

# **COUNCIL ON BOILER SAFETY**

## **MINUTES OF THE FORTY THIRD MEETING**

**DATE:** June 15, 2016

**PLACE:** DNREC Offices  
Conference Room B  
391 Lukens Drive  
New Castle, DE 19720

**Present:**

### **COUNCIL MEMBERS**

Karen Maxson,	E I DuPont de Nemours and Co.
Thomas Hauske,	PJM
Carl Kinney Sr.	Chemours
Gil Roberts	
Jay Kroc	Siemens
Mike Connors	New Castle County Division of Land Use
Paul Frank	OneCIS Insurance

### **BOILER SAFETY**

Alex Rittberg	DNREC, Environmental Program Administrator
Marjorie Crofts	DNREC, Director of Waste and Hazardous Substances
John Esch	DNREC Boiler Safety Program Chief Deputy Boiler Inspector
David Warburton	DNREC Boiler Safety Program Sr. Deputy Boiler Inspector
Randy Rado	DNREC Boiler Safety Program Environmental Compliance Specialist

The meeting was called to order by Alex Rittberg.

Mr. Rittberg reviewed the meeting agenda. Everyone introduced themselves and shared their experience working with Boilers and Pressure Vessels.

Mr. Rittberg shared a PowerPoint presentation (attached) and discussed the agenda as presented on the first slide of the presentation. Mr. Rittberg went over the organizational structure of the Boiler Safety Program. Mr. Rittberg explained that the Council would be discussing rule changes related to preventing a future carbon monoxide poisoning incident in the State of Delaware. Mr. Rittberg discussed that there was a recent incident in March in which four people died from carbon monoxide poisoning. Mr. Rittberg explained that he could not discuss the details of this incident because the New Castle County Police are still conducting a criminal investigation.

Mr. Rittberg then shared a fact sheet developed by the National Board of Boilers and Pressure Vessels concerning issues related to carbon monoxide incidents with boiler systems and how to prevent them.

Mr. Rittberg then lead a discussion using the PowerPoint Presentation regarding proposed changes to Delaware's boiler safety rules that are necessary to prevent a future carbon monoxide incident in Delaware. The first topic discussed was Preventative Maintenance. Mr. Rittberg explained that the regulations that reference Part CM in ASME CSD-1 need to be changed because they leave it up to the

owner or operator of a boiler to develop and implement a preventative maintenance plan and schedule, leaving it an option for the owner to perform no maintenance. Mr. Rittberg proposed changes to the regulations that would make it clear that all owners of boiler systems would be required to conduct preventative maintenance in accordance with Part CM of CSD-1, and that for facilities that are considered multi-family dwellings, or places that offer a person an opportunity to sleep 24/7, the non-mandatory recommended practices would be considered mandatory. The Council recommended drafting these requirements into the regulation, rather than referencing a document that refers to them as non-mandatory

Mr. Rittberg then led a discussion concerning requiring carbon monoxide detectors in boiler rooms and living spaces that are considered multi-family dwellings and/or offer the opportunity for a person to sleep 24/7. The Council discussed how surrounding states define “Multi-Family Dwellings” and recommended Delaware reduce its current no. of families (6) required to be considered Multi-Family. The Council agreed with John Esch and Tom Hauske’s recommendation requiring CO detectors that automatically shuts down a boiler and generates a phone message when excessive levels are detected be required on all new construction and when properties are transferred.

Alex Rittberg then recommended Boiler Safety’s enforcement authority be broadened similar to Maryland’s authorities to address situations where an insurance company fails to notify the Department of a change in either adding or dropping a regulated object as well as when an insurance company failed to perform an inspection. . No one on the Council objected to his proposal.

The Council recommended regulations be formulated that require Modifications, Repairs and Installations be performed only by contractors specifically qualified and licensed in the field.

Alex Rittberg explained Delaware’s “**23 Step Regulation Adoption Process**” to the Council and advised that an estimate of the cost to small businesses and homeowners of any new regulations had to be included in proposals. He also advised that it would take around one year for any new legislation.

Marjorie Crofts advised the Council that while Boiler Safety appreciated their input, opinions and suggestions from other concerned parties would have to be solicited for any new proposals.

The Council recommended a vigorous outreach effort to educate the public about new regulations and advised allowing at least one year for new construction and two or more years for existing sites. The Council suggested new regulations for existing sites be tied-in to the sale or transfer of ownership of a property.

Alex Rittberg presented the brochure “**Delaware Boiler Safety: How to Keep Your Boiler Room Safe**”. Mike Connors indicated that New Castle County had developed a brochure based on CO Safety and intended to distribute the brochures to contractors.

### **Conversion of Databases to JOL (Jurisdiction On-Line)**

Alex. Rittberg presented some background on JOL; 27 states currently use the platform and all but one insurance company operating in Delaware (Hartford Steam Boiler). Inspectors will enter inspection reports directly into JOL vs. Boiler Safety.

Mr. Rittberg also advised the Council he was considering requiring inspectors to take photographs of objects they inspect. The Council supported his suggestion but advised requiring the photos be submitted at the same time as the inspection reports to prevent the possibility of the photos being altered.

Mike Connors – New Castle County Dept. of Land Use asked if the county could obtain “View only” access to JOL. Mr. Rittberg said he thought so and he would check.

Mr. Rittberg concluded the meeting at 11:00 AM.