

INDIANA FIRE PREVENTION AND BUILDING SAFETY COMMISSION

STAFF RECOMMENDED CHANGES TO PROPOSED RULE AND REVIEW OF PUBLIC COMMENTS LSA DOCUMENT #20-627 BOILER AND PRESSURE VESSEL RULES

Following receipt and review of all timely filed public comments on the proposed rule (LSA Document #20-627), staff provides the below recommended changes to the proposed rule and responses to public comments.

RECOMMENDED CHANGES

1. **Recommendation:** In 675 IAC 30-1-1(a)(4), change “2019” to “2018”.

Reason: Addendum 2 was issued in 2018 not 2019 and this merely corrects that error.

2. **Recommendation:** In 675 IAC 30-1-1(a)(5), add “June 2016,” after “Edition,” and before “Two”.

Reason: This modification is included to more accurately describe the code being adopted by reference.

RESPONSES TO PUBLIC COMMENTS

1. **Response to Oral (and written) Comments Made by Earl Harlow:** Reject. Modification of the definition of what is classified as a fired process heater to only include “permanently installed” items would exclude from the list of exempt items a class of boilers identified as being previously exempt without any regard to the fiscal impact and without any analysis as to why permanently installed vessels do not need to be regulated, but non-permanently installed vessels do. This modification would go further than clarifying or providing examples of what the definitions mean. This modification would reduce the scope of the exemption. Any clarification or application of the rules can and should be accomplished through enforcement or guidance documents issued by the enforcement agency. Providing specific examples in rules is not necessary and is more appropriately done outside of the rulemaking process.
2. **Response to Written Comment Submitted by Darrell Wisner:** See public hearing record for response made on the record addressing Mr. Wisner’s comment regarding public communication or public notice regarding the public hearing.