chapter 14

Chapter 15: REPAIRS AND ALTERATIONS

Summary: This Chapter establishes requirements for performing welded repairs, mechanical replacement of pressure parts, and alterations on boilers or pressure vessels.

1. General Requirement

The owner shall obtain permission from the Authorized Inspector responsible for the jurisdictional inspection of the object prior to making any repair or replacement that affects the pressure retaining capability of a boiler or pressure vessel.

Only Authorized Inspectors licensed by the State of Maine may sign and document the repair forms.

In the event that the Authorized Inspector is unavailable, authorization may be obtained by contacting the Chief Inspector.

2. Welded Repairs and Alterations

A. All welded repairs and alterations to a boiler or pressure vessel must be performed as follows:

- (1) By an appropriate R Certificate Holder; and
- (2) In accordance with the applicable standards specified in Chapter 11, Section 1(C) of these rules. In those cases where it is not possible to complete repairs in accordance with the applicable standards specified in Chapter 11, Section 1(C) of these rules, the Chief Inspector shall be consulted.

B. All alteration plans must be submitted to the Chief Inspector on a form provided by the Board at least 30 days prior to the alteration. Emergency situations will be handled on a case by case basis. In case of an emergency situation, contact the Chief Inspector.

C. The R Certificate Holder performing a repair or alteration must submit to the Board legible copies of the forms documenting the repair or alteration.

D. The Chief Inspector shall approve a specific list of repairs for each R Certificate Holder that will be handled as a routine repair as required by the NBIC. This list will replace the four categories of routine repairs listed in RC-2031 of the NBIC. This list of repairs shall be submitted by the Authorized Inspection Agency and shall be documented in the quality control manual of each R Certificate Holder.

Note: Each welded repair shall be treated according to the unique circumstances surrounding the operational environment to which the object is exposed. Authorized Inspectors have the discretion to handle repairs as they deem necessary.

This means that all repairs need to be handled appropriately. However, the nature of some repairs are relatively straight forward and this provision is supposed to clarify which types of repairs may be treated in a routine manner. The list of routine repairs may be different for individual R Certificate Holders and will be based on the nature of work normally performed by the shop.

3. Low Pressure Boiler Repair or Replacement by Mechanical Attachment

The mechanical attachment of piping and components on low pressure boilers must be completed by appropriately licensed individuals.

4. Power Boiler Repair or Replacement by Mechanical Attachment

A. The mechanical attachment of piping and components within the code boundary on power boilers associated with the major boiler systems must be completed by R Certificate Holders. Major boiler systems consist of the main steam system or equivalent, the feedwater system, the blow-down system, and any repairs or replacements associated with tubes.

- (1) The owner shall submit documentation on each repair/replacement on the Mechanical Repair Form approved by the Board.
- (2) The documentation shall include material traceability and verification of the construction standard.
- (3) A hydrostatic test to verify mechanical integrity shall be conducted upon completion of the repair/replacement.
 - (a) The minimum permissible metal temperature during the hydrostatic test shall be as required by the code of construction but in no case less than 60 degrees Fahrenheit.
 - (b) The test pressure shall be at least 80 percent of maximum allowable working pressure of the object.
- (4) The jurisdictional Inspector must document all mechanical repairs on a form provided by the Board.

B. The mechanical attachment of piping and components within the code boundary on power boilers not associated with the major boiler systems may be performed by individuals under the supervision of the engineer-in-charge.

- (1) The owner shall submit documentation on each repair/replacement on the Mechanical Repair Form provided by the Board.

- (2) The documentation shall include material traceability and verification of the construction standard.
 - (3) A hydrostatic test to verify mechanical integrity shall be conducted upon completion of the repair/replacement.
 - (a) The minimum permissible metal temperature during the hydrostatic test shall be as required by the code of construction but in no case less than 60 degrees Fahrenheit.
 - (b) The test pressure shall be at least 80 percent of maximum allowable working pressure of the object.
 - (4) The jurisdictional Inspector must document all mechanical repairs on a form provided by the Board.
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Note:

Notes are provided for informational or explanatory purposes. They are intended to provide guidance and/or to clarify the rules. They are not part of the rules.

Repairs in this chapter refer to restoration or replacement of pressure retaining items and do not include other maintenance activities associated with the operation of the boiler.

The NBIC defines repair as the work necessary to restore pressure retaining items to a safe and satisfactory operating condition. Additionally, it defines pressure retaining items as any boiler, pressure vessel, piping, or material used for the containment of pressure, either internal or external. The pressure may be obtained from an external source or by the application of heat from a direct source, or any combination thereof.

1. Repairs, as used in this chapter, are limited to the code boundary for the object or system. For example, on high pressure boilers repairs to boiler external piping would be included. The boiler external piping includes all the piping and appurtenances out to and including the required valves. The specific boundary may vary based on the number of boiler(s) connected in a battery. However, in general it includes:
 - A. The feedwater piping and valves out to the second valve;
 - B. The blowoff piping out to and including the second valve;
 - C. The main steam piping out to and including the first valve on a single boiler installation;
 - D. The main steam piping out to and including the second valve on a multiple boiler installations; and
 - E. Piping for gauges, controls, low water fuel cutoff etc. out to the first valve.

The boundaries are detailed and specified in Section 1 and B31.1.

2. On low pressure boiler the code boundary ends at the boiler proper which is at:
 - A. The first circumferential joint for welding end connections;
 - B. The face of the first flange in bolted flanged connections; or
 - C. The first threaded joint in that type of connection.
 3. On pressure vessels the code boundary ends at the pressure vessel proper which is at:
 - A. The first circumferential joint for welding end connections;
 - B. The face of the first flange in bolted flanged connections; or
 - C. The first threaded joint in that type of connection.
 4. The following is a list of examples of typical repairs. It is not meant to be all inclusive but is provided for the purpose of illustration.
 - A. Replacement or repair of piping and fittings associated with boiler external piping. This includes piping for appurtenances;
 - B. Welded repairs to the pressure vessel, boiler or piping;
 - C. Tube replacement;
 - D. Tube repairs;
 - E. Replacement of handhole or manway covers;
 - F. Replacement of valves;
 - G. Rolling of tubes; and
 - H. Attachment welds to pressure part.
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AUTHORITY: 32 MRSA § 15104, § 15109(8), and § 15110

EFFECTIVE DATE:

January 15, 2005 – filing 2005-28

Chapter 21: DUTIES AND RESPONSIBILITIES OF ALL OWNERS OF BOILERS AND PRESSURE VESSELS

Summary: This Chapter establishes general duties of all owners of boilers and pressure vessels. Duties and responsibilities of owners of boilers and pressure vessels are also set forth in Title 32, Chapter 131, and elsewhere in this Chapter.

1. Application for Inspection Certificates

- A. **Initial Inspection.** The owner of a boiler or pressure vessel must ensure that an initial inspection is conducted on a newly installed or relocated boiler or pressure vessel in accordance with the applicable provisions of Chapters 12-14 of these rules.
- B. **Annual Inspection of Boilers.** The owner of a boiler must ensure that the boiler is inspected annually and that the inspection is completed before the expiration of the current inspection certificate.
- C. **Triennial Inspection of Pressure Vessels.** The owner of a pressure vessel must ensure that the pressure vessel is inspected every 3 years and that the inspection is completed before the expiration of the current inspection certificate.
- D. **Submission.** The owner must ensure that the boiler or pressure vessel is inspected in sufficient time to permit compliance with this Section. The Board may assess a late inspection certificate fee against the owner if the inspection report is not submitted to the Board within 60 days after the date the current inspection certificate expires. The Board also may assess a late certificate fee if the owner fails to submit the certificate fee within 60 days of notification from the Board that the certificate fee is due.
- E. **Rejection of Reports.** The Chief Inspector may reject any inspection report that is incomplete or illegible or that otherwise fails to comply with the requirements of 32 M.R.S.A., Chapter 131, or the Board's rules. If the Chief Inspector rejects the report, he must return it and a statement of the reasons for rejection to the owner and/or the Inspector.

2. Expiration of Inspection Certificates

- A. **Date of Expiration**
 - (1) **Boilers.** Annual inspection certificates for boilers expire on the last day of the month when the unit was last inspected and expire annually thereafter on the last day of that month unless the owner petitions the Chief Inspector to change the month of inspection on a form provided by the Board.

(2) **Pressure Vessels.** Triennial inspection certificates for pressure vessels expire on the last day of the month when the unit was last inspected and expire every three years thereafter on the last day of the month unless the owner petitions the Chief Inspector to change the month of inspection on a form provided by the Board.

B. **Suspension of Operation.** If an inspection report has not been submitted to the Board within 60 days of the expiration of the most recent inspection certificate, or if the owner has not paid the inspection certificate fee within 60 days after receiving notification that the inspection report has been received by the Board, or if repairs to a boiler or pressure vessel are not made within the time prescribed by the Board or the Chief Inspector, the owner must suspend operation of the boiler or pressure vessel until the Board issues a new inspection certificate.

3. Orders of Correction

When the Chief Inspector issues an order of correction to an owner stating that a boiler or pressure vessel requires repair, the owner must submit satisfactory written evidence that the repairs have been completed by the time specified. The Chief Inspector must not issue a new inspection certificate for a boiler or pressure vessel that requires repair.

4. Change of Status

A. **Owner.** An owner must report to the Board any change in the owner's address or telephone number within 30 days of the change.

B. **Boiler or Pressure Vessel.** An owner must report to the Board any change of status with respect to a boiler or pressure vessel within 30 days of the change. As used in this Section, "change of status" means transfer of ownership, relocation, physical removal, or placement out of service.

5. Accidents

A. Reporting of Accidents

(1) **Initial Report.** No later than 24 hours after a reportable accident occurs, the owner of the boiler or pressure vessel must notify the Chief Inspector and, if applicable, the insurance company. The report must include: (i) the owner's name; (2) the location of the accident; (iii) a brief statement of facts surrounding the accident; (iv) and the name and telephone number(s) of the person(s) to be contacted regarding the accident.

(2) **Additional Information.** After making the initial report required by Subparagraph (1), the owner of a boiler or pressure vessel involved in a Reportable Accident must provide to the Chief Inspector any additional information requested by the Chief Inspector regarding the accident or the boiler or pressure vessel.

- B. **Maintenance of Accident Site.** When a Reportable Accident occurs, no parts or appurtenances may be removed or their position changed unless necessary for the protection of life, limb, or property until the Chief Inspector has conducted his/her investigation.
- C. **Suspension of Operation.** When a reportable accident occurs, the owner must immediately suspend operation of the boiler or pressure vessel, and the boiler or pressure vessel must remain out of operation until the Chief Inspector has approved resumption of operation.
- D. **Examination and Determination.**

- (1) **Examination.** When a Reportable Accident occurs that results in significant injury to a person or substantial damage to equipment and/or property, the Chief Inspector must examine the boiler or pressure vessel and the circumstances surrounding the accident. The Chief Inspector may designate one or more individuals to assist in the examination.

When a Reportable Accident occurs that involves equipment failure of a boiler or pressure vessel and does not result in significant injury to a person or substantial damage to equipment, the Chief Inspector may authorize an Inspector or other individual(s) to examine the boiler or pressure vessel and to report to the Chief Inspector the findings from the examination.

- (2) **Determination.** After the Chief Inspector has examined, or has caused to be examined, the boiler or pressure vessel and the circumstances surrounding the reportable accident, the Chief Inspector must:
- (a) Approve the resumption of operation;
 - (b) Direct that the owner suspend operation until required repairs have been made;
 - (c) Summarily revoke the inspection certificate in accordance with 32 M.R.S.A. § 15119(2); or
 - (d) Take other action that the Chief Inspector deems appropriate to ensure the safety of the public.

6. **Unsafe Conditions**

If an owner becomes aware of an unsafe condition involving a boiler or pressure vessel, the owner immediately must notify the Chief Inspector in accordance with the procedure for reporting accidents specified in Section 5 of this Chapter.

7. **Placing a Boiler or Pressure Vessel Out of Service**

- A. **Boiler.** When an owner voluntarily places a boiler out of service, is required to place a boiler out of service in accordance with Title 32, Chapter 131, or the Board's rules, or is

directed by the Board or the Chief Inspector to place a boiler out of service, the owner must:

- (1) Disconnect the fuel supply, if applicable; and
- (2) Disconnect the electrical power to the unit.

The owner must ensure that the work required by Subparagraphs (1) and (2) is done under the supervision of the engineer-in-charge for a power boiler, or by a technician appropriately licensed with the Oil and Solid Fuel Board or the Propane and Natural Gas Board for a low pressure boiler.

B. Pressure Vessel. When an owner voluntarily places a pressure vessel out of service, is required to place a pressure vessel out of service in accordance with Title 32, Chapter 131, or the Board's rules, or is directed by the Board or the Chief Inspector to place a pressure vessel out of service, the owner must:

- (1) Disconnect the source of pressure input; and
- (2) Remove the relief valve.

The owner must ensure that the work required by subparagraphs (1) and (2) is done by an individual who is familiar with the hazards associated with the particular pressure vessel.

8. Personnel for Power Boilers

- A.** The owner of a plant operating a power boiler must designate a person to be the engineer-in-charge of the plant. The designated person must have an appropriate license for the plant based on the classes of licensure specified in 32 M.R.S.A. § 15109.
- B.** The owner of a power boiler must, at the time of installation and upon any change in the identity of the engineer-in-charge, inform the Board in writing of:
- (1) The name(s) and address(s) of any person(s) designated engineer(s)-in-charge;
 - (2) The date when each person designated engineer-in-charge assumed that position; and
 - (3) The precise location and the registration number(s) of the power boiler(s) each engineer-in-charge will oversee.

9. Heating Boilers

The owner must ensure that heating boilers are properly maintained by appropriately licensed individuals to ensure safe and reliable operation at all times.

10. Personnel for Pressure Vessels

- A. Regardless of the number of pressure vessels installed at a plant, the owner remains responsible for ensuring that the pressure vessels are maintained and operated in a safe condition.
- B. Whenever 10 or more pressure vessels are installed at a plant, the following requirements apply:
 - (1) The owner must assign an individual who is responsible for ensuring that the pressure vessels are maintained and operated in a safe condition as required by these rules; and
 - (2) Duties relating to the operation and maintenance of the pressure vessels must be performed under the direct authority of the individual assigned responsibility in accordance with paragraph A.

11. Tests

An Inspector may at any time require an accumulation test or other test to determine if a boiler or pressure vessel is operating properly.

12. Inspection Certificate

- A. Subject to the provisions of 32 M.R.S.A. § 15121(1) and (2), an owner may not operate a boiler or pressure vessel without a current, valid inspection certificate. The Board must issue inspection certificates for boilers for a period of 12 months and for pressure vessels for a period of 36 months.
- B. An owner may obtain an inspection certificate from the Board if the following requirements have been satisfied:
 - (1) An Inspector has inspected the boiler or pressure vessel and has submitted the report of inspection to the Board;
 - (2) The Chief Inspector has approved the inspection report; and
 - (3) The Board has received payment for the inspection certificate, or for the inspection if performed by the Chief Inspector or the Deputy Inspector.
- C. In order to coordinate Inspectors' availability with the operating needs of the facility, the Chief Inspector may authorize an extension of up to 2 months beyond the expiration date of the inspection certificate. Except in cases of emergency, a written request to operate the boiler or pressure vessel beyond the expiration date must be submitted to the Chief Inspector no less than 15 days before the expiration date.

13. Boilers or Pressure Vessels Found to be Unsafe

- A. **Suspension of Inspection Certificate.** If an Inspector finds that a boiler or pressure vessel is unsafe to operate, the Inspector must notify the Chief Inspector immediately. The Chief Inspector must suspend the inspection certificate, and the owner must immediately suspend operation of the boiler or pressure vessel until the Chief Inspector approves the placing of the boiler or pressure vessel back in operation. Pursuant to 5 M.R.S.A. §10004(4), a suspension issued in accordance with this paragraph is effective for a period of not more than 30 days.
- B. **Condemnation and Stamping.** In the event that repairs to a boiler or pressure vessel are not feasible, the Chief Inspector must revoke the certificate and condemn the boiler or pressure vessel. Upon condemnation, the Chief Inspector must stamp the boiler or pressure vessel (“XXX Me”) in accordance with 32 M.R.S.A. § 15112, provided that the actual stamping must be stayed during the 7-day period set forth in Section 13, paragraph C of this Chapter and during the pendency of any appeal filed with the Board. Only the Chief Inspector may revoke a certificate and condemn a boiler or pressure vessel. Pursuant to 5 M.R.S.A. § 10004(4), a revocation issued in accordance with this paragraph is effective for a period of not more than 30 days.
- C. **Owner’s Right to Appeal.** When the Chief Inspector suspends or revokes a certificate, the Chief Inspector must give the owner written notice of the owner’s right to appeal the suspension or revocation to the Board within 7 calendar days of the suspension or revocation.
- D. **Appeal Hearing.** Upon receipt of a timely appeal from the owner, the Board will schedule an appeal hearing pursuant to 32 M.R.S.A. § 15104-A(2). The provisions of the Maine Administrative Procedure Act relating to adjudicatory proceedings govern the hearing. The Chief Inspector bears the burden of proof at the appeal hearing. The boiler or pressure vessel that is the subject of the appeal must remain out of service and may not be operated during the pendency of the appeal.

14. Portable Boilers

Whenever a portable boiler is installed for temporary use, an external inspection must be completed within 72 hours, provided the portable boiler has a current, valid inspection certificate issued by the State of Maine. If the portable boiler does not have a current, valid inspection certificate, a certificate inspection is required prior to operation. The owner of the boiler shall arrange for the required inspections to be conducted.

Note: It is recommended that the owner of portable boilers which may be rented out to facilities located in the State of Maine have the boilers inspected by an Authorized Inspector licensed by the State of Maine as required so the boilers have a current valid certificate on a continuous basis. This will expedite the installation of a portable boiler and reduce the likelihood of the boiler being shutdown to complete the internal inspection prior to continued operation at a site.

15. General Responsibility

Owners must ensure that all boilers, pressure vessels, and appurtenances are operated, inspected, and maintained in a condition sufficient to safely perform the work for which they were intended and are kept sufficiently clean to prevent fire hazards.

AUTHORITY: 32 M.R.S.A. § 15104-A, § 15119, and § 15121

EFFECTIVE DATE:

January 15, 2005 – filing 2005-29

Chapter 31: INSPECTORS

Summary: This Chapter establishes requirements for initial and renewal licensure of Inspectors in addition to those established by 32 M.R.S.A. § 15108-A.

1. Qualifications for Licensure

To qualify for an Inspector's license, an applicant must:

- A. **Application.** Submit an application to the Board on a form provided by the Board;
- B. **National Board Examination.** Submit a copy of his or her current, valid National Board Commission;
- C. **Employment.** Submit written proof that the applicant is employed by the state regulatory body having jurisdiction over boilers and pressure vessels or an insurance company licensed to insure boilers or pressure vessels in this State;
- D. **Maine-Specific Examination.** Obtain a grade of at least 80% on a Maine-specific examination administered by the Board; and
- E. **Fee.** Submit the application fee.

2. Eligibility for Examinations

- A. **National Board Examination.** To be eligible to take the National Board examination in Maine, a person must:
 - (1) Satisfy the qualifications specified by the National Board's Rules for Commissioned Inspectors (approved April 26, 2003); and
 - (2) Submit an application to take the examination on a form provided by the Board.
- B. **Maine-Specific Examination.** To be eligible to take the Maine-specific examination, a person must:
 - (1) Submit an application together with the fee on a form provided by the Board. An applicant who fails to appear for a scheduled examination without notifying the Board before the examination forfeits the examination fee;
 - (2) Submit a copy of his or her current, valid National Board Commission; and

- (3) Submit written proof that the applicant is employed by the state regulatory body having jurisdiction over boilers and pressure vessels or an insurance company licensed to insure boilers or pressure vessels in this State.

3. **Renewal of License**

- A. **Expiration.** All Inspector licenses expire 1 year from the date of issuance.
- B. **Eligibility for Renewal.** Applications for renewal of an Inspector's license must be on forms provided by the Board and must be accompanied by:
 - (1) Satisfactory written evidence of employment by the state regulatory body having jurisdiction over boilers and pressure vessels or an insurance company licensed to insure boilers or pressure vessels in this State;
 - (2) Satisfactory written evidence of a current, valid National Board Commission; and
 - (3) The fee established by the Director.

A license may be renewed up to 90 days after expiration upon payment of a late fee in addition to the renewal fee.

4. **Reinstatement of License**

- A. **More than 90 Days but Not More than 2 Years.** An individual who fails to renew an Inspector's license for more than 90 days but not more than 2 years from the date of expiration may reinstate the license without taking the examination required by Section 2, paragraph A. To reinstate, an individual must file a new application for renewal and pay the application fee, license fee, and penalty as set forth in the Office of Licensing and Registration Rules Chapter 10, "Establishment of License Fees," Section 4, Subsection 9.
- B. **More than Two Years.** An individual who fails to renew an Inspector's license for more than 2 years from the date of expiration may obtain a new license by satisfying the requirements of Title 32, Chapter 131, and of Section 1 of this Chapter.

5. **Licensure Conditioned**

An Inspector's license is valid only during the time that the licensee:

- A. Is employed as an Inspector with the state regulatory body having jurisdiction over boilers and pressure vessels or as a Inspector with an insurance company licensed to insure boilers or pressure vessels in this State; and
- B. Holds a current, valid National Board Commission.

An Inspector's license is no longer valid if the Inspector: (i) is no longer employed by the state regulatory body having jurisdiction over boilers and pressure vessels; (ii) is no longer employed

by an insurance company licensed to insure boilers or pressure vessels in this State; or (iii) no longer holds a current, valid National Board Commission.

6. Duties of Inspectors

- A. An Inspector has the right to refuse an inspection on any object which is not properly prepared for inspection or is deemed unsafe to inspect.
- B. In addition to other duties imposed by Title 32, Chapter 131, these rules, or the applicable code specified in Chapter 11, Section 1 of these rules, all Inspectors must perform all required inspections in accordance with the requirements of this Chapter.
- C. In addition to other duties imposed by Title 32, Chapter 131, these rules, or the applicable code specified in Chapter 11, Section 1 of these rules, Inspectors other than the Chief Inspector or Deputy Inspector must:
 - (1) Inspect only boilers or pressure vessels that are insured by their employer;
 - (2) Immediately, and in any event not later than 24 hours after becoming aware of the condition, report to the Chief Inspector any unsafe condition involving a boiler or pressure vessel. Notification to the Chief Inspector must include: (1) the boiler Inspector's name and telephone number; (ii) the location and registration number of the boiler or pressure vessel; (iii) the name of the owner; and (iv) the nature of the unsafe condition. The boiler Inspector must provide to the Chief Inspector any additional information requested by the Chief Inspector regarding the unsafe condition of the boiler or pressure vessel.
 - (3) If an inspection of a newly insured location reveals conditions that result in the insurance company's refusal to insure a boiler or pressure vessel, the Inspector must submit to the Board a written report describing in detail each such condition within 10 days after becoming aware of the condition or condition(s); and
 - (4) Report to the Chief Inspector any boiler or plant at which:
 - (a) The boiler operator or stationary steam engineer holds no license or holds a license of a lower class than required by 32 M.R.S.A. § 15109; or
 - (b) The attendance requirements of Chapter 32 Section 5 of these rules are not being met.

AUTHORITY: 32 MRSA § 15104-A and § 15108-A.

EFFECTIVE DATE:

January 15, 2005 – filing 2005-30

Summary: This chapter establishes requirements for licensure and responsibilities of boiler operators and stationary steam engineers.

1. Applications

Applications for examination and licensure as a boiler operator or stationary steam engineer must be on a form provided by the Board and must be accompanied by the fees established by the Director.

2. Qualifications for Examination and Licensure

To qualify for licensure, an applicant must:

- A. **Experience.** Have the experience required by 32 M.R.S.A. § 15109(7)(A through I) for that grade or class of license at the time the applicant applies for examination. Proof of satisfactory completion of a Board-approved high pressure boiler operator's technical training course shall be considered the equivalent of 3 months' experience.
- B. **Examination.** Obtain a passing grade of at least 70% on an examination administered by the Board;
- C. **Deadline for Application.** Apply for the license within 90 days after receiving notification of a passing score on the examination; and
- D. **Fee; Forfeiture.** Submit the examination fee for the license together with the application for the license. An applicant who fails to appear for a scheduled examination without notifying the Board before the examination forfeits the examination fee.

3. Renewal of License

- A. **Expiration.** All licenses issued under this Chapter expire 3 years from the date of issuance.
- B. **Eligibility for Renewal.** Applications for renewal of a license governed by this Chapter must be on a form provided by the Board and must be accompanied by the fee established by the Director. A license may be renewed up to 90 days after expiration upon payment of a late fee in addition to the renewal fee.

4. Reinstatement of License

- A. **More than 90 Days but Not More than 2 Years.** An individual who fails to renew a boiler operator or stationary steam engineer's license for more than 90 days but not more than 2 years from the date of expiration may reinstate the license without taking the examination required by Section 2, paragraph A of this chapter. To reinstate, an individual must file a new application for reinstatement and pay the application fee, license fee, and penalty as set forth in the Office of Licensing and Registration Rules Chapter 10, "Establishment of License Fees," Section 4, Subsection 9.
- B. **More than Two Years.** An individual who fails to renew a license governed by this Chapter for more than 2 years from the date of expiration may obtain a new license by satisfying the requirements of Title 32, Chapter 131, and Sections 2 and 3 of this Chapter.

5. Attendance Requirements for Power Boilers

The following rules govern the required power boiler attendance requirements of licensed boiler operators and/or stationary steam engineers, with consideration of the method of firing fuels, equipment, or machinery being supplied, or the occupation of the building being served:

- A. A licensed stationary steam engineer's duties include the observation and manipulation of mechanical, automatic, or remote controls and the testing, clearing, and blow-down or draining of these controls to ensure proper operation of these devices. A stationary steam engineer may also undertake routine cleaning of any boiler and its fuel burning equipment.
- B. **Manual Boilers.** Manual boilers must be constantly monitored while in operation by an appropriately licensed individual.
- C. **Automatic Boilers.**
 - (1) **Power Plant.** Boilers located in power plants must be constantly monitored while in operation by an appropriately licensed individual.
 - (2) **Process Plant.**
 - (a) Boilers located in process plants with **1,000,000 BTU/hour or more aggregate heat input** must be monitored at least every 2 hours while in operation by an appropriately licensed individual.
 - (b) Boilers located in process plants with **less than 1,000,000 BTU/hour aggregate heat input** must be monitored at least every 8 hours while in operation by an appropriately licensed individual.

NOTE: Steam kettles used in cooking are considered process units.

- (3) **Heating Plant.** The attendance and monitoring requirements for heating plants are applicable when the boiler is in use and the school or building is open for public use. Any boiler located in a heating plant with **1,000,000 BTU/hour or more aggregate heat input** must be monitored at least every 8 hours while in

operation by an appropriately licensed individual. Any boiler located in a heating plant with **less than 1,000,000 BTU/hour aggregate heat input** must be monitored at least once every 24 hours while in operation by an appropriate licensed individual. Only properly licensed stationary steam engineers may change the controls on a high pressure boiler to operate as a low pressure boiler and vice versa.

NOTE:

Notes are provided for informational or explanatory purposes. They are intended to provide guidance and/or clarify the rules. They are not part of the rules.

If a plant can simultaneously be classified as more than one type of plant (power, process, or heating), attendance requirements must meet the most stringent attendance requirements based on possible types of plant and operational conditions.

For example:

1. A hospital boiler typically provides steam for heating and process purposes simultaneously. The attendance requirements for a process boiler would meet the requirements of this rule while the plant is providing steam for process purposes. If the plant is only providing a heating load, the plant must meet the requirements for a heating plant.
 2. A process boiler may provide steam for space heating in addition to steam for a process during production. While production is stopped at the end of the day or on the weekend, a boiler may be used for space heating. During this situation, a process boiler used exclusively for space heating may be considered to be functioning as a heating plant during this time, provided the proper controls are installed for low pressure operation so as not to permit the boiler to operate at greater than 15 PSI steam pressure.
 3. Process plants and heating plants that are operated as a low pressure boiler do not have mandatory attendance requirements; however, the boiler must be operated and maintained in a safe condition.
 4. Aggregate heat input is the potential heat input of the plant based on the capacity of the installed boilers connected to a single plant.
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6. Unsafe Conditions

A licensed boiler operator or stationary steam engineer must report an unsafe condition involving a boiler or pressure vessel to the Chief Inspector immediately and in any event not later than 24 hours after becoming aware of the condition. Notification to the Chief Inspector must include the licensee's name and telephone number, the location and registration number of the boiler or pressure vessel, the name of the owner, and the nature of the unsafe condition. The licensee must

provide to the Chief Inspector any additional information requested by the Chief Inspector regarding the unsafe condition of the boiler or pressure vessel.

7. Engineers-in-Charge (Duties and Responsibilities)

- A. Persons designated engineers-in-charge are responsible for the safe and proper operation and maintenance of the power boilers over which they have charge.

Note: The engineer-in-charge has the responsibility to ensure that each plant is properly staffed for safe operation. The guidelines established in rule for attendance requirements are a minimum. The circumstances in any plant may require increased attendance of licensed personnel. This is especially a concern in plants that experience substantial fluctuation in output.

- B. Duties relating to the operation and maintenance of a power boiler must be performed by a stationary steam engineer under the direct authority of the engineer-in-charge.
- C. On each regularly scheduled work day, the engineer-in-charge must visit the plant and leave instructions for the stationary steam engineers who will operate the power boiler. On those days that the engineer-in-charge is not scheduled to work, the engineer-in-charge must leave written instructions for the stationary steam engineers. The instructions provided by the engineer-in-charge must be made available to the Chief Inspector upon request.
- D. The engineer-in-charge must train other stationary steam engineers under the supervision of the engineer-in-charge.
- E. The engineer-in-charge must maintain a bound engineer's log book in ink and must ensure that the log book is maintained to adequately document plant operating parameters.
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AUTHORITY: 32 MRS § 15104-A and § 15109

EFFECTIVE DATE:

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