

Proposed Rules
of
Tennessee Department of Labor and Workforce Development
Division of Boiler and Elevator Inspection
Board of Boiler Rules

Chapter 0800-03-03
Boiler Inspections

Presented herein are proposed amendments of the Department of Labor and Workforce Development, Division of Boiler and Elevator Inspection, Board of Boiler Rules, submitted pursuant to T.C.A. § 4-5-202 in lieu of a rulemaking hearing. It is the intent of the Department of Labor and Workforce Development to promulgate these amendments without a rulemaking hearing unless a petition requesting such hearing is filed within thirty (30) days of the publication date of the issue of the Tennessee Administrative Register in which the proposed amendments are published. Such petition to be effective must be filed in the Legal Division of the Department of Labor and Workforce Development, 220 French Landing Drive, Nashville, Tennessee 37243, and in the Administrative Procedures Division of the Department of State, William R. Snodgrass Tennessee Tower, 8th Floor, 312 8th Avenue North, Nashville, Tennessee, 37243-0310, and must be signed by twenty-five (25) persons who will be affected by the amendments, or submitted by a municipality which will be affected by the amendments, or an association of twenty-five (25) or more members, or any standing committee of the General Assembly.

For a copy of the proposed amendments, contact Mr. Gary Cookston, Assistant Administrator, Division of Boiler and Elevator Inspection, Tennessee Department of Labor and Workforce Development, 220 French Landing Drive, Nashville, Tennessee 37243, telephone: (615) 532-1929.

The text of the proposed amendments is as follows:

Amendments

Rule 0800-03-03-.09 Fees is amended by deleting the rule in its entirety and substituting the following language, so that as amended the rule shall read:

0800-03-03-.09 Fees.

- (1) For shop inspections of boilers and pressure vessels and for manufacturers and contractors of boilers and pressure vessels quality control system reviews:
 - (a) For one-half (½) day minimum \$250.00
 - (b) For one (1) full day maximum \$500.00
- (2) For special boiler and pressure vessel inspections and second-hand inspections:
 - (a) For one-half (½) day minimum \$250.00
 - (b) For one (1) full day maximum \$500.00
- (3) Boilers Inspection Fees (Fired Vessels):
 - (a) Boilers of 5 H.P. or less, or 50 sq. ft. or less of heating surface \$40.00
 - (b) Boilers over 5 H.P. or over 50 sq. ft. of heating surface \$40.00

(c) External inspections	\$25.00
(4) Boiler Inspection Fees (unfired vessels):	
(a) Internal and/or external inspection of each unfired pressure vessel subject to inspection having a cross-sectional area of fifty (50) square feet or less is	\$25.00
(b) For each additional one hundred (100) square feet or fraction thereof, of area in excess of fifty (50) square feet is	\$6.00
Not more than ninety-seven dollars (\$97.00) shall be paid per day for the actual inspection time of each inspector on any one (1) vessel.	
(5) Examination fee (non-refundable)	\$100.00
(6) Certificate of Competency fee (non-refundable) \$50.00	
(7) Identification card fee (non-refundable) Annual renewal	\$25.00
(8) Inspection certificates fees:	
(a) For power boilers	\$35.00
(b) For low pressure heating boilers and unfired pressure vessels	\$50.00
(9) License fee:	
(a) Original license (first year)	\$75.00
(b) Annual renewal license	\$50.00
(10) For special inspection fee, based on the number of working days notice of inspection:	
(a) 1 – 10 Working Days; For one-half (1/2) day minimum For one (1) day maximum	\$250.00 \$500.00
(b) 11 – 20 Workings Days; For one-half (1/2) day minimum For one (1) day maximum \$200.00	\$100.00 \$200.00
(c) 21 – 30 Working Days; For one-half (1/2) day minimum For one (1) day maximum	\$60.00 \$120.00
(d) More than 30 Working Days; For one-half (1/2) day minimum For one (1) day maximum	\$40.00 \$80.00

Authority: T.C.A. §§ 4-5- 202(a)(3), 68-122-101 through 68-122-104, 68-122-106, 68-122-111, 68-122-113, 68-122-116, 68-122-204, and 68-122-205.

The proposed rules set out herein were properly filed in the Department of State on the 31st day of January, 2008, and pursuant to the instructions set out above, and in the absence of the filing of an appropriate petition calling for a rulemaking hearing, will become effective on the 30th day of May, 2008. (FS 01-22-08; DBID 2818)