**02-041**

Department of Professional and Financial Regulation

Office of Professional and Occupational Regulation

**BOILER AND PRESSURE VESSEL SAFETY PROGRAM**

Maine Administrative Procedure Act

2016 - 2017 Regulatory Agenda

August 2, 2016

AGENCY UMBRELLA-UNIT NUMBER: **02-041**

AGENCY NAME: Department of Professional and Financial Regulation, Office of Professional and Occupational Regulation, **Boiler and Pressure Vessel Safety Program**

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**EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA**: None.

**EXPECTED 2016-2017 RULE-MAKING ACTIVITY:** The rules are expected to be reviewed and revised for consistency with the provisions of Public Law 2013, Chapter 70, enacted by the 126th Maine State Legislature, which restructured the licensing and regulation of boilers and pressure vessels by eliminating the Board of Boilers and Pressure Vessels and creating the Boiler and Pressure Vessel Safety Program that is administered by the Director of the Office of Professional and Occupational Regulation. Amended rules will be relocated to the Office of Professional and Occupational Regulation rules, which will require new chapter numbers.

**CHAPTER 1**: Definitions

STATUTORY AUTHORITY: 32 M.R.S. §§ 15101, 15104-A, 15109

PURPOSE: This chapter defines the terms that are used in the rules and terms used in statute not defined by statute. This chapter will be amended to be consistent with the provisions of Public Law 2013, Chapter 70.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated.

**CHAPTER 2**: Variances

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

PURPOSE: This chapter establishes the procedures for the filing of a petition for a variance. This chapter will be amended to be consistent with the provisions of Public Law 2013, Chapter 70.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated.

**CHAPTER 3**: Board Meetings

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

PURPOSE: This chapter authorizes board meetings. This chapter will be repealed to be consistent with the provisions of Public Law 2013, Chapter 70, as the statutory change eliminated the board.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated.

**CHAPTER 4**: Advisory Rulings

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

PURPOSE: This chapter establishes requirements and guidelines for the discretionary issuance of advisory rulings. This chapter will be amended to be consistent with the provisions of Public Law 2013, Chapter 70.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated.

**CHAPTER 11**: National Codes Applicable to Boilers and Pressure Vessels

STATUTORY AUTHORITY: 32 M.R.S. §15104-A

PURPOSE: This chapter specifies the national safety codes and standards that apply to boilers and pressure vessels regulated in the State of Maine. This chapter will be amended to be consistent with the provisions of Public Law 2013, Chapter 70, and also may be amended if a code update is necessary.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated.

**CHAPTER 12**: Power Boilers

STATUTORY AUTHORITY: 32 M.R.S. §15104-A(1)

PURPOSE: This chapter establishes requirements for the design, construction, installation, operation, and inspection of power boilers. This chapter will be amended to be consistent with the provisions of Public Law 2013, Chapter 70.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated.

**CHAPTER 13**: Low Pressure Boilers

STATUTORY AUTHORITY: 32 M.R.S. §15104-A(1)

PURPOSE: This chapter establishes specific requirements for the identification, construction, installation, inspection, and operation of low pressure boilers. This chapter will be amended to be consistent with the provisions of Public Law 2013, Chapter 70.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated.

**CHAPTER 14**: Pressure Vessels

STATUTORY AUTHORITY: 32 M.R.S. §§ 15104-A(1), 15109(8)

PURPOSE: This chapter establishes requirements for the design, construction, installation, inspection, and operation of pressure vessels. This chapter will be amended to be consistent with the provisions of Public Law 2013, Chapter 70.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated.

**CHAPTER 15**: Repairs and Alterations

STATUTORY AUTHORITY: 32 M.R.S. §§ 15104, 15109(8), 15110

PURPOSE: This chapter establishes requirements for performing welded repairs, mechanical replacement of pressure parts, and alterations on boilers or pressure vessels. This chapter will be amended to be consistent with the provisions of Public Law 2013, Chapter 70.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated.

**CHAPTER 21**: Duties and Responsibilities of All Owners of Boilers and Pressure Vessels

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

PURPOSE: This chapter establishes general guidelines of all owners of boilers and pressure vessels. This chapter will be amended to be consistent with the provisions of Public Law 2013, Chapter 70.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated.

**CHAPTER 31**: Inspectors

STATUTORY AUTHORITY: 32 M.R.S. §§ 15104-A, 15108-A

PURPOSE: This chapter establishes requirements for initial and renewal licensure of inspectors. This chapter will be amended to be consistent with the provisions of Public Law 2013, Chapter 70.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated.

**CHAPTER 32**: Boiler Operators and Stationary Steam Engineers

STATUTORY AUTHORITY: 32 M.R.S. §§ 15104-A, 15109

PURPOSE: This chapter establishes requirements for licensure and responsibilities of boiler operators and stationary steam engineers. This chapter will be amended to be consistent with the provisions of Public Law 2013, Chapter 70.

SCHEDULE FOR ADOPTION: Within one year, if necessary.

AFFECTED PARTIES: Licensees.

CONSENSUS-BASED RULE DEVELOPMENT: Not contemplated.