

**PROPOSED RULES**

**NORTH DAKOTA ADMINISTRATIVE CODE  
ARTICLE 45-12  
NORTH DAKOTA BOILER RULES**

Section 45-12-01-01 is amended as follows:

**45-12-01-01. Definitions.**

...

- 23. "National board inspection code" means the manual for boiler and pressure vessel inspectors supplied by the national board. The national board inspection code, 2004 2007 edition, is hereby adopted by the commissioner and incorporated by reference as a part of this article. Copies of this code may be obtained from the national board at 1055 crupper avenue, Columbus, Ohio 43229.

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**History:** Effective June 1, 1994; amended effective April 1, 1996; January 1, 2000; October 1, 2002; January 1, 2006; January 1, 2008;\_\_\_\_\_.

**General Authority:** NDCC 26.1-22.1-14

**Law Implemented:** NDCC 26.1-22.1-14

Section 45-12-02-01 is amended as follows:

**45-12-02-01. Inspection reports to be submitted.**

- 1. **Power boilers.** Each authorized inspection agency or owner/user inspection organization, to which a special inspector commission has been issued, shall submit to the chief boiler inspector complete data of each high pressure boiler insured or inspected by it or covered by a written inspection agreement in North Dakota on form SFN 10706. Each ~~certificate~~ inspection must be reported to the chief boiler inspector within fifteen days after inspection on form SFN 10706. ~~Noncertificate inspections on high pressure boilers must be reported on form SFN 10706 only when hazardous conditions affecting the safety of the boiler are found to exist.~~

2. **Low pressure, hot water heating, and hot water supply boilers.** Within one year from effective date of this article, each authorized inspection agency or owner/user inspection organization shall submit to the chief boiler inspector complete data of each boiler insured or inspected by it or covered by a written inspection agreement in North Dakota on form SFN 10706. All required certificate inspections must be reported on form SFN 10706.

**History:** Effective June 1, 1994; amended effective January 1, 2006; \_\_\_\_\_, 2009.

**General Authority:** NDCC 26.1-22.1-14

**Law Implemented:** NDCC 26.1-22.1-14

Section 45-12-03-26 is amended as follows:

**45-12-03-26. Inspection of boilers.**

1. Each boiler used or proposed to be used within this state, except boilers exempt in North Dakota Century Code section 26.1-22.1-06, must be thoroughly inspected as to their construction, installation, condition, and operation as follows:  
  
...  
  - c. Steam traction engines must be inspected at least once every twelve months. Inspections must alternate between internal inspections, external inspections, and hydrostatic tests. ~~External inspections, made with the boiler under pressure, will be made at the discretion of the inspector.~~  
...  
  2. ~~The only reports normally required by the chief boiler inspector will be reports of inspections made as a certificate inspection.~~ Certificate inspections must be made during the period of thirty days prior to and thirty days after the expiration date of the certificate. Noncertificate inspections, when required by the provisions of this section, must be ~~documented in such a manner that reports of these inspections may be furnished to the state insurance department upon the request of the chief boiler inspector~~ made between certificate inspections. The chief boiler inspector encourages reports to be made at any time adverse conditions are found, or when difficulty is encountered getting cooperation from the owner or user.

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**History:** Effective June 1, 1994; amended effective April 1, 1996; January 1, 2000; January 1, 2006;\_\_\_\_\_.

**General Authority:** NDCC 26.1-22.1-14

**Law Implemented:** NDCC 26.1-22.1-14

Section 45-12-10-01 is amended as follows:

**45-12-10-01. Construction and installation standards - Exceptions.** Unfired pressure vessels may not be installed in North Dakota unless such vessels have been constructed in accordance with the American society of mechanical engineers boiler and pressure vessel code, section VIII, division 1,~~2~~, or 3, ~~2004~~ 2007 edition or section VIII, division 2, 2004 edition, and bear the "U" stamp as proof of such construction.

Manufacturers shall register unfired pressure vessels with the national board of boiler and pressure vessel inspectors. Unfired pressure vessels must bear the required stamping of the national board.

The requirements of this section apply to all pressure vessels within the scope of the American society of mechanical engineers boiler and pressure vessel code, section VIII, division 1,~~2~~, or 3, ~~2004~~ 2007 edition or section VIII, division 2, 2004 edition, with these exceptions:

1. Pressure vessels under federal control.
2. Pressure vessels that do not exceed four cubic feet [30 United States gallons] in volume and two hundred fifty pounds per square inch gauge [1723.70 kilopascals] in pressure.
3. Pressure vessels that do not exceed one and one-half cubic feet [11.22 United States gallons] in volume and six hundred pounds per square inch gauge [4136.88 kilopascals] in pressure.
4. Unfired pressure vessels installed or ordered prior to November 1, 1987. However, these unfired pressure vessels must be maintained in a safe operating condition using ANSI/NB-23 and ANSI/API-510 as guidelines. Unfired pressure vessels referenced by this section must be protected with the American society of mechanical engineers stamped pressure relief devices as defined in section VIII of the American society of mechanical engineers boiler and pressure vessel code, ~~2004~~ 2007 edition. Existing pressure relief devices installed on unfired pressure vessels referenced by this section will be considered acceptable if the pressure relief device is set for the correct pressure, if the usage is correct, and if the device is in a satisfactory operating condition.

**History:** Effective June 1, 1994; amended effective April 1, 1996; January 1, 2000; October 1, 2002; January 1, 2006;\_\_\_\_\_.

**General Authority:** NDCC 26.1-22.1-14

**Law Implemented:** NDCC 26.1-22.1-14