

STATEMENT OF SCOPE

Department of Commerce

Rule No. : Chapters Comm 41 and 45

Relating to : Boilers and Pressure Vessels and Mechanical Refrigeration

1. Description of the objective of the rule.

The objective of the rule is to update the Administrative Code chapter Comm 41, Boilers and Pressure Vessels, to reflect current national standards and to evaluate administrative and enforcement aspects of the program, and to clarify requirements under chapter Comm 45, Mechanical Refrigeration, relating to materials used for discharge piping from pressure relief devices.

2. Description of existing policies relevant to the rule and of new policies proposed to be included in the rule and an analysis of policy alternatives.

Since 1957 the state boiler and pressure vessel code has adopted by reference the boiler and pressure vessel code published by the American Society of Mechanical Engineers (ASME). Currently, the 2004 edition of the ASME boiler and pressure vessel code is adopted in chapter Comm 41. The 2007 edition of that model code is now available for adoption. Other standards currently adopted in chapter Comm 41, including ANSI/NB - 23, National Board of Inspection Board, and API 510, Pressure Vessel Code, will also be reviewed for updating.

The alternative of not revising chapter Comm 41 would result in rules not being up-to-date with current national standards.

Under chapter Comm 45, clarifying the relief piping material requirement is expected to improve compliance with the safety requirements of the code and the alternative of not clarifying the code in this area may result in confusion.

3. Statutory authority for the rule.

The statutory authority for the rule is contained in sections 101.02(15)(h) to (j), 101.17 and 101.177, Stats.

4. Estimate of the amount of time that state employees will spend to develop the rule and of other resources necessary to develop the rule.

The department estimates approximately 400 hours will be needed to review the updated model code and standards and to develop any needed rule changes. This time includes forming and meeting with an advisory council, drafting the rule changes and processing the changes through public hearings, legislative review, and adoption. The department will assign existing staff to perform the review and develop the rule changes, and no other resources will be needed.

5. Description of all entities that will be affected by the rule.

The rule will affect any entity involved with the design, construction, installation, operation, inspection, testing maintenance, repair or alteration of boilers or pressure vessels, and mechanical refrigeration.

6. Summary and preliminary comparison of any existing or proposed federal regulation that is intended to address the activities to be regulated by the rule.

An Internet-based search for “boilers”, and “pressure vessels” in the *Code of Federal Regulations and the Federal Register* did not identify any existing or proposed federal regulations that address these topics.

An Internet-based search for “mechanical refrigeration” in the *Code of Federal Regulations and the Federal Register* did not identify any existing or proposed federal regulations that address the design and installation of mechanical piping as specified under the scope of chapter Comm 45.

Approved for publication in the Wisconsin Administrative Register at Madison, Wisconsin, this date: _____

DEPARTMENT OF COMMERCE

Mary P. Burke, Secretary

Approved for implementation at Madison, Wisconsin, this date: _____

DEPARTMENT OF COMMERCE

Mary P. Burke, Secretary