



NOTICE OF PUBLIC HEARING

Notice is hereby given that the Ohio Department of Commerce in accordance with Ohio Revised Code § 119.03 intends to amend nine rules governing Boiler Inspections found in Ohio Administrative Code § 1301:3-5-01, 1301:3-5-02, 1301:3-5-03, 1301:3-5-04, 1301:3-5-05, 1301:3-5-06, 1301:3-5-07, 1301:3-5-09, 1301:3-5-10.

The following rules are being amended for the reasons set forth below:

1301:3-5-01:

This rule sets forth the definitions of terms used in Chapter 1301:3-5 of the Administrative Code. The proposed rule changes include a correction of the organization whose forms are referenced in this Chapter of rules and the insertion of language in the definition of “inspector” that had been omitted in prior versions of this rule.

1301:3-5-02:

This rule sets forth the requirements for an inspection of a boiler following its installation, how a boiler shall be prepared for an inspection, the consequences of a failed inspection or hydrostatic test, and the right of an inspector to apply a hydrostatic test to a boiler. The proposed rule changes are non-substantive and include the removal of redundant language, grammatical and punctuation corrections, and the rewording of a sentence for clarity.

1301:3-5-03:

This rule sets forth the requirements for boiler inspection reports. The proposed rule changes correct the names of the inspection report forms. The current version of the rule has the wrong names of the inspection forms. The actual forms themselves remain unchanged, so, the proposed rule changes only serve to provide the accurate names of the report forms.

1301:3-5-04

This rule sets forth the requirements for when a boiler is found to be in an unsafe working condition, has a leak or crack, or is affected by an accident. The proposed rule changes add language for clarification, modify terms to be consistent with the Revised Code, correct grammatical and punctuation errors, and remove redundant language.

1301:3-5-05

This rule sets forth the terms and requirements relating to certificates of operations for boilers, including their expiration dates, inspection requirements, the process for replacement, and period of validity. The proposed rule changes reword a portion of a paragraph on inspection requirements for clarity purposes, correct citations to the Revised Code, and add a missing term to be consistent with the Revised Code.

1301:3-5-06

This rule sets forth the right of the Superintendent of the Division of Industrial Compliance to suspend, revoke, or deny a certificate of operation if a boiler or pressure vessel is found to be unsafe. The rule also sets forth the requirements for when an inspector reduces the safe working pressure of a boiler, determines necessary repairs, declares a boiler to be unsafe, or finds a crack in a lap-riveted longitudinal joint of a boiler. The proposed rule changes are non-substantive and include the rewording of the rule title for consistent tenses of terms, the additions of missing words to use consisting phrasing, and stylistic/formatting changes.

1301:3-5-07

This rule sets forth the inspection intervals for power boilers; high pressure, high temperature boilers; process boilers; and their appurtenances. This rule also sets forth the process by which a boiler owner or user may request an extended inspection interval for their boiler. The proposed rule changes are non-substantive and include the addition of a Revised Code citation, grammatical and punctuation corrections, the separation of one sentence into two sentences, and the rewording of some sentences for better clarity.

1301:3-5-09

This rule sets forth how administrative hearings held under Chapter 4104 of the Revised Code are to be conducted and who may appear on behalf of the Division of Industrial Compliance at such hearings. The proposed rule changes are non-substantive and include the removal of redundant language and the rewording of sentences for clarity.

1301:3-5-10

This rule sets forth the experience requirements for boiler operator and steam engineer licensee applicants. The proposed rule changes are non-substantive and include punctuation changes, rewording for internal consistency, and the addition of terms for clarity and ease of reading.

The Department will conduct a public hearing on the proposed rules on December 4, 2019 at 9:30 a.m. at the offices of the Division of Industrial Compliance, 6606 Tussing Road, Training Room 3, Reynoldsburg, Ohio 43068-9009.

The proposed rules are available by contacting the Ohio Department of Commerce, Division of Industrial Compliance, Office of Division Counsel, 6606 Tussing Road, Reynoldsburg, OH 43068, by calling (614) 752-7124. The proposed rules are also available at the following website: www.registerofohio.state.oh.us.

At the public hearing, any person affected by the proposed actions may appear and be heard in person, by the person's attorney, or both, may present the person's position, arguments, or contentions, orally or in writing, offer and examine witnesses, and present evidence tending to

show that the proposed rule or amendments, if adopted or effectuated, will be unreasonable or unlawful.

Any person who wishes to present his or her position, arguments or contentions in writing may do so by mailing his or her written comments to the Ohio Department of Commerce, Division of Industrial Compliance, Office of Division Counsel, 6606 Tussing Road, Reynoldsburg, OH 43068. Written comments may also be submitted at the hearing. All written comments must be submitted to the Department no later than 5:00 pm. December 4, 2019. Written comments submitted after this date may be considered as time and circumstances permit.

The Ohio Department of Commerce is an equal opportunity service provider.