

INDIANA FIRE PREVENTION AND BUILDING SAFETY COMMISSION

LSA Document #20-627 Boiler and Pressure Vessel Rule

PUBLIC HEARING RECORD

Overview

On February 24, 2021 at 2:00 p.m., Indianapolis (Eastern) time, the Fire Prevention and Building Safety Commission (Commission) held a public hearing on their proposed rule (LSA Document #20-627) to modify 675 IAC 12-3-13 and 675 IAC 30 to make technical changes and modernize regulations governing the design, manufacture, fabrication, assembly, installation, alteration, repair, maintenance, operation, and inspection of regulated boilers and pressure vessels and the associated fees for inspection, permitting, inspector licensing, and variances. The hearing was conducted virtually, via Cisco Webex video conferencing, due to the COVID-19 public health emergency. Members of the public were afforded the opportunity to access the meeting online or by telephone.

Staff Present

The public hearing was staffed by the following individuals:

1. Douglas Boyle, Director of the Commission and Hearing Chairperson;
2. Bryston Sprecher, Administrative Assistant of the Commission;
3. Philip Gordon, Deputy Attorney General, Commission Counsel; and
4. Justin Guedel, Deputy General Counsel, Indiana Department of Homeland Security.

Other Indiana Department of Homeland Security Staff in Attendance

1. Matthew Cronley, Regulated Equipment and Devices Section Chief, Indiana Department of Homeland Security.
2. Roger Boillard, Boilers and Pressure Vessels Chief Inspector, Indiana Department of Homeland Security

Hearing Record

Douglas Boyle, Hearing Chairperson, called the hearing to order at 2:00 p.m., however, delayed his introduction while he assisted members of the public access the public hearing. Following this brief delay, Mr. Boyle gave a brief overview of the proposed rule, explained the ground rules for the public hearing, provided direction for how to submit written comments, informed all present that comments would be reviewed by the Commission at their March 2, 2021 meeting, and provided introduction of staff members. Following this introduction, the floor was opened for public comment.

The following is a summary of all comments received:

Earl Harlow: Mr. Harlow commented on section 675 IAC 30-4-5 regarding the definition of a boiler. Mr. Harlow went on to provide a recent event he was involved in where a rental “unit” (not a boiler and a pressure vessel) was involved and the owner of the unit believed that the unit was not a boiler. The owner came to that conclusion because the unit in

question used a system fired by diesel fuel and the heat from the fire vaporized liquid nitrogen as a once through unit, so therefore the unit was exempt as a process heater. Based on this experience. Mr. Harlow wanted to address this issue by adding examples in either the definition of “boiler” or “process heater” of what is or is not a “boiler” or “process heater” to help the general public understand the intent of the rule.

Following this comment, Mr. Boyle suggested that Mr. Harlow provide a recommended change to address this issue. Mr. Harlow stated he would attempt to submit a recommended change. Attached to this Record is the recommended change Mr. Harlow submitted to staff.

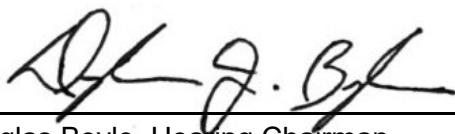
Darrell Wisner: Mr. Wisner did not have any comments on the rule, however, he voiced concerns over not having any prior knowledge of the meeting and believed other members of the public may not have had prior knowledge of this hearing either. Mr. Wisner then indicated that he had not had the opportunity to review changes to the proposed rule.

In an attempt to address Mr. Wisner’s concern, Mr. Guedel provided that public notice for this public hearing was published in the Indiana Register and in the IndyStar on January 27, 2021, a rulemaking docket had been posted on the Commission’s webpage providing the date of the public hearing, and announcements were made at the Commission’s meeting regarding the hearing. Additionally, Mr. Guedel provided that the personalized invitation delivered by Mr. Boyle prior to this meeting to Mr. Wisner was performed as a courtesy.

Mr. Wisner closed his comments with the statement that public communication is an issue.

After determining no other members of the public were present, Mr. Boyle closed the public hearing at 2:20 p.m. and issued a final reminder that written comments must be submitted by 4:30 p.m. to be considered.

This Record is a true and accurate reflection of the Public Hearing.



Douglas Boyle, Hearing Chairman

Thursday, February 25, 2021
Date

From: [Harlow, Earl](#)
To: [Fire Prevention and Building and Safety Commission](#); [Guedel, Justin K](#); [Boyle, Douglas J \(DHS\)](#)
Subject: Public comment on LSA doc. #20-627
Date: Wednesday, February 24, 2021 2:54:12 PM

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Classification: General Business Use

Doug, per your request, my written suggestion based on my public comment during the public comment meeting.

As stated, the owner of a Diesel fired portable liquid nitrogen vaporizer concluded the equipment was exempt based on the reading that it was a “process heater”. Further, when I challenged his interpretation, he said the rule should have examples of what is and what is not a boiler to clarify the rule.

Recommended updates:

Change 675 IAC 30-4-18.1 from “...means a direct fired...” to “...means a permanently installed direct fired...”

Change 675 IAC 30-4-38.2 adding a second sentence. “Examples of Portable boilers are diesel fired units on trucks used to create hot water or steam connected into an existing steam system and diesel fired units used to vaporize liquid nitrogen or other liquid to a vapor state for use external to itself. Additionally, the above units may use energy sources other than diesel, such as natural gas or electricity.

Earl Harlow

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