

WSR 21-16-098
EXPEDITED RULES
DEPARTMENT OF
LABOR AND INDUSTRIES
[Filed August 3, 2021, 12:45 p.m.]

Title of Rule and Other Identifying Information: Typographical corrections to the boiler fees under WAC 296-104-700.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The purpose of this rule making is to propose corrections to the boiler fees. On June 1, 2021, the board of boiler rules and the department of labor and industries (L&I) adopted a fee increase of 5.79 percent to support operating expenses for the boiler program (WSR 21-12-088). This is the office of financial management's maximum allowable fiscal growth factor rate for fiscal year 2022. Because of a typographical error, four of the inspection fees pertaining to power boilers and pressure vessels are incorrect. This rule making corrects the error by reducing the four fees to the fiscal growth factor amount.

Reasons Supporting Proposal: The boiler fees are for permits, inspection, examination, and certificates. This rule making is needed to ensure the fees are accurate and consistent with the fiscal growth factor.

Statutory Authority for Adoption: Chapter 70.79 RCW.

Statute Being Implemented: Chapter 70.79 RCW.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: L&I, governmental.

Name of Agency Personnel Responsible for Drafting: Mike Carlson, Program Manager, Tumwater, Washington, 360-902-5270; Implementation and Enforcement: Steve Reinmuth, Assistant Director, Tumwater, Washington, 360-902-6348.

This notice meets the following criteria to use the expedited adoption process for these rules:

Corrects typographical errors, make address or name changes, or clarify language of a rule without changing its effect.

Explanation of the Reason the Agency Believes the Expedited Rule-Making Process is Appropriate: The expedited rule-making process makes typographical corrections to some boiler fees.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Alicia Curry, Management Analyst, L&I, P.O. Box 44400, Olympia, WA 98504-4400, phone 360-902-6244, fax 360-902-5292, email Alicia.Curry@lni.wa.gov, AND RECEIVED BY October 4, 2021.

August 3, 2021
Joel Sacks
Director

OTS-3180.1

AMENDATORY SECTION (Amending WSR 21-12-088, filed 6/1/21, effective 7/2/21)

WAC 296-104-700 What are the inspection fees—Examination fees—Certificate fees—Expenses? The following fees shall be paid by, or on behalf of, the owner or user upon the completion of the inspection. The inspection fees apply to inspections made by inspectors employed by the state.

The boiler and pressure vessel installation/reinstallation permit fee of \$66.00 shall be paid by the installer, as defined in WAC 296-104-010.

Certificate of inspection fees: For objects inspected, the certificate of inspection fee per object is \$28.40.

Hot water heaters per RCW 70.79.090, inspection fee: \$8.50.

The department shall assess a \$7.00 fee, per object, for processing of jurisdictional inspection reports to any authorized in-service inspection agency or inspector who does not file the report directly into the department's electronic inspection report system.

Heating boilers:	Internal	External
Cast iron—All sizes	\$48.00	\$38.40
All other boilers less than 500 sq. ft.	\$48.00	\$38.40
500 sq. ft. to 2500 sq. ft.	\$96.00	\$48.00
Each additional 2500 sq. ft. of total heating surface, or any portion thereof	\$38.40	\$18.70
Power boilers:	Internal	External
Less than 100 sq. ft.	\$48.00	\$38.40
100 sq. ft. to less than 500 sq. ft.	\$58.10	(\$48.00) \$38.40
500 sq. ft. to 2500 sq. ft.	\$96.00	\$48.00
Each additional 2500 sq. ft. of total heating surface, or any portion thereof	(\$48.00) \$38.40	\$18.70
Pressure vessels:	Internal	External
Square feet shall be determined by multiplying the length of the shell by its diameter.		
Less than 15 sq. ft.	(\$48.00) \$38.40	\$28.40
15 sq. ft. to less than 50 sq. ft.	\$57.00	\$28.40
50 sq. ft. to 100 sq. ft.	\$66.50	(\$48.00) \$38.40
For each additional 100 sq. ft. or any portion thereof	\$66.40	\$18.70
Nonnuclear shop inspections, field construction inspections, and special inspection services:		
For each hour or part of an hour up to 8 hours		\$58.10
For each hour or part of an hour in excess of 8 hours		\$86.80
Nuclear shop inspections, nuclear field construction inspections, and nuclear triennial shop survey and audit:		

For each hour or part of an hour up to 8 hours	\$86.80
For each hour or part of an hour in excess of 8 hours	\$136.00
Nonnuclear triennial shop survey and audit:	
When state is authorized inspection agency:	
For each hour or part of an hour up to 8 hours	\$58.10
For each hour or part of an hour in excess of 8 hours	\$86.80
When insurance company is authorized inspection agency:	
For each hour or part of an hour up to 8 hours	\$86.80
For each hour or part of an hour in excess of 8 hours	\$136.00

Examination fee: A fee of \$107.50 will be charged for each applicant sitting for an inspection examination(s).

Special inspector commission: A fee of \$58.00 for initial work card. A fee of \$36.00 for annual renewal.

If a special inspector changes companies: A work card fee of \$58.00.

Expenses shall include:

Travel time and mileage: The department shall charge for its inspectors' travel time from their offices to the inspection sites and return. The travel time shall be charged for at the same rate as that for the inspection, audit, or survey. The department shall also charge the current Washington office of financial management accepted mileage cost fees or the actual cost of purchased transportation. Hotel and meals: Actual cost not to exceed the office of financial management approved rate.

Requests for Washington state specials and extensions of inspection frequency: For each vessel to be considered by the board, a fee of \$541.70 must be paid to the department before the board meets to consider the vessel. The board may, at its discretion, prorate the fee when a number of vessels that are essentially the same are to be considered.

[Statutory Authority: Chapter 70.79 RCW. WSR 21-12-088, § 296-104-700, filed 6/1/21, effective 7/2/21; WSR 21-03-067, § 296-104-700, filed 1/19/21, effective 2/19/21; WSR 20-06-058, § 296-104-700, filed 3/3/20, effective 4/3/20; WSR 19-15-120, § 296-104-700, filed 7/23/19, effective 9/1/19; WSR 18-23-092, § 296-104-700, filed 11/20/18, effective 1/1/19; WSR 18-01-113, § 296-104-700, filed 12/19/17, effective 1/31/18; WSR 17-13-105, § 296-104-700, filed 6/20/17, effective 7/31/17; WSR 16-18-003, § 296-104-700, filed 8/25/16, effective 10/1/16; WSR 13-10-018, § 296-104-700, filed 4/23/13, effective 6/1/13. Statutory Authority: Chapter 70.79 RCW and 2011 1st sp.s. c 50. WSR 12-09-057, § 296-104-700, filed 4/17/12, effective 6/30/12. Statutory Authority: RCW 70.79.030, 70.79.040, 70.79.150, 70.79.290, 70.79.330, 70.79.350, and 2009 c 90. WSR 10-06-049, § 296-104-700, filed 2/24/10, effective 4/1/10. Statutory Authority: RCW 70.79.030, 70.79.040, 70.79.150, 70.79.290, 70.79.330, and 70.79.350. WSR 08-12-015, § 296-104-700, filed 5/27/08, effective 6/30/08; WSR 07-11-137, § 296-104-700, filed 5/22/07, effective 6/30/07; WSR 06-12-032, § 296-104-700, filed 5/31/06, effective 7/1/06; WSR

05-12-028, § 296-104-700, filed 5/24/05, effective 6/30/05. Statutory Authority: Chapter 70.79 RCW. WSR 04-21-069, § 296-104-700, filed 10/19/04, effective 1/1/05; WSR 04-13-044, § 296-104-700, filed 6/10/04, effective 6/30/04. Statutory Authority: RCW 70.79.030, 70.79.040, 70.79.150, 70.79.290, 70.79.330, 70.79.350, and chapter 70.79 RCW. WSR 04-01-194, § 296-104-700, filed 12/24/03, effective 1/24/04; WSR 03-12-051, § 296-104-700, filed 5/30/03, effective 6/30/03; WSR 02-23-036, § 296-104-700, filed 11/13/02, effective 12/14/02; WSR 02-12-021, § 296-104-700, filed 5/28/02, effective 6/28/02; WSR 01-24-061, § 296-104-700, filed 11/30/01, effective 12/31/01; WSR 01-12-034, § 296-104-700, filed 5/29/01, effective 6/29/01. Statutory Authority: RCW 70.79.030, 70.79.040 and chapter 70.79 RCW. WSR 00-21-024, § 296-104-700, filed 10/10/00, effective 11/13/00. Statutory Authority: RCW 70.79.030 and 70.79.040. WSR 99-08-049, § 296-104-700, filed 4/1/99, effective 5/2/99; WSR 98-09-064, § 296-104-700, filed 4/20/98, effective 5/21/98. Statutory Authority: RCW 70.79.040. WSR 93-12-014, § 296-104-700, filed 5/21/93, effective 6/21/93. Statutory Authority: RCW 70.79.030 and 70.79.330. WSR 84-21-012 (Order 84-20), § 296-104-700, filed 10/5/84; WSR 84-11-016 (Order 84-09), § 296-104-700, filed 5/10/84; WSR 82-24-025 (Order 82-36), § 296-104-700, filed 11/23/82, effective 1/1/83; Order 77-23, § 296-104-700, filed 11/8/77; Emergency Order 77-22, § 296-104-700, filed 11/8/77.]