

1 AN ACT concerning public safety.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Boiler and Pressure Vessel Safety Act is  
5 amended by changing Sections 2a, 2b, 4, 5, 8, 10, 11, and 15 as  
6 follows:

7 (430 ILCS 75/2a) (from Ch. 111 1/2, par. 3202a)

8 Sec. 2a. Nuclear facilities. Notwithstanding any other  
9 provision to the contrary, the Illinois Emergency Management  
10 Agency ~~Department of Nuclear Safety~~ shall have sole  
11 jurisdiction over all boilers and pressure vessels contained  
12 within or upon or in connection with any nuclear facility  
13 within this State. The Illinois Emergency Management Agency  
14 ~~Department of Nuclear Safety~~ shall have the same authority and  
15 shall have and exercise the same powers and duties in relation  
16 to those boilers and pressure vessels under this Act as the  
17 Board or the State Fire Marshal have and exercise in relation  
18 to all boilers and pressure vessels in this State that are not  
19 included in this Section. Notwithstanding any other provision  
20 to the contrary, the Illinois Emergency Management Agency  
21 ~~Department of Nuclear Safety~~ shall establish by rule the types  
22 and frequency of inspections of boilers and pressure vessels  
23 contained within or upon or in connection with any nuclear  
24 facility. The rules may provide that multiple boilers and  
25 pressure vessels in a nuclear power system shall be covered by  
26 a single inspection certificate. The Illinois Emergency  
27 Management Agency ~~Department of Nuclear Safety~~ may enter into  
28 such agreements with the Board or the State Fire Marshal as are  
29 necessary to carry out its duties under this Act. The  
30 agreements may provide that the Illinois Emergency Management  
31 Agency ~~Department of Nuclear Safety~~ shall accept and recognize  
32 Special Inspector Commissions issued by the State Fire Marshal.

1 (Source: P.A. 86-901; 87-1169.)

2 (430 ILCS 75/2b) (from Ch. 111 1/2, par. 3202b)

3 Sec. 2b. In addition to its other powers, the Illinois  
4 Emergency Management Agency ~~Department of Nuclear Safety~~ is  
5 authorized to enter into agreements with the United States  
6 Nuclear Regulatory Commission for the establishment of a  
7 coordinated and comprehensive program to minimize the risks  
8 posed by boilers, pressure vessels, and related components  
9 contained within or upon or in connection with any nuclear  
10 facility within this State. The program may provide for such  
11 inspections of nuclear facilities within the State as may be  
12 agreed upon and for inspections within and outside the State of  
13 Illinois of boilers and pressure vessels to be installed in any  
14 nuclear facility within this State.

15 (Source: P.A. 86-901.)

16 (430 ILCS 75/4) (from Ch. 111 1/2, par. 3205)

17 Sec. 4. Existing boilers and pressure vessels.

18 (a) The maximum allowable pressure consistent with the  
19 maximum and minimum operating temperatures of a boiler carrying  
20 the ASME Code symbol or of a pressure vessel carrying the ASME  
21 ~~or API-ASME~~ Code symbol shall be determined by the applicable  
22 section of the Code under which it was constructed and stamped  
23 or a later edition of the ASME Code, provided the rating  
24 conforms with the rules of the later edition.

25 (b) The maximum allowable pressure consistent with the  
26 maximum and minimum operating temperatures of a boiler or  
27 pressure vessel that does not carry the ASME ~~or the API-ASME~~  
28 Code symbol shall be computed in accordance with the rules and  
29 regulations of the Board, unless the boiler or pressure vessel  
30 is of special design or construction, in which case the Board  
31 may grant, at its discretion, a special operating permit  
32 consistent with the safety objectives of the rules and  
33 regulations of the Board.

34 (c) This Act does not prohibit the use, sale, or

1     reinstallation of a boiler or pressure vessel referred to in  
2     this Section, provided it has been made to conform to the rules  
3     and regulations of the Board governing existing installations,  
4     and provided, further, it has not been found upon inspection to  
5     be in an unsafe condition.

6     (Source: P.A. 87-1169.)

7             (430 ILCS 75/5) (from Ch. 111 1/2, par. 3206)

8             Sec. 5. Exemptions.

9             (a) This Act shall not apply to the following boilers and  
10            pressure vessels:

11            (1) Boilers and pressure vessels under federal  
12            regulations, except for boiler and pressure vessels in  
13            nuclear facilities subject to Section 2a, and boilers and  
14            pressure vessels located in cities of more than 500,000  
15            inhabitants.

16            (2) Pressure vessels used for transportation and  
17            storage of compressed or liquefied gases when constructed  
18            in compliance with specifications of the Department of  
19            Transportation and charged with gas or liquid, marked,  
20            maintained, and periodically requalified for use, as  
21            required by appropriate regulations of the Department of  
22            Transportation.

23            (3) Pressure vessels located on vehicles operating  
24            under the rules of other State authorities and used for  
25            carrying passengers or freight.

26            (4) Pressure vessels installed on the right of way of  
27            railroads and used directly in the operation of trains.

28            (5) Boilers and pressure vessels under the inspection  
29            jurisdiction of the Department of Natural Resources and  
30            located on mine property.

31            (6) Boilers and pressure vessels located on farms and  
32            used solely for agricultural purposes.

33            (7) Steam boilers of a miniature model locomotive,  
34            boat, tractor, or stationary engine constructed and  
35            maintained as a hobby and not for commercial use, that have

1 an inside diameter not exceeding 12 inches and a grate area  
2 not exceeding 1 1/2 square feet, provided they are  
3 constantly attended while in operation and are equipped  
4 with a water level indicator, pressure gauge, and a safety  
5 valve of adequate capacity.

6 (8) Pressure vessels regulated and inspected under the  
7 Illinois Fertilizer Act of 1961.

8 (9) Pressure vessels containing liquified petroleum  
9 gas regulated under the Liquified Petroleum Gas Regulation  
10 Act, ~~except those used for industrial processes.~~

11 (b) The following boilers and pressure vessels shall be  
12 exempt from the requirements of Sections 10, 11, 12, and 13 of  
13 this Act:

14 (1) Steam boilers used for heating purposes and  
15 operated at a pressure not in excess of 15 pounds per  
16 square inch gauge (psig) and having a rating not in excess  
17 of 200,000 B.T.U. per hour input.

18 (2) Hot water heating boilers operated at a pressure  
19 not in excess of 30 psig and having a rating not in excess  
20 of 200,000 B.T.U. per hour.

21 (3) Boilers and pressure vessels, located in private  
22 residences or in multi-family buildings having fewer than 6  
23 dwelling units.

24 (4) Hot water supply boilers that are directly fired  
25 with oil, gas, or electricity when none of the following  
26 limitations are exceeded:

27 (A) Heat input of 200,000 BTU per hour.

28 (B) Water temperature of 200 degrees Fahrenheit.

29 (C) Nominal water containing capacity of 120 U.S.  
30 gallons.

31 (5) Coil type hot water boilers where the water can  
32 flash into steam when released directly to the atmosphere  
33 through a manually operated nozzle provided the following  
34 conditions are met:

35 (A) There is no drum, headers, or other steam  
36 space.

- 1                   (B) No steam is generated within the coil.
- 2                   (C) Outside diameter of tubing does not exceed 1  
3                   inch.
- 4                   (D) Pipe size does not exceed 3/4 inch NPS.
- 5                   (E) Water capacity of unit does not exceed 6 U.S.  
6                   gallons.
- 7                   (F) Water temperature does not exceed 350 degrees  
8                   Fahrenheit.
- 9                   ~~, that are within any of the following categories:~~
- 10                  ~~(A) Steam heating boilers operated at not more than~~  
11                  ~~15 psig.~~
- 12                  ~~(B) Hot water heating boilers operated at not more~~  
13                  ~~than 30 psig.~~
- 14                  ~~(C) Hot water boilers operated at not more than 160~~  
15                  ~~psig or 250 degrees Fahrenheit.~~
- 16                  (6) (D) Pressure vessels containing only water under  
17                  pressure for domestic supply purposes, including those  
18                  containing air, the compression of which serves only a  
19                  cushion or airlift pumping function.
- 20                  (7) Pressure vessels operated at a pressure not  
21                  exceeding 15 psig with no limitation on size.
- 22                  (8) Pressure vessels that do not exceed:
- 23                   (A) Both a volume of 15 cubic feet and 250 psig  
24                   when not located in a place of public assembly.
- 25                   (B) Both a volume of 5 cubic and 250 psig when  
26                   located in a place of public assembly.
- 27                   (C) A volume of 1 1/2 cubic feet or an inside  
28                   diameter of 6 inches with no limitation on pressure.
- 29                  (9) Water conditioning equipment used for the removal  
30                  of minerals, chemicals, or organic or inorganic particles  
31                  from water by means other than application of heat  
32                  including, without limitation, water softeners, water  
33                  filters, dealkalizers, and demineralizers.
- 34                  (10) Steam boilers of railroad locomotives and  
35                  traction engines built prior to 1955 that were constructed  
36                  or operated in compliance with the Federal Locomotive

1       Inspection Law and are in the permanent collection of a  
2       museum or historical association are exempt from the  
3       requirements of subsection (c) of Section 10 upon proof of  
4       such construction or inspection being furnished to the  
5       Board.

6       (c) (Blank). ~~Steam boilers of railroad locomotives and~~  
7       ~~traction engines built prior to 1955 that were constructed or~~  
8       ~~operated in compliance with the Federal Locomotive Inspection~~  
9       ~~Law and are in the permanent collection of a museum or~~  
10       ~~historical association are exempt from the requirements of~~  
11       ~~subsection (c) of Section 10 upon proof of such construction or~~  
12       ~~inspection being furnished to the Board.~~

13       (Source: P.A. 88-608, eff. 1-1-95; 88-616, eff. 9-9-94; 89-235,  
14       eff. 8-4-95; 89-445, eff. 2-7-96.)

15       (430 ILCS 75/8) (from Ch. 111 1/2, par. 3209)

16       Sec. 8. Special Inspectors.

17       (a) The Office of the State Fire Marshal shall, upon the  
18       request of any company authorized to write boiler and pressure  
19       vessel insurance in this State or authorized under Section 15  
20       of this Act ~~to self-insure boilers and pressure vessels~~, issue  
21       to inspectors of the company commissions as Special Inspectors,  
22       provided that each inspector before receiving his commission  
23       shall meet the experience requirements of the Board and shall:

24               (1) satisfactorily pass the examination provided for  
25               in Section 9 of this Act; or

26               (2) in lieu of that examination, hold a Certificate of  
27               Competency as an inspector of boilers or pressure vessels  
28               for a jurisdiction that has a standard of examination  
29               substantially equal to that of the State of Illinois; or

30               (3) hold a Commission as an inspector of boilers and  
31               pressure vessels from the National Board of Boiler and  
32               Pressure Vessel Inspectors.

33       (b) Special Inspectors shall receive no salary from, nor  
34       shall any of their expenses be paid by, the State. The  
35       continuance of a Special Inspector's Commission shall be

1 conditioned upon his continuing in the employ of the duly  
2 authorized insurance company or owner-user ~~self-insurer~~ and  
3 upon maintenance of the standards imposed by this Act.

4 (c) Special Inspectors shall inspect boilers and pressure  
5 vessels insured or operated ~~self-insured~~ by their respective  
6 companies. The Board may impose limitations on owner-user  
7 inspectors who have received their commissions based on the  
8 American Petroleum Institute API-510 Inspectors Examination.  
9 When so inspected, the owners and users of insured or  
10 self-insured boilers and pressure vessels shall be exempt from  
11 the payment to the State of the inspection fees provided for in  
12 Section 13 of this Act.

13 (d) Within 10 business days ~~30 days~~ following each boiler  
14 or pressure vessel certificate inspection, except the  
15 inspection of pressure vessels covered by subsection (c) of  
16 Section 11 of this Act, made by a Special Inspector, the  
17 company employing the inspector shall file a report of the  
18 inspection with the Chief Inspector either electronically or  
19 upon the appropriate forms. Reports of non-certificate  
20 external inspections need not be submitted except when those  
21 inspections disclose that the boiler or pressure vessel is in  
22 an unsafe condition or in violation of the rules and  
23 regulations of the Board.

24 (e) The State Fire Marshal, the Chief Inspector, or any  
25 Deputy or Special Inspector, shall have free access to any  
26 premises in the State to perform inspections and investigations  
27 in accordance with the provisions of this Act.

28 (Source: P.A. 87-1169; 88-608, eff. 1-1-95.)

29 (430 ILCS 75/10) (from Ch. 111 1/2, par. 3211)

30 Sec. 10. Inspection of boilers and pressure vessels.

31 (a) Each boiler or pressure vessel used or proposed to be  
32 used within this State, except boilers or pressure vessels  
33 exempt under this Act or rules and regulations of the Board,  
34 shall be thoroughly inspected as to its construction,  
35 installation, condition, and operation as follows:

1 (1) Power boilers shall be inspected annually both  
2 internally and externally while not under pressure and  
3 shall also be inspected annually externally while under  
4 pressure if possible; provided that any power boiler or  
5 steam generator, the operation of which is an integral part  
6 of or a necessary adjunct to other continuous processing  
7 operations, shall be inspected internally at such  
8 intervals as are permitted by the shutting down of the  
9 processing operations. The Board may provide by rules and  
10 regulations for extension of time within which power  
11 boilers are required to be inspected based upon type,  
12 function, or manner of operation.

13 (2) Low pressure steam, ~~and~~ hot water heating, ~~boilers~~  
14 and hot water supply boilers shall be inspected biennially  
15 as required by the rules and regulations of the Board.

16 (3) Traction steam engine boilers and other boilers  
17 constructed before the effective date of this amendatory  
18 Act of 1992 and operated solely for exhibition purposes may  
19 be issued an inspection certificate by the Chief or Deputy  
20 Inspector, provided the owner can establish and document  
21 that the design, materials, fabrication, examination,  
22 testing, and operation are in accordance with the rules and  
23 regulations of the Board. Traction engine boilers and other  
24 boilers used solely for exhibition purposes shall be  
25 inspected every 2 years.

26 (4) Pressure vessels subject to internal corrosion  
27 shall receive a certificate inspection every 3 years as  
28 required by rules and regulations of the Board. However,  
29 the standards of inspection and repair of pressure vessels  
30 in service by an owner-user authorized under Section 15  
31 shall, at the option of the owner-user ~~or user~~, be either  
32 (1) the applicable rules and regulations in the National  
33 Board Inspection Code, or (2) the applicable section  
34 ~~standards~~ in the American Petroleum Institute API-510,  
35 "API Recommended Practice for Inspection, Repair, and  
36 Rating of Pressure Vessels in Petroleum Refining Service" 7



1 ~~with any revisions, reissues, amendments, and~~  
2 ~~interpretations of those inspection standards that are~~  
3 ~~subsequently approved and adopted by the Board.~~

4 (5) Pressure vessels not subject to internal corrosion  
5 shall receive certificate inspection at intervals set by  
6 the Board, but internal inspection shall not be required of  
7 pressure vessels containing materials that are known to be  
8 noncorrosive to the material of which the shell, heads, or  
9 fittings are constructed, either from the chemical  
10 composition of the materials or from evidence that the  
11 materials are adequately treated with a corrosion  
12 inhibitor, provided that the vessels are constructed in  
13 accordance with the rules and regulations of the Board.

14 A grace period of 2 months beyond the period specified in  
15 this Section may elapse between internal inspections of a  
16 boiler while it is not under pressure and between external  
17 inspections of a boiler while it is under pressure. The Board  
18 may, in its discretion, permit longer periods between  
19 certificate inspection.

20 The inspections herein required shall be made by the Chief  
21 Inspector, a Deputy Inspector, or a Special Inspector provided  
22 for in this Act.

23 (b) If at any time a test is deemed necessary for a stated  
24 cause by the inspector, the owner or user shall perform a test  
25 acceptable to the inspector in the presence of and under the  
26 direction of the inspector.

27 (c) All boilers and pressure vessels, except those  
28 otherwise exempted by the Board, shall be inspected during  
29 construction, as required by the applicable rules and  
30 regulations of the Board, by an inspector authorized to inspect  
31 boilers and pressure vessels in this State or, if constructed  
32 outside of the State, by an inspector holding a Certificate  
33 from the National Board of Boiler and Pressure Vessel  
34 Inspectors or a Certificate of Competency as an inspector of  
35 boilers and pressure vessels for a jurisdiction that has a  
36 standard of examination substantially equal to that of this

1 State as provided in Section 9.

2 (Source: P.A. 87-1169; 88-608, eff. 1-1-95.)

3 (430 ILCS 75/11) (from Ch. 111 1/2, par. 3212)

4 Sec. 11. Inspection Certificates and annual statements.

5 (a) Each company employing Special Inspectors, except a  
6 company operating pressure vessels covered by an owner-user  
7 inspection service, ~~that meet the requirements of subsection~~  
8 ~~(a) of Section 8 of this Act shall, within 10 business days ~~30~~~~  
9 ~~days~~ following each certificate inspection, file a report of  
10 inspection with the Chief Inspector electronically or upon the  
11 appropriate forms as approved by the division. ~~upon appropriate~~  
12 ~~forms provided by the Division.~~

13 (b) If the report filed pursuant to subsection (a) of this  
14 Section shows that a boiler or pressure vessel is found to  
15 comply with the rules and regulations of the Board, the owner  
16 or user thereof shall pay directly to the Office of the State  
17 Fire Marshal the fee established by the Board, and the Chief  
18 Inspector shall issue to the owner or user an Inspection  
19 Certificate bearing the date of inspection and specifying the  
20 maximum pressure under which the boiler or pressure vessel may  
21 be operated. Notwithstanding any other provision of this  
22 Section, an Inspection Certificate shall remain valid beyond  
23 the expiration date noted on the certificate until the boiler  
24 or pressure vessel is reinspected by the authorized inspecting  
25 authorities or until the certificate is suspended by the Chief  
26 Inspector, provided that the owner or user of the boiler or  
27 pressure vessel makes it available for inspection at reasonable  
28 times. Certificates shall be posted in the room containing the  
29 boiler or pressure vessel inspected. If the boiler or pressure  
30 vessel is not located within the building, the certificate  
31 shall be posted in a location convenient to the boiler or  
32 pressure vessel inspected or in any place where it will be  
33 accessible to interested parties.

34 (c) Each company operating pressure vessels covered by an  
35 owner-user inspection program ~~service~~ meeting the requirements

1 of subsection (a) of Section 8 of this Act shall maintain in  
2 its files an inspection record, which shall list, by number and  
3 such abbreviated description as may be necessary for  
4 identification, each pressure vessel covered by this Act, the  
5 date of the last inspection of each unit, and the approximate  
6 date for the next inspection. The inspection date shall be  
7 arrived at by applying the appropriate rules to all data  
8 available at the time the inspection record is compiled. The  
9 inspection record shall be readily available for examination by  
10 the Chief Inspector or his authorized representative during  
11 business hours. Each such company shall, in addition, file  
12 annually with the Chief Inspector a statement, signed by the  
13 person having supervision over the inspections made during the  
14 period covered, stating the number of vessels covered by this  
15 Act inspected during the year and certifying that each  
16 inspection was conducted pursuant to the inspection standards  
17 provided for by this Act. The annual statement shall be  
18 accompanied by the ~~a filing fee in accordance with the rates~~  
19 established by the Board.

20 (d) (Blank). ~~An Inspection Certificate issued for a boiler~~  
21 ~~or pressure vessel based upon a report of a Special Inspector~~  
22 ~~shall be void if the boiler or pressure vessel insurance~~  
23 ~~ceases.~~

24 (e) The Chief Inspector or his authorized representative  
25 may at any time suspend an Inspection Certificate when, in his  
26 opinion, the boiler or pressure vessel for which it was issued  
27 cannot be operated without menace to public safety, when the  
28 boiler or pressure vessel is found not to comply with the rules  
29 and regulations herein provided, or when an owner or operator  
30 has failed to pay any required fees or refused to allow  
31 inspection. In that event, the Chief Inspector or his  
32 representative shall issue a Notice of Suspension, which shall  
33 be posted in a conspicuous location on or near the posted  
34 Inspection Certificate. Each suspension of an Inspection  
35 Certificate shall continue in effect until the boiler or  
36 pressure vessel has been made to conform to the rules and

1 regulations of the Board, and until the Inspection Certificate  
2 has been reinstated.

3 (Source: P.A. 88-608, eff. 1-1-95; 89-467, eff. 1-1-97.)

4 (430 ILCS 75/15) (from Ch. 111 1/2, par. 3216)

5 Sec. 15. Self-insurers. Any owner or user of boilers or  
6 pressure vessels subject to Section 10 of this Act who  
7 maintains and operates, under the supervision of one or more  
8 regularly employed engineers who meet the experience and  
9 education requirements of the Board, an inspection or  
10 maintenance program ~~service~~ in which one or more inspectors are  
11 regularly employed on inspection of boilers or pressure vessels  
12 operated by the owner or user shall, upon application to the  
13 Board showing that fact and showing that the owner or user has  
14 the financial ability to bear any loss and to pay all final  
15 judgments or awards obtained against the owner or user by  
16 reason of the operation of the boilers or pressure vessels, be  
17 authorized to act as a self-insurer of his or its boiler and  
18 pressure vessel risk in this State; and when so authorized, the  
19 owner-user shall employ special inspectors to supervise  
20 inspections performed at the owner-user's facilities. The  
21 owner-user and the regularly employed special inspectors shall  
22 be entitled to all the rights and privileges and shall be  
23 subject to all the requirements, duties, and obligations  
24 provided in this Act respectively for boiler and pressure  
25 vessel insurance companies and special inspectors.

26 (Source: P.A. 87-1169; 88-608, eff. 1-1-95.)

27 (430 ILCS 75/14 rep.)

28 Section 10. The Boiler and Pressure Vessel Safety Act is  
29 amended by repealing Section 14.

30 Section 99. Effective date. This Act takes effect upon  
31 becoming law.