

BILL ANALYSIS

H.B. 947
By: Flores
Licensing & Administrative Procedures
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Present Texas Boiler Law (Chapter 755 of the Health and Safety Code) requires that power boilers, unfired steam boilers and steam collection and liberation drums of process steam generators must receive interval certificate inspections. The Texas Department of Licensing and Regulation (TDL&R) has jurisdiction over the Board of Boiler Rules. The board advises the commissioner of TDL&R in the adoption of definitions and rules relating to the safe construction, installation, inspection, operating limits, alteration, and repair of boilers and their appurtenances.

The Board is currently composed of nine members appointed by the Commissioner of TDL&R. It has three members representing persons who own or use boilers in this state; three members representing companies that insure boilers in this state; one member representing boiler manufacturers or installers; one member who is a mechanical engineer and a member of the faculty of a recognized college of engineering in this state; and one member representing a labor union. HB 947 would change the current make-up of the Boiler Board by replacing the faculty position with a representative from the boiler repair industry.

Presently, Chapter 755 of the Health and Safety Code requires that power boilers, unfired steam boilers and steam collection and liberation drums of process steam generators must receive an annual certificate inspection and an annual external inspection. Internal inspections are done at certain intervals. The current intervals are: Power Boilers - 48 months, Unfired Boilers - 84 months, and Process Steam Generators - 84 months. A complete shutdown of the unit is generally required for the internal inspections. House Bill 947 would change the interval inspection timeline for the boilers and generators.

HB 947 would also allow for the Commissioner and inspection agency to allow for only one 120-day emergency extension between internal inspections. Currently, there is no limit to the number of emergency extensions.

The intent of HB 947 is to allow for better resource utilization by the TDL&R in managing boiler operations, as well as, having a positive impact on the environment. This is significant considering shutdowns and startups required for internal inspections can create a potential for an emission event.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. Amends Section 755.011 (b) of the Health and Safety Code. Changes the current make-up of the Boiler Board by replacing the faculty position with a representative from the boiler repair industry.

SECTION 2. Amends Section 755.026 (a) and (c) of the Health and Safety Code.

(a) Internal Inspection. Allows for the extension of the interval between internal inspections for certain boilers used in industrial facilities as follows for: Power Boilers - allows up to 60 months; Unfired Boilers - remains the same; and, Process Steam Generators - 120 months.

(c) Emergency Extension. Language is amended to limit the Commissioner and inspection agency to allow for only one 120-day emergency extension between internal inspections. An extension may only be granted by the Commissioner of Licensing and Regulation and the inspection agency, if several statutory conditions are met indicating that the jurisdictional equipment is operating safely.

EFFECTIVE DATE

September 1, 2003