

CR 84-37

# RULES CERTIFICATE

STATE OF WISCONSIN )  
 ) SS  
DEPT. OF INDUSTRY, )  
LABOR & HUMAN RELATIONS)

**RECEIVED**

AUG 16 1984  
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Revisor of Statutes  
Bureau

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Howard S. Bellman, Secretary of the Department of Industry, Labor and Human Relations, and custodian of the official records of said department, do hereby certify that the annexed rule(s) relating to Fees, Boilers and Pressure Vessels were duly approved and adopted by this department on 8/16/84.

I further certify that said copy has been compared by me with the original on file in this department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the department at 4:00 pm in the city of Madison, this 16th day of August A.D. 1984.

For: Howard S. Bellman  
Secretary

By: [Signature]  
Deputy Secretary

11-1-84

# ORDER OF ADOPTION

Pursuant to authority vested in the Department of Industry, Labor and Human Relations by section(s) 101.17 and 101.19, Stats., the Department of Industry, Labor and Human Relations hereby  creates;  amends;  repeals and recreates; and  repeals and adopts rules of Wisconsin Administrative Code chapter(s):

Ind. 69 and ILHR 41-42 Fees, Boilers and Pressure Vessels  
(Number) (Relating to)

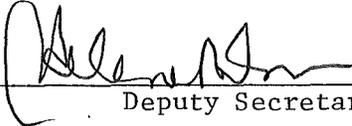
The attached rules shall take effect on the dates as indicated in the  
effective date clause at the end of the rules, pursuant to section  
227.026, Stats.

Adopted at Madison, Wisconsin, this 16th  
day of August, A.D., 1984.

DEPARTMENT OF INDUSTRY, LABOR AND HUMAN RELATIONS

For: Howard S. Bellman

Secretary

By: 

Deputy Secretary



# RULES in FINAL DRAFT FORM

**Rule:** Chs. ILHR 41-42 and Ind 69

**Relating to:** Boilers and Pressure Vessels, and Registration Fees

**Clearinghouse Rule No.:** 84-37

An order to repeal Ind 69.03 (5) and (6), Ind 69.04 (3); to renumber Ind 69.03 (7), (8) and (9); to amend ILHR 41.015, ILHR 41.05 (1) Form SBD-6314, ILHR 41.50, ILHR 41.51 (1) (intro.); to repeal and recreate ILHR 41.10 Table 41.10-A; and to create ILHR 41.21 (1) (1), relating to boilers, pressure vessels and registration fees.

\* \* \* \* \*

#### ANALYSIS OF PROPOSED RULES

The Division of Safety and Buildings within the department is responsible for adopting and enforcing rules relative to the safety requirements of machines and boilers in places of employment and public buildings under section 101.17 of the Wisconsin statutes. The proposed rules contain removal of installation registration fees for boilers, pressure vessels, power piping systems and mechanical refrigeration systems, and include new installation notification requirements for boilers and pressure vessels through the National Board of Boiler and Pressure Vessel Inspectors. The proposed rules contain an exemption from periodic inspections for small air receivers. The proposed rules also contain the adoption by reference of the 1983 ASME and ANSI B31.1 standards.

The proposed rules were developed with the assistance of the following members of the Boiler and Pressure Vessel Code Advisory Committee.

- Kim E. Aslaksen, Boiler and Pressure Vessel Repairers Association
- Norman Benz, Mechanical Contractors Association of Wisconsin
- Robert L. Bock, Gas Appliance Manufacturers Association and Wisconsin Petroleum Association
- Robert C. Harder, Wisconsin Manufacturers and Commerce
- Frank M. Johaneck, Associated Public Works Contractors
- Al H. Lautenschlager, Alliance of American Insurers
- David J. Lehtola, Uniform Boiler and Pressure Vessel Laws Society
- Philip J. Lord, Wisconsin Boiler Inspectors Association
- F. E. (Mike) Marsh, Wisconsin State Association of the National Association of Power Engineers
- Gary Miller, City of Milwaukee
- Ernest J. Spring, State Division of Facilities Management
- Raymond A. Switzer, Wisconsin Utilities Association

\* \* \* \* \*

Pursuant to the authority vested in the state of Wisconsin Department of Industry, Labor and Human Relations by ss. 101.02 (1), 101.02 (15) (h) to (j), 101.17 and 101.19 (1), Stats., the department hereby repeals, renumbers, amends, repeals and recreates, and creates rules interpreting ss. 101.17 and 101.19 (1), Stats., as follows:

SECTION 1. ILHR 41.015 is amended to read:

ILHR 41.015 PETITION FOR MODIFICATION VARIANCE. The department will consider and may grant ~~modification~~ a variance to any administrative rule upon receipt of a fee and a completed petition for modification variance form from the owner, provided an equivalency is established in the petition for modification variance which meets the intent of the rule being petitioned. The department may impose specific conditions in the petition for modification variance to promote the protection of the health, safety and welfare of the employes or the public. Violation of those conditions under which the petition for modification variance is granted constitutes a violation of these rules.

Note #1: Copies of the petition for modification variance form (SB-8) are available at no charge from the Division of Safety and Buildings, P.O. Box 7969, Madison, Wisconsin 53707.

Note #2: Section 101.02 (6), Stats., outlines the procedure for submitting petitions to the department and the department's procedures for hearing petitions.

Note #3: See ch. Ind 69 for fee requirements.

SECTION 2. ILHR 41.05 (1) Form SBD-6314 is amended to read:

BOILER AND PRESSURE VESSEL  
INSTALLATION REGISTRATION  
(Partial Form)

Installing Contractors shall prepare this form in triplicate for each boiler or pressure vessel installed.

Distribute as follows:

WHITE: ~~Attach Registration Fee of \$10.00~~

~~Make check payable to:~~ Department of  
Industry, Labor & Human Relations

Send to: Safety & Buildings Division  
Box 7969, Madison, WI 53707

YELLOW: Send to owner. PINK: Installer's copy.

SECTION 3. ILHR 41.10 Table 41.10-A is repealed and recreated to read:

TABLE 41.10-A

			As amended by Summer Addenda issued June 30th and Winter Addenda issued December 31st of each respective year; S-Summer; W-Winter.		
	ASME		<u>1983</u>	<u>1984</u>	<u>1985</u>
1. Section	I	Power Boilers, 1983 Edition	S	W	
2. Section	II	Material Specifications, 1983 Edition			
	a.	Part A - Ferrous Material	S	W	
	b.	Part B - Nonferrous Material	S	W	
	c.	Part C - Welding Rods, Electrodes and Filler Metals	S	W	
3. Section	III	Nuclear Power Plant Components, 1983 Edition			
	a.	Division 1 and Division 2 General Requirements Subsection NCA	S	W	
		Division 1			
	a.	Subsection NB - Class 1 Components	S	W	
	b.	Subsection NC - Class 2 Components	S	W	
	c.	Subsection ND - Class 3 Components	S	W	
	d.	Subsection NE - Class MC Components	S	W	
	e.	Subsection NF - Component Supports	S	W	
	f.	Subsection NG - Core Support Structures	S	W	
	g.	Appendices	S	W	
		Division 2			
	a.	Concrete Reactor Vessels and Containments	S	W	
4. Section	IV	Heating Boilers, 1983 Edition	S	W	
5. Section	V	Nondestructive Examination, 1983 Edition	S	W	
6. Section	VIII	Pressure Vessels, 1983 Edition			
	a.	Division 1 - Pressure Vessels	S	W	
	b.	Division 2 - Alternative Rules	S	W	
7. Section	IX	Welding and Brazing Qualifications, 1983 Edition	S	W	
8. Section	X	Fiberglass-Reinforced Plastic Pressure Vessels, 1983 Edition	S	W	
9. Section	XI	Rules for Inservice Inspection of Nuclear Power Plant Components, Division 1, 1983 Edition	S	W	

ANSI

10. Power Piping (ANSI B31.1, 1983 edition)

SECTION 4. ILHR 41.21 (1) (1) is created to read:

ILHR 41.21 (1) (1) Air receivers having a volume of less than 12 cubic feet and an operating pressure of less than 250 psig.

SECTION 5. ILHR 41.50 is amended to read:

ILHR 41.50 ASME CODE VESSELS. (1) ASME CODE COMPLIANCE. Except as regulated in ss. ILHR 41.51, 41.52 and 41.53, boilers and pressure vessels installed after the effective date of this section shall be constructed and installed in accordance with the ASME standards adopted under s. ILHR 41.10. Electric boilers shall be constructed and installed in accordance with ASME section I and IV as applicable.

Note: The department will recognize the applicable "case interpretations" of the ASME boiler and pressure vessel code as being acceptable.

(2) FILING WITH NATIONAL BOARD. Boilers and pressure vessels constructed and installed in accordance with the ASME standards adopted in s. ILHR 41.10 and manufactured after the effective date of this subsection shall have the manufacturer's data report filed with the National Board of Boiler and Pressure Vessel Inspectors and shall bear a National Board number.

SECTION 6. ILHR 41.51 (1) (intro.) is amended to read:

ILHR 41.51 WISCONSIN SPECIAL VESSELS. (1) Where it is not possible or practical to construct a boiler or pressure vessel in strict compliance with s. ILHR 41.50, the department may grant a modification variance to the owner or user to permit the installation of the vessel as a Wisconsin special within the state of Wisconsin. The department will consider a modification variance request upon receipt of a completed petition for modification variance form and the required fee. The modification variance may be granted under the following conditions:

SECTION 7. Ind 69.03 (5) and (6) are repealed.

(Note: These subsections establish a registration fee for the installation of boilers, pressure vessels and power piping systems.)

SECTION 8. Ind 69.03 (7), (8) and (9) are renumbered (5), (6) and (7).

SECTION 9. Ind 69.04 (3) is repealed.

(Note: This subsection establishes a registration fee for the installation of mechanical refrigeration systems.)

(END)

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EFFECTIVE DATE

Pursuant to s. 227.026 (1) (b), Stats., s. ILHR 41.50 (2) shall take effect on the first day of the 6th month following publication in the Wisconsin Administrative Register.

Pursuant to s. 227.026 (1) (intro.), Stats., the remainder of these rules shall take effect on the first day of the month following publication in the Wisconsin Administrative Register.

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State of Wisconsin \ Department of Industry, Labor and Human Relations

OFFICE OF THE SECRETARY

Room 401 GEF-1  
201 E. Washington Avenue  
P.O. Box 7946  
Madison, Wisconsin 53707  
Telephone 608/266-7552

The Honorable Carl Otte  
State Senator  
Joint Committee for Review of  
Administrative Rules  
31 South, State Capitol  
Madison, Wisconsin 53707

The Honorable William Rogers  
State Representative  
Joint Committee for Review of  
Administrative Rules  
113 North, State Capitol  
Madison, Wisconsin 53707

Dear Senator Otte and Representative Rogers:

Pursuant to your committee's request, attached is an implementation report regarding the following rule:

Rule: Chapters ILHR 41-42 and Ind 69

Rule Clearinghouse No. 84-37

Relating to: Boilers and Pressure Vessels, and Registration Fees

1. Description of the rule.

The Division of Safety and Buildings within the department is responsible for adopting and enforcing rules relative to the safety requirements of machines and boilers in places of employment and public buildings under section 101.17 of the Wisconsin statutes. The proposed rules contain removal of installation registration fees for boilers, pressure vessels, power piping systems and mechanical refrigeration systems, and include new installation notification requirements for boilers and pressure vessels through the National Board of Boiler and Pressure Vessel Inspectors. The proposed rules contain an exemption from periodic inspections for small air receivers. The proposed rules also contain the adoption by reference of the 1983 ASME and ANSI B31.1 standards.



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*The Wisconsin Department of Industry, Labor and Human Relations*

August 16, 1984

Office of the Secretary  
201 E. Washington Avenue  
P.O. Box 7946  
Madison, Wisconsin 53707  
Telephone 608/266-7552

Gary Poulson  
Assistant Revisor of Statutes  
for Administrative Rules  
411 West, State Capitol  
Madison, Wisconsin

Douglas LaFollette  
Secretary of State  
Room 271, GEF-1  
201 East Washington Avenue  
Madison, Wisconsin

Dear Messrs. Poulson and LaFollette:

TRANSMITTAL OF RULE ADOPTION

CLEARINGHOUSE RULE NO. 84-37

RULE NO. Chs. ILHR 41-42 and Ind 69

RELATING TO: Boilers and Pressure Vessels, and Registration Fees

Pursuant to section 227.023, Stats., agencies are required to file a certified copy of every rule adopted by the agency in the offices of the Secretary of State and the Revisor of Statutes.

At this time, the following material is being submitted to you.

1. Order of Adoption.
2. Rules Certificate Form.
3. Rules in Final Draft Form.

Pursuant to section 227.016 (6), Stats., a summary of the final regulatory flexibility analysis is also included.

Respectfully submitted,



Howard S. Bellman  
Secretary

cc: Agency Contact Person

**RECEIVED**

AUG 16 1984

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