



# Ohio Legislative Service Commission

## Bill Analysis

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### H.B. 12

130th General Assembly  
(As Introduced)

**Reps.** Roegner, Young, Butler, Terhar, Stebelton, Lynch, McGregor, Gonzales, Thompson, Hood, Scherer

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## BILL SUMMARY

- Exempts a boiler that satisfies certain safety and engineering standards from the requirement that it be operated by a licensee under the Boiler Law or under the direct supervision of a licensee.
- Exempts such a boiler from the administrative rule requirement that the operation of the boiler be subject to continuous, manned attendance during all times of operation of the boiler.
- Prohibits the Board of Building Standards from adopting rules that require a person operating a low pressure boiler or a high pressure boiler to be licensed under the Boiler Law except as provided in statute.

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## CONTENT AND OPERATION

### Operation of certain boilers without a license

The bill exempts both of the following types of boilers from the requirement that they be operated by specified licensees under the Boiler Law:

- A boiler fired by gaseous fuel, fuel oil, or some combination thereof that complies with the applicable sections of the CSD-1 standards contained in "Controls and Safety Devices for Automatically Fired Boilers," published by the American Society of Mechanical Engineers ("ASME;" this publication governs the assembly, installation, maintenance, and operation of controls and safety devices on automatically operated boilers directly fired with gas,

oil, gas-oil, or electricity having fuel input ratings under 12,500,000 Btu/hour).<sup>1</sup>

- A boiler fired by gaseous fuel, fuel oil, or some combination thereof that complies with the applicable sections of the National Fire Protection Association Standard No. 85, "Boiler and Combustion Systems Hazards Code," published by the National Fire Protection Association (this publication governs boiler and combustion systems).<sup>2</sup>

Current law prohibits any person from operating a low pressure boiler (see "**Definitions**," below) at more than 30 horsepower, unless the person either is licensed as a steam engineer, high pressure boiler operator, or low pressure boiler operator in accordance with the Boiler Law or is working under the direct supervision of such a licensee. Similarly, current law prohibits any person from operating a power boiler (see "**Definitions**," below) at more than 30 horsepower unless that person is licensed as a steam engineer or high pressure boiler operator or the person is working under the direct supervision of such a licensee.<sup>3</sup>

By being exempt from the licensed operator requirement under the bill, it appears that an exempted boiler also is exempt from the requirement in a rule adopted by the Board that requires, unless an exception applies, a boiler operator described above to maintain continuous, manned attendance during all times of operation of a steam boiler operating at more than 30 horsepower. Currently, this requirement does not apply in any of the following circumstances:

- The steam boiler engine can be monitored, controlled, and shut down from a central control room and is equipped with manual operational resets, thus allowing the continuous, manned attendance to occur from the central control room during all times of operation of the steam boiler.
- The steam boiler may be operated without manned attendance for a maximum length of time equal to the time it takes for the boiler to go into a low water condition when subjected to an annual evaporation test conducted

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<sup>1</sup> ASME, Controls and Safety Devices for Automatically Fired Boilers, <http://www.asme.org/products/codes---standards/controls-and-safety-devices-for-automatically-fired> (accessed February 8, 2013).

<sup>2</sup> National Fire Protection Association, NFPA 85: Boiler and Combustion Systems Hazards Code, <http://www.nfpa.org/aboutthecodes/AboutTheCodes.asp?DocNum=85&cookie%5Ftest=1> (accessed February 8, 2013).

<sup>3</sup> R.C. 4104.05.



in accordance with the "ASME Boiler and Pressure Vessel Code, Section VI, 7.05 (H)."

- The Superintendent of Industrial Compliance approves a site-specific, detailed, written plan to provide for automated electronic monitoring of nonsolid fuel-fired steam boilers that utilize controls that contain all operational functions, are equipped with manual operational resets, are labeled for the intended operation, and satisfy additional requirements specified in the rule.<sup>4</sup>

Additionally, the bill prohibits the Board of Building Standards, which administers and enforces the Boiler Law, from adopting rules that require a person operating a low pressure boiler or high pressure boiler (see "**Definitions**," below) to be licensed as a steam engineer, high pressure boiler operator, or low pressure boiler operator, except as provided in the bill and continuing law.<sup>5</sup>

## Definitions

Continuing law defines the following terms:

A "low pressure boiler" is a steam boiler operating at pressures not exceeding 15 pounds per square inch gauge (psig), or a hot water heating boiler operating at pressures not exceeding 160 psig or temperatures not exceeding 250 degrees Fahrenheit.

A "power boiler" is a boiler in which steam or other vapor (to be used externally to itself) is generated at a pressure of more than 15 psig.

A "high pressure boiler," which appears to be referring to a "high pressure, high temperature water boiler," is a water heating boiler operating at pressures exceeding 160 psig or temperatures exceeding 250 degrees Fahrenheit.<sup>6</sup>

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## HISTORY

ACTION	DATE
Introduced	01/30/2013

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<sup>4</sup> Ohio Administrative Code 4101:4-10-01.

<sup>5</sup> R.C. 4104.02(E).

<sup>6</sup> R.C. 4104.01, not in the bill.

