

Boiler Safety Council Meeting

Meeting Minutes
February 1, 2017

Opening

The Boiler Safety Council Meeting called to order at 10:00 am on February 1, 2017 in DNREC's Lukens Drive Office in New Castle, DE by Alex Rittberg.

Present

Alex Rittberg, Marjorie Crofts, John Esch, David Warburton, Randy Rado, Sara Golladay, Carl Kinney, Gilbert Roberts, Thomas Hauske, Mike Connors, David Leiter and Nina Dietrich.

Minutes

- Alex Rittberg went over the Agenda
- Alex Rittberg reviewed the meeting minutes from the December 8, 2016: Overall good turnout, there were no objections to the overall concept of changing the rules and regulations to require owners to conduct preventative maintenance on boiler systems, and requiring carbon monoxide detectors in boiler rooms in places that offer public lodging. However, participants did voice specific comments and concerns on the draft rule changes at the public workshop. Mr. Rittberg stated that the purpose of the Council meeting was to share the comments from the Public Workshop with the Council and discuss how the comments should affect the draft rule changes. Alex Rittberg then led discussions and gave a PowerPoint Presentation that can be found at the following link:

<http://www.dnrec.delaware.gov/BoilerSafety/Pages/Default.aspx>

Questions from the slide presentation:

- o Would a weekly Check make more sense than a daily check? Alex Rittberg discussed that at the public workshop concerns were expressed about the requiring daily boiler room inspections and that participants thought that monthly would be more practical and reasonable. Alex Rittberg stated that the Department could support that change. Carl Kinney agreed that it made sense as long as someone who knew what they were looking at conducted the monthly check. Tom Hauske also agreed to Monthly inspections. Alex Rittberg agreed that the Daily inspections would be changed to Monthly inspections. Marjorie Crofts suggested that the draft regulations list the frequency of the inspections in terms of the number of days, because people could interpret monthly once per month rather than once every 28-31 days.

- o Will the person doing the checks need training? Alex Rittberg supported the idea of having a training class available and would seek to develop an online training course with Deltech.
 - o Should the Boiler Safety Program offer an operator certification program? Alex Rittberg suggested an online training possibly from Del Tech.would suffice, but did not want to commit to establishing a boiler certification program.
 - o With regard to the issue of approving alternative preventive maintenance plans the Council cautioned DNREC about assuming liability for approving alternate preventative maintenance plans and felt that the required list of preventive maintenance requirements in the draft regulations should be considered the minimum that an owner should do and if an owner wanted to go beyond those minimums it should be left up to them. Carl Kinney suggested that we should change the wording to “need to meet our minimum requirements” Alex Rittberg agreed to make the change.
- Should a certificate of inspection be held if an owner is found to not be performing preventive maintenance at the time of inspection? Alex Rittberg and John Esch described DNREC’s current process that involves issuing 3 code violations before taking a higher level of enforcement that involves filing a complaint in JP Court. Usually this achieves compliance. Gilbert Roberts asked, What if a hazardous condition exists. John Esch stated, we have the ability to shut them down.
- o Marjorie Crofts asked if you found that someone hadn’t inspected there system for 12 months would that be considered one violation or twelve? John Esch stated it would be one violation.
- o Gilbert Roberts asked if you found a unit was inspected two days prior to your inspection and you found a problem would it be a violation? How would it be handled? John Esch answered the 1st step would be to question the person who did the inspection. Thomas Hauske stated that it goes back to training. David Leiter stated that the operator may have found the problem months ago and reported it to the owner and it’s the owner’s responsibility. Marjorie Crofts stated that any repairs needed should be required to be in the log.
 - o Mike Connors asked; where is the authority found to shut down a system? Alex Rittberg explained that if there was an unsafe condition the authority to revoke an operating certificate is found in Section 9 of the regulations.
 - o Alex Rittberg stated that DNREC needed to amend the draft regulations to add language that required owners to fix problems identified during an owner’s monthly and annual inspections.
- o Gilbert Roberts asked; what is included in Boiler systems? Is it just the control system? Should we include piping that’s attached? He also

suggested that we could change Boiler systems to Boiler. Carl Kinney agreed we should take systems out of it all together. Marjorie Crofts stated; that if we change this in needs to be changed in Regulating and codes. Alex Rittberg stated; as a jurisdiction we can be more stringent and either expand the definition of Boiler or adopt a definition of Boiler system that includes all visible piping connected to the Boiler. John Esch cautioned that an inspector can't inspect piping that isn't exposed and runs up a chimney.

- o Thomas Hauske asked; would safety valves be covered? John Esch said yes safety/relief valves are part of the boiler. Marjorie Crofts suggested to expand the definition to cover exposed piping and reminded the Council that we may need to change definitions in the code as well as the regulations. Carl Kinney suggested that we use the code in effect at the time of installation.
- o Alex Rittberg stated that DNREC would look at the definitions and make recommendations to change the draft regulations to ensure that the boiler or boiler system definitions included connected piping to and from the boiler that can be visually inspected.
- o Thomas Hauske asked; do we look for broken supports? John Esch stated we do look for support on the boiler proper however the hangers for piping and exhaust vent need to be at a set span that is standard in the ICC Code. Which we do not adopt. Mike Connors agreed the codes do call for it.
- o Regarding who could perform the monthly maintenance checks, Carl Kinney suggest that apprentice not be allowed to perform this work. Mike Connors said the state law meaning the Plumbers Code in Chapter 24 dictates who can work on the boiler, installation. Alex Rittberg pulled up the web site to check on the states regulations. Marjorie Crofts stated that Kent and Sussex Counties do not have code inspectors look at boiler installations.

John Esch stated that the ASME and NBIC do not specify who can install the boiler, but rather governs who can starts it up.

Alex Rittberg stated we will look at our rules of who can work on them and install and who maintains the inspections with the goal of being consistent with state and federal standards. Dave Warburton stated that a lot of his work involves low pressure boilers. .Alex Rittberg suggested that we have different rules for low pressure boilers and power boilers.

- o Carbon Monoxide Detector Requirement discussion question;
John Esch stated that Carbon Monoxide detectors will not help for boiler explosions. It was agreed that we should incorporate them into the standards. Alex Rittberg shared that attendees at the public workshop wanted hospitals and churches added to the list of facilities in the definition of buildings that would require a carbon monoxide detector in the boiler room. The Council had discussion on this topic. Marjorie Crofts stated that it wouldn't include all churches or daycares only the ones that have public

lodging. Dave Leiter suggested we could have a hardship clause to give them more time to get the money for the changes.

- o Alex Rittberg suggested we look at the definition on daycare facility because the intent was to capture facilities that provide overnight lodging.

- o John Esch asked; who is responsible for evacuation of a building? It was suggested that we call 911 and inform the person responsible to evacuate the building. Mike Connors stated if the system turns off the boiler and not the water heater are we being protective enough. Mike Connors also stated new apartment buildings are required to install carbon monoxide detectors.

- o Alex Rittberg agreed to change language found in the draft regulations Section Code 6.4 to address the water heater issue and to have the person who identifies the alarm to notify someone responsible for the facility.

- o A participant asked who maintains the carbon monoxide detectors. Alex Rittberg stated that maintenance and testing requirements were found in the UL standards.

- o Alex Rittberg agreed to change owner to inspector or insurance company in section 8.2.5

Path Forward

- o Alex Rittberg stated we are currently working on a draft bill and will continue the efforts. Marj Crofts stated that the new governor has not been briefed on DNREC's plans to put forward a bill but that the initial draft of the bill has been presented to several legislators in each County.
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 - o Alex Rittberg discussed having the next meeting in April to accommodate those involved in the Punkin Chunkin event. .

Adjournment

- o Meeting was adjourned at 11:30 am by Alex Rittberg.
Minutes submitted by: Nina Dietrich