

## INDIANA BOILER AND PRESSURE VESSEL RULES REWRITE COMMITTEE

1. **Establishment of the Committee.** The Indiana Boiler and Pressure Vessel Rules Rewrite (“Committee”) is hereby formed.
2. **Duties of the Committee.** The Committee shall create a draft proposed rule to update the current Indiana Boiler and Pressure Vessel Rules located at 675 IAC 30 to, among other things:
  - (1) Comply with changes made to Indiana Code since the current rules were originally drafted; and
  - (2) Implement the provisions of LSA Document #s 19-334(E) and 19-426(E).

The Committee shall complete its draft proposed rule by June 30, 2020. As part of drafting the proposed draft rule, the Committee shall also complete:

- (1) a fiscal impact analysis that determines the fiscal impact of all changes made from the current rule to the draft proposed rule; and
- (2) a justification statement that provides a justification for each change.

In completing the draft proposed rule, the Committee shall draft the rule in a manner that:

- (1) Minimizes the expenses to:
  - (A) regulated entities that are required to comply with the rule;
  - (B) persons who pay taxes or pay fees for government services affected by the rule; and
  - (C) consumers of products and services of regulated entities affected by the rule.
- (2) Achieves the regulatory goal in the least restrictive manner;
- (3) Avoids duplicating standards found in state or federal laws;
- (4) Is written for ease of comprehension; and
- (5) Has practicable enforcement.

Members shall also provide and keep up to date contact information (email, phone) with the Commission Secretary.

Please note, the draft proposed rule drafted by the Committee is merely a *draft proposed rule* and the Commission retains its full rulemaking authority.

3. **Committee Membership.** The Committee consists of the following 7 voting members:
  - (1) Earl Harlow;
  - (2) Benjamin Schaefer;
  - (3) Darrell Wisner;
  - (4) Gary Staats;
  - (5) Sean Burke;
  - (6) Steve Renner; and
  - (7) Roger Boillard.

- 4. Committee Chairman.** The Committee Chairman is Earl Harlow. The Committee Chairman shall control the conduct of the meetings. This authority includes: (1) the allowance or prevention of testimony from the public; (2) creating the agenda for the meeting; (3) calling for votes upon receipt of motions from other Committee members; (4) the calling of special meetings; and (5) all other actions necessary to conduct an efficient and meaningful code drafting meeting.
- 5. Committee Secretary.** The Committee Secretary shall be provided by the Indiana Department of Homeland Security. The Committee Secretary shall handle all administrative functions for the Committee. This includes, but is not limited to: (1) the scheduling of meetings rooms; (2) sending out correspondence to members; (3) posting of meeting agendas; (4) taking of meeting minutes; (5) drafting of the proposed draft rule; and (6) the receipt and retention of filings.
- 6. Quorum.** Quorum consists of 4 voting members. In order to conduct business, there must be a quorum of members present in person at the meeting. No member may cast votes or be counted for quorum purposes, if they are not present at the meeting.
- 7. Votes Needed to Take Action.** For any action to take place, a majority of the members present must vote in the affirmative.
- 8. Meeting Time, Dates and Location.** The first meeting will be held on October 16, 2019 at 10:00 AM at the Indiana Government Center South. The specific room number will be provided at a later date. Meetings shall occur according to the schedule specified in Exhibit 1. Meeting dates, times, and topics may be amended by the Committee.
- 9. Special Meetings.** Special meetings may be called by the Chairman. Special meetings must be called three days in advance of the proposed date of the special meeting and all members must receive notice of the proposed special meeting three days in advance of the proposed date of the special meeting.
- 10. Member Terms.** Members are expected to attend all Committee meetings. A member's term lasts until: (1) the member resigns; (2) the member is removed by the Commission; or (3) the work of this Committee has been completed by providing notice to the Commission.
- 11. Review of Proposals for Code Change.** Committee members, interested stakeholders, and members of the public are invited to submit proposals for code change to the Committee for consideration. The Committee shall review all proposals for code change that are timely submitted (submitted in accordance with Exhibit 1) on a properly completed Proposal for Code Change form. At the discretion of the Committee Chairman, proposals for code change that are not timely submitted or properly filed may be considered by the Committee.

For an overview of the subjects that the Committee will be considering and the dates at which these subjects will be considered see Exhibit 1. The dates and subjects may be changed by the Committee at the Committee meetings and any changes will be posted to the Commission's webpage.

**INDIANA BOILER AND PRESSURE VESSEL RULES REWRITE COMMITTEE**  
**PROPOSED MEETING DATES AND AGENDA**

**1. October 16, 2019 – 10:00 AM**  
**Indiana Government Center South**  
**Room TBD**  
**302 W Washington Street, Indianapolis, IN 46204**

Brief overview of Committee duties, deadlines, and procedures.  
Begin reviewing requirements for Indiana boiler and pressure vessel inspector licensing.  
Proposals for code change for these requirements are due by noon on October 10, 2019 to [dboyle@dhs.in.gov](mailto:dboyle@dhs.in.gov).

**2. November 13, 2019 – 10:00 AM**  
**Indiana Government Center South**  
**Room TBD**  
**302 W Washington Street, Indianapolis, IN 46204**

Continue review of requirements for Indiana boiler and pressure vessel inspector licensing, and begin review of categories of boilers that are regulated by Indiana and categories of boilers that are exempt from obtaining an operating permit and being inspected. Proposals for code change for these requirements are due by 4:30 PM on November 7, 2019 to [dboyle@dhs.in.gov](mailto:dboyle@dhs.in.gov).

**3. December 11, 2019 – 10:00 AM**  
**Indiana Government Center South**  
**Room TBD**  
**302 W Washington Street, Indianapolis, IN 46204**

Begin reviewing operating permit requirements and boiler and pressure vessel inspection frequency. Proposals for code change for these requirements are due by 4:30 PM on December 5<sup>th</sup>, 2019 to [dboyle@dhs.in.gov](mailto:dboyle@dhs.in.gov).

**4. January 15, 2020 – 10:00 AM**  
**Indiana Government Center South**  
**Room TBD**  
**302 W Washington Street, Indianapolis, IN 46204**

Begin general review of Rules 1-4. Proposals for code change are due by 4:30 PM on January 09, 2020 to [dboyle@dhs.in.gov](mailto:dboyle@dhs.in.gov).

**5. February 19, 2020 – 10:00 AM**  
**Indiana Government Center South**  
**Room TBD**  
**302 W Washington Street, Indianapolis, IN 46204**

Begin general review of Rules 5-8. Proposals for code change are due by 4:30 PM on February 13, 2020 to [dboyle@dhs.in.gov](mailto:dboyle@dhs.in.gov).

**6. March 18, 2020 – 10:00 AM**  
**Indiana Government Center South**  
**Room TBD**  
**302 W Washington Street, Indianapolis, IN 46204**

Begin general review of Rules 9-11. Proposals for code change are due by 4:30 PM on March 12, 2020 to [dboyle@dhs.in.gov](mailto:dboyle@dhs.in.gov).

**7. April 15, 2020 – 10:00 AM**  
**Indiana Government Center South**  
**Room TBD**  
**302 W Washington Street, Indianapolis, IN 46204**

Review completed draft proposed rule and finalize fiscal impact statement and justification statement. Additional proposals for code change will only be accepted at the discretion of the Chairman.

**8. May 13, 2020 – 9:00 AM – 4:30 PM**  
**Indiana Government Center South**  
**Room TBD**  
**302 W Washington Street, Indianapolis, IN 46204**

Date held open if additional review is needed.

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Following completion of the draft proposed rule, the Commission will review the work of the Committee, make any necessary changes, and begin the rule promulgation process. This includes: (1) requesting an exemption to the rulemaking moratorium; (2) filing a notice of intent; (3) publishing the proposed rule; (4) holding a public hearing to accept public comment; (5) reviewing the public comments; (6) adopting a final rule; (7) submitting the rule to the Attorney General for review; (8) submitting the rule to the Governor for approval; and (9) filing the final rule for publication in the Indiana Register. Prior to any rule becoming effective, all these steps must be completed and the requisite approvals must be obtained.