

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

815 KAR 15:010

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(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

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(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.