

1 PUBLIC PROTECTION CABINET

2 Department of Housing, Buildings and Construction

3 Boiler Inspection Section

4 (Amended After Comments)

5 815 KAR 15:010. Definitions for 815 KAR Chapter 15.

6 RELATES TO: KRS Chapter 236

7 STATUTORY AUTHORITY: KRS 236.030

8 NECESSITY, FUNCTION, AND CONFORMITY: KRS 236.030 requires the commissioner to
9 promulgate administrative regulations that establish reasonable standards for the safe construction,
10 installation, inspection, and repair of boilers, pressure vessels, and pressure piping. This administrative
11 regulation establishes the definitions for terms used in 815 KAR Chapter 15.

12 Section 1. Definitions.

13 (1) "Accessible" means easily reached, not to exceed thirty (30) inches from a standing space.

14 [(1) "ASME" is defined by KRS 236.010(5)].

15 (2) "ASME Boiler and Pressure Vessel Code" or "ASME Code" means the American Society of
16 Mechanical Engineers Boiler and Pressure Vessel Codes as follows, including all cited code cases,
17 appendices, and addenda, which are incorporated by reference in 815 KAR 15:025 and 815 KAR 15:026:

18 (a) Section I, rules for construction of power boilers;

19 (b) Section II, material specifications:

20 1. Part A specifications for ferrous materials;

2. Part B specifications for nonferrous materials;

3. Part C specifications for welding rods, electrodes, and filler metals; and

4. Part D Properties (Customary);

(c) Section IV, Rules for construction of heating boilers;

(d) Section V, nondestructive examination;

(e) Section VIII, rules for construction of pressure vessels, Division 1, Division 2, and Division 3;

(f) Section IX, welding and brazing qualifications; and

(g) Section X, Fiber-Reinforced Plastic Pressure Vessels.

(3) "Authorized inspector" means an inspector holding the ~~[appropriate endorsement on the]~~

National Board Authorized Inspector (AI) Commission ~~[to perform new construction shop inspections and repair inspections of boilers and pressure vessel].~~

~~[(4) "Boiler" is defined by KRS 236.010(1).]~~

(4) ~~[(5)]~~ "Boiler and pressure vessel contractor" means the holder of a boiler and pressure vessel contractor license as issued by the department pursuant to KRS 236 and 815 Chapter 8.

(5) ~~[(6)]~~ "Boiler Inspection Section" means the section within the Division of Plumbing, Department of Housing, Buildings and Construction.

~~[(7) "Boiler inspector" is defined by KRS 236.010(14).]~~

~~—(8) "Certificate inspection" is defined by KRS 236.010(7).]~~

~~—(9) "Chief boiler inspector" is defined by KRS 236.010(13).]~~

(6) ~~[(10)]~~ "Code boiler or pressure vessel" means a boiler or pressure vessel that bears the ASME Code Symbol stamp and designator. (See also "state special.")

~~[(11) "Commission" means the written credential issued by the department to a boiler inspector, special boiler inspector, or owner-user inspector pursuant to KRS 236.070, 236.080, or 236.095.]~~

~~—(12) "Commissioner" is defined by KRS 236.010(3).]~~

1 (7) [(13)] "Deaerator tank" means a pressure vessel in which water is heated, usually by steam, so that
2 any dissolved oxygen is removed from the water.

3 [(14) "Department" is defined by KRS 236.010(4).]

4 (8) [(15)] "Existing installations" means any boilers and associated piping systems completed and
5 approved for operation prior to July 1, 1970, or pressure vessels and associated piping systems completed
6 and approved for operation prior to July 15, 1980.

7 (9) [(16)] "External inspection" means an inspection made while a boiler or pressure vessel is in
8 operation and under pressure.

9 (10) [(17)] "Heat recovery boiler" means a boiler in which the source of heat is from another process.

10 [(18) "Heating boiler" is defined by KRS 236.010(1)(c).]

11 ~~[(19) "High pressure, high temperature water boiler" is defined by KRS 236.010(1)(b).]~~

12 (11) "Historic Boiler" means any code boiler or noncode boiler used to supply steam to a stationary,
13 portable, or traction steam engine, steamboat, or a railroad locomotive. This definition shall include the
14 following two (2) types of historic boilers:

15 (a) Traditional: Any boiler constructed by a professional boiler shop prior to January 1, 1950. A
16 Traditional Boiler may be a code or noncode boiler and includes boilers repaired and restored by National
17 Board "R" Certificate holders.

18 (b) Non-Traditional: Any noncode boiler constructed on or after January 1, 1950. Non-Traditional
19 boilers include scale models of Traditional Historic Boilers and hobby boilers. Non-Traditional boilers are
20 limited in size to 16" barrel diameter, 150 psi steam pressure, and 1000 lbs per hour steaming capacity.

21 (12) [(20)] "Hot water heating boiler" means a boiler from which hot water is circulated for heating
22 purposes and returned to the boiler and that operates at a pressure not exceeding 160 psig or a temperature
23 of 250 degrees Fahrenheit at or near the boiler outlet.

1 (13) [(21)] "Hot water storage tank" means a pressure vessel, unfired but connected to and subject to
2 the same pressures as a companion hot water supply boiler, the combination being used to heat and store
3 hot water for use externally to itself.

4 (14) [(22)] "Hot water supply boiler" means a boiler completely filled with water that furnishes hot
5 water to be used externally to itself at pressures not exceeding 160 psig or at temperatures not exceeding
6 210 degrees Fahrenheit at or near the boiler outlet.

7 (15) [(23)] "Hydrostatic test" means the activity of filling a boiler, pressure vessel, or associated piping
8 with water and raising the pressure within the system to check for tightness or mechanical integrity.

9 (16) [(24)] "Internal inspection" means an inspection made under circumstances that the boiler or
10 pressure vessel is not operating and hand holes or manways are open for inspection of internal portions of
11 the boiler water side or pressure vessel as construction permits.

12 (17) [(25)] "Jacketed cooking kettle" means a pressure vessel with inner and outer walls that is subject
13 to water or steam pressure and is used to boil or heat liquids **for the final preparation of food prior to**
14 **consumption**~~[and to cook food]~~.

15 (18) [(26)] "Lined potable water boiler" means a water boiler with a corrosion resistant lining used to
16 supply potable hot water.

17 [(27) "MAWP" is defined by KRS 236.010(23).]

18 (19) "Manway" means any opening that is elliptical 12" x 16" or larger, or round 15" diameter or larger.

19 (20) "Mobile Boiler Unit" means any boiler, pressure vessel, and related pressure piping that is operable
20 on or in a truck trailer or container and transportable.

21 (21) [(28)] "National Board (NB)" means the National Board of Boiler and Pressure Vessel Inspectors.

22 (22) [(29)] "Noncode boiler or pressure vessel " means a boiler or pressure vessel that does not bear
23 the ASME code symbol stamp and designator. (See also "state special.")

1 ~~(23)~~ [(30)] "Owner-user inspector" means an inspector commissioned by the department and employed
2 by a company operating a pressure vessel within the Commonwealth and meeting the requirements
3 established in KRS 236.095(1).

4 ~~(24)~~ [(31)] "Owner or user" means any person, firm, or corporation owning or operating a boiler or
5 pressure vessel within this Commonwealth.

6 ~~[(32) "Owner's piping inspector" is defined by KRS 236.010(25).]~~

7 ~~—(33) "Power boiler" is defined by KRS 236.010(1)(a).]~~

8 ~~(25)~~ [(34)] "Pressure piping" means the connecting piping emanating from the associated boiler or
9 pressure vessel and includes piping as covered pursuant to KRS 236.040(2). ~~[the ASME Boiler and~~
10 ~~Pressure Vessel Code, Sections I and IV; Pressure Vessel Code, Section VIII, Division I, 2, or 3. These~~
11 ~~piping codes include:~~

12 ~~—(a) Power Piping Code ASME B31.1;~~

13 ~~—(b) Process Piping Code ASME B31.3;~~

14 ~~—(c) Refrigeration Piping and Heat Transfer Components Code ASME B31.5;~~

15 ~~—(d) Building Services Piping Code ASME B31.9; and~~

16 ~~—(e) Hydrogen Piping and Pipelines Code ASME B31.12.~~

17 ~~—(35) "Pressure vessel" is defined by KRS 236.010(2).]~~

18 ~~(26)~~ [(36)] "Pressure vessels for human occupancy" or "PVHO" means all pressure vessels that enclose
19 a human within its pressure boundary while under internal or external pressure exceeding a differential
20 pressure of 2 psi. PVHOs include decompression or recompression chambers, high altitude chambers,
21 hypobaric or hyperbaric chambers, hyperbaric stretchers, medical hyperbaric oxygenation facilities, and
22 personnel transfer capsules.

23 ~~(27)~~ [(37)] "PSI (psi)" means pounds per square inch.

24 ~~(28)~~ [(38)] "PSIG (psig)" means pounds per square inch gauge.

1 (29) [(39)] "Reinstalled boiler or pressure vessel" means a boiler or pressure vessel removed from its
2 original setting and re-erected at the same location or erected at a new location without change of
3 ownership.

4 (30) [(40)] "Repair" means the work necessary to restore pressure-retaining items to a safe and
5 satisfactory operating condition to comply with the National Board Inspection Code incorporated by
6 reference in 815 KAR 15:026.

7 (31) [(41)] "Secondhand boiler or pressure vessel" means a boiler or pressure vessel in which both the
8 location and ownership have been changed after initial use.

9 ~~[(42)] "Special boiler inspector" is defined by KRS 236.010(15).]~~

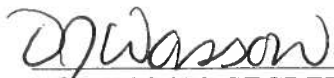
10 (32) [(43)] "State special" means a boiler or pressure vessel that carries neither the ASME Boiler and
11 Pressure Vessel Code symbol nor National Board registration but has been accepted by the department
12 pursuant to 815 KAR 15:025, Section 4.

13 (33) "Temporary" means installed for use for a limited time, not to exceed twelve (12) contiguous
14 months.

15 (34) [(44)] "V-R stamp holder" means the holder of a certificate issued by the National Board to repair
16 pressure relief valves.

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DJ WASSON, SECRETARY
PUBLIC PROTECTION CABINET

7-14-2024

Date



JONATHON M. FULLER, COMMISSIONER
DEPARTMENT OF HOUSING, BUILDINGS
AND CONSTRUCTION

7/14/26

Date

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

815 KAR 15:010

Contact Person: Jonathon M. Fuller

Phone: (502) 782-0617

Email: max.fuller@ky.gov

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation provides the definitions for terms needed in the interpretation of other sections of the subsequent administrative regulations in 815 KAR Chapter 15.

(b) The necessity of this administrative regulation: This administrative regulation is necessary to define terms used in implementing the Division of Plumbing, Boiler Section's statutory duty to establish administrative regulations that govern standards for boilers, pressure vessels, and associated pressure piping.

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 236.030 requires the commissioner of the Department of Housing, Buildings and Construction to promulgate administrative regulations for the safe construction, installation, inspection, and repair of boilers, pressure vessels, and associated pressure piping.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation defines terms present in the administrative regulations in 815 KAR Chapter 15.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: This amendment removes terms that are already defined in statute. The amendment alters the definition of "authorized inspector" to align with statutory definitions found in KRS 236.010 and definitions found in NB-263 and clarifies the definition of "jacketed cooking kettle"

(b) The necessity of the amendment to this administrative regulation: This amendment is necessary to define and clarify terms used elsewhere in this chapter.

(c) How the amendment conforms to the content of the authorizing statutes: This amendment clarifies the other boiler and pressure vessel regulations established by the Department pursuant to KRS 236.030.

(d) How the amendment will assist in the effective administration of the statutes: This amendment clarifies definitions and the other boiler and pressure vessel regulations established by the Department pursuant to KRS 236.030.

(3) Does this administrative regulation or amendment implement legislation from the previous five years? No.

(4) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: All individuals engaged in the boiler and pressure vessel industry, and Department of Housing, Buildings and Construction personnel.

(5) Provide an analysis of how the entities identified in question (4) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an

amendment, including:

- (a) List the actions that each of the regulated entities identified in question (4) will have to take to comply with this administrative regulation or amendment: This amendment imposes no new requirements on the affected entities.
- (b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (4): Nothing.
- (c) As a result of compliance, what benefits will accrue to the entities identified in question (4): 815 KAR Chapter 15 as a whole will be more clear and concise.

(6) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: There are no anticipated initial costs to administer this regulatory amendment.

(b) On a continuing basis: There are no anticipated continuing costs to administer this regulatory amendment.

(7) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: Any department costs of implementation will be met with existing department funds.

(8) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: There are no fees increased by this amendment.

(9) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees: No.

(10) TIERING: Is tiering applied? Tiering is not applied as all individuals in the boiler and pressure vessel industry and Department personnel are affected by this amendment.

FISCAL IMPACT STATEMENT

815 KAR 15:010

Contact Person: Jonathon M. Fuller

Phone: (502) 782-0617

Email: max.fuller@ky.gov

(1) Identify each state statute, federal statute, or federal regulation that requires or authorizes the action taken by the administrative regulation. This regulation is authorized and required by KRS 236.030.

(2) State whether this administrative regulation is expressly authorized by an act of the General Assembly, and if so, identify the act: This regulation is required by KRS 236.030.

(3)(a) Identify the promulgating agency and any other affected state units, parts, or divisions: The Department of Housing, Buildings and Construction, Division of Plumbing, Boiler Inspection Section.

(b) Estimate the following for each affected state unit, part, or division identified in (3)(a):

1. Expenditures:

For the first year: None

For subsequent years: None

2. Revenues:

For the first year: None

For subsequent years: None

3. Cost Savings:

For the first year: None

For subsequent years: None

(4)(a) Identify affected local entities (for example: cities, counties, fire departments, school districts): There are no anticipated local entities that will be affected by this regulatory amendment.

(b) Estimate the following for each affected state unit, part, or division identified in (4)(a):

1. Expenditures:

For the first year: None

For subsequent years: None

2. Revenues:

For the first year: None

For subsequent years: None

3. Cost Savings:

For the first year: None

For subsequent years: None

(5)(a) Identify affected regulated entities not listed in questions (3)(a) or (4)(a): Individuals engaged in the boiler and pressure vessel industry.

(b) Estimate the following for each affected state unit, part, or division identified in (5)(a):

STATEMENT OF CONSIDERATION

Relating to 815 KAR 15:010

Public Protection Cabinet, Department of Housing, Buildings and Construction, Division of
Plumbing, Boiler Inspection Section
(Amended After Comments)

I. The public hearing on 815 15:010 scheduled for June 23, 2026 at 9 a.m. at 500 Mero Street, Frankfort, KY 40601 was canceled; however, written comments were received during the public comment period.

II. The following people submitted written comments:

<u>Name and Title</u>	<u>Agency/Organization/Entity/Other</u>
Eric Perry	Factory Mutual Insurance

III. The following people from the promulgating administrative body responded to the written comments:

<u>Name and Title</u>
Jonathon M. Fuller, Commissioner

IV. Summary of Comments and Response

(1) Subject Matter: Definitions for 815 KAR 15:010

(a) Comment: Eric Perry – recommends changes to the definition of “authorized inspector” to align with statutory definitions and NB-263; seeks further clarification on the definition of “jacketed cooking kettle”; recommends changing “manway” defined term to “manhole”

(b) The “authorized inspector” definition will be changed to avoid duplication and conflict with definitions found in KRS 236.010 and NB-263. The “jacketed cooking kettle” definition will be clarified to better convey the agency’s intent (the final preparation of food prior to consumption). The “manway” definition will remain unchanged.

V. Summary of Statement of Consideration and Action Taken by Promulgating Administrative Body

The public hearing on 815 KAR 15:010 was canceled; however, written comments were received. The Boiler Inspection Section responded to the comments and will amend the administrative regulation accordingly.