

Chapter 12

Owner – User Program

(a) Owner /User Certification

Any owner of a boiler or pressure vessel who also uses and operates the boiler or vessel (Owner/User) may apply for certification under this Chapter. Upon receiving an Owner/User certification from the Boiler Division of the Arkansas Department of Labor, an Owner/User of a boiler or pressure vessel may perform any inspection required by the Arkansas Boiler and Pressure Vessel laws and regulations on such vessels owned and operated by them, with the exception of the initial installation inspection. The Owner/User must first meet the requirements prescribed by regulations as set forth by the Director of the Department of Labor.

(b) Inspectors

An Owner/User must employ boiler inspectors holding a valid Owner/User commission issued by the National Board of Boiler and Pressure Vessel Inspectors.

(c) Certification By The National Board of Boiler and Pressure Vessel Inspectors Required

(1) Before receiving certification by the Arkansas Boiler Inspection Division, an Owner/User must first receive an owner/user certification from the National Board of Boiler and Pressure Vessel Inspectors.

(2) Subsequent to certification from the National Board of Boiler and Pressure Vessel Inspectors, the Arkansas Boiler Division shall inspect all boilers to be covered under the Owner/User program and shall conduct an on site review of the owner/user program before issuing a certification under this Chapter.

(3) The Arkansas Boiler Inspection Division may audit the Owner/User's quality system at any time for just cause or upon request of the Owner/User or the National Board of Boiler and Pressure Vessel Inspectors.

(4) The National Board Inspection Code Committee may at any time change the rules for the issuance of Owner/User Certificates. All Owner/Users holding operating certificates from the Boiler Inspection Division must adhere to the most current rules.

(d) General Requirements

(1) An Owner/User holding a certificate issued by the National Board Inspection Code Committee and certification under this chapter may perform in-service inspections and certification of pressure retaining items owned/operated by them if such inspections are within the scope of the owner/user program as outlined in the Owner/User's quality control manual. However, the initial inspection upon any pressure retaining vessel shall be performed by the Arkansas Boiler Inspection Division.

(2) A certified Owner/User may perform authorized, in-process and acceptance inspections (including signing the National Boiler Inspection Code report forms) associated with repairs and alterations of pressure retaining items owned and operated by the Owner/User. This includes repairs and alterations performed by an owner or user holding an "R" Certificate or by other "R" Certificate holders performing work on pressure retaining items owned/operated by the Owner/User. A description of the process for performing these inspections must be included in the Quality System written program and included with the application for certification by the Arkansas Boiler Inspection Division.

(3) All welded repairs and/or alterations shall be documented on the appropriate forms and distributed to the Arkansas Boiler Inspection Division. All repairs or alterations shall be made to the original code of construction, if this not possible or practical, the latest edition of the Nation Board Inspection Code shall be followed.

(4)The Owner/User must maintain on the premises where the pressure vessel is located a current edition and any addendums of the National Board Inspection Code, the Arkansas laws,

rules and regulations governing boiler and pressure vessel inspection and the appropriate sections of the American Society of Mechanical Engineers Code (“ASME”).

(e) Operations Requirements

(1) Owner/Users certified by the Arkansas Boiler Inspection Division pursuant to this Chapter must possess a National Board “R” stamp before making welded repairs or alterations.

(2) A copy of any form required for a welded repair or alteration by the National Board of Boiler Inspectors shall be provided to the Arkansas Boiler Inspection Division.

(3) It shall be the responsibility of the Owner/User to ensure all required applications to install pressure retaining items or pressure piping or other installation permits and license requirements are met, prior to starting any work.

(4) The Boiler Division shall be notified and a report filed when objects that require licensing or operating certificates are removed from service.

(5) Inspection of objects requiring operating certificates shall be conducted within sixty (60) days of the due date.

(6) The Boiler Division reserves the right to inspect objects that are overdue more than sixty (60) days.

(7) Boilers must be inspected internally and externally at least once each year. The inspection should be made during the same calendar month each year if possible.

(8) Unfired pressure vessels shall be inspected biennially, externally and internally where conditions permit.

(9) The inspector employed by the Owner/User and commissioned by the National Board and the Arkansas Boiler Division is expected and required by law to shutdown equipment that is determined to be a public hazard. The Boiler Division and Chief Inspector shall be advised should this be necessary.

(10) Explosions and accidents must be reported to the Boiler Division within 24 hours of any occurrence, *EXCEPT* that any explosion or accident that involves loss of life or serious injury shall be reported *IMMEDIATELY*. An investigation report shall be filed with the Boiler Division. The Director of the Department of Labor and the Chief Inspector shall be kept informed of the status and all changes.

(11) Equipment that has been shutdown because it is a public hazard, will not be returned to service until repairs have been satisfactorily made, the equipment is no longer deemed to be a hazard, and the Boiler Division has been informed of the nature and extent of repairs.

(12) Explosions and accidents shall be reported immediately if possible or as soon as practicable, especially those which involve loss of life or serious injury.

(13) New or used objects to be installed require proper identification. A data report for each object shall be forwarded to the Boiler Division office when requesting an installation permit.

(14) The Arkansas Boiler Division will complete the first inspection upon new and newly installed objects, unless an Arkansas "AR" number has already been assigned to the object. The Owner/User should contact the boiler Division with all appropriate data and request an installation permit. Upon receipt of the request for an installation permit, a state inspection will be scheduled. Each object installed which comes under the law, and is not already registered with the Boiler Division, shall have a metal tag with identifying numbers preceded by "AR" attached to it.

(15) All boilers and pressure vessels installed or to be installed in any location within the State of Arkansas shall be constructed to a code that has been adopted by or is acceptable to

the Chief Boiler Inspector and the Boiler Division. They shall also be registered with the National Board Of Boiler And Pressure Vessels.

(16) All new and used boilers and pressure vessels installed or to be installed within the State of Arkansas shall be properly identified. Application for installation of said vessels shall be accompanied by a manufacturer's data report that verifies its construction.

(17) All installations of new or used vessels may only be performed by installers licensed by the Boiler Division pursuant to Arkansas Code 20-23-401, and the Owner/User must also comply with Arkansas Code Annotated 20-23-307; 20-23-308; 20-23-309.

(18) All new and used objects to be installed shall be properly identified. Each object shall have a legible nameplate installed; this nameplate data shall be furnished to the Boiler Division with the request for installation permit.

(19) Should this Chapter not cover needed areas of inspection, repairs, or other information that may be required, refer to other applicable chapters of the Arkansas Boiler and Pressure Vessel Inspection codebook.

(20) Should there be a discrepancy between the rules and regulations set forth in this Chapter and the National Board Inspection Code or applicable sections of the "ASME" Code, the Arkansas Boiler and Pressure Vessel Inspection code and/ or this Chapter take precedence.

(21) Should conflicts arise in the enforcement of these rules and regulations as set forth here, the Chief Boiler Inspector may act to interpret the rules in a manner which will be satisfactory to the Code and the Owner/User organization.

(f) Fees.

The following fees for review by the Arkansas Boiler Division shall be paid before any Owner/User self-inspection program will be recognized and issued a certificate by the Arkansas Boiler Division:

(1) A full day review: \$440.00

(2) A half day review: \$220.00

Expenses shall be charged including mileage, meals and lodging not to exceed the rate authorized by the General Assembly to employees of state agencies.

(g) Revocation.

(1) A certificate received pursuant to this Chapter will be automatically revoked if, for any reason, the Owner/User's certification by the National Board of Boiler Inspectors is revoked.

(2) If periodic inspections of pressure retaining vessels are not performed in a timely manner, the Owner/User may be subject to revocation of the certificate issued by the Arkansas Boiler Division.

(h) Effective Date.

This regulation shall be effective March 1, 2002