

SUBSTITUTE FOR
HOUSE BILL NO. 4752

A bill to amend 1965 PA 290, entitled
"Boiler act of 1965,"
by amending sections 2 and 13d (MCL 408.752 and 408.763d), section
2 as amended and section 13d as added by 2008 PA 159.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. As used in this act:

2 (a) "Antique steam boiler" means a boiler that is no longer
3 used in production applications and is used to demonstrate the
4 historical significance of steam boilers in American history.

5 (b) "Approved apprenticeship program" means a training program
6 for boiler operators or stationary engineers **THAT IS** certified by
7 or ~~meeting~~**MEETS** the standards of the United States department of
8 labor bureau of apprenticeship training and **IS** approved by the
9 board.

(C) "ARMED FORCES" MEANS THAT TERM AS DEFINED IN SECTION 2 OF THE VETERAN RIGHT TO EMPLOYMENT SERVICES ACT, 1994 PA 39, MCL 35.1092.

(D) ~~(e)~~—"Associated auxiliaries" means equipment that is required in the operation of a boiler that includes, but is not limited to, pumps, regulators, feedwater heaters, superheaters, de-superheaters, economizers, air preheaters, draft fans, combustion and pollution control equipment, and prime movers.

(E) ~~(d)~~—"Board" means the board of boiler rules created in section 3.

(F) ~~(e)~~—"Boiler" means a closed vessel in which water is heated, steam is generated, OR steam is superheated, or a combination thereof, **OF THOSE ACTIONS OCCUR**, under pressure or vacuum by the application of heat from combustible fuels, electricity, or nuclear energy. Boiler does not include facilities of an integral part of a continuous processing unit but does include a fired unit for heating or vaporizing liquids other than water, if the unit is separate from a processing system and is complete within itself.

(G) ~~(f)~~—"Boiler for agricultural purposes" means a portable boiler used in a field or similar open area for the sole purpose of operating farm equipment or farm machinery.

(H) ~~(g)~~—"Boiler operator" or "stationary engineer" means a ~~person~~ **AN INDIVIDUAL WHO IS** engaged in the operation of boilers and associated auxiliaries.

(I) ~~(h)~~—"Certificate inspection" means an inspection ~~the~~ **THAT IS CONDUCTED FOR PURPOSES OF PREPARING A** report ~~of which is~~

1 ~~used by the chief inspector to decide whether a certificate, as~~
2 ~~provided by~~ **DESCRIBED IN** section 20. ~~, shall be issued.~~ The
3 certificate inspection shall be an internal inspection if
4 construction allows; otherwise the certificate inspection shall be
5 as complete an inspection as possible.

6 (J) ~~(i)~~ "Director" means the director of the department of
7 ~~labor and economic growth~~ **LICENSING AND REGULATORY AFFAIRS** or a
8 representative designated by the director.

9 (K) ~~(j)~~ "External inspection" means an inspection that does
10 not involve examination of the internal surfaces of the pressure
11 parts of the boiler.

12 (I) ~~(k)~~ "Heating surface" means the heating surface determined
13 by the boiler manufacturer and recorded in the manufacturer's data
14 report or by rules established by the board for a boiler if the
15 manufacturer's data report is not available or the boiler is not
16 stamped with its heating surface.

17 (M) ~~(l)~~ "High pressure, high temperature water boiler" means a
18 water heating boiler operating at pressure ~~exceeding~~ **THAT EXCEEDS**
19 160 p.s.i.g. or temperatures ~~exceeding~~ **THAT EXCEED** 250 degrees
20 Fahrenheit.

21 (N) ~~(m)~~ "Low pressure boiler" means a steam boiler operated at
22 pressures **THAT DO** not ~~exceeding~~ **EXCEED** 15 p.s.i.g., or a hot water
23 heating boiler operated at pressures **THAT DO** not ~~exceeding~~ **EXCEED**
24 160 p.s.i.g. or temperatures **THAT DO** not ~~exceeding~~ **EXCEED** 250
25 degrees Fahrenheit.

26 (O) ~~(n)~~ "P.S.I.G." means pounds per square inch gauge.

27 (P) ~~(o)~~ "Power boiler" means a closed vessel in which steam or

1 other vapor is generated at a pressure of more than 15 p.s.i.g. by
2 the direct application of heat.

3 (Q) ~~(p)~~ "Process boiler" means a boiler **THAT IS** operated at a
4 pressure or temperature from which more than 10% of the boiler's
5 capacity is used for direct steam humidification or direct process
6 work.

7 (R) ~~(q)~~ "Qualified technical education program" means an
8 educational program **THAT IS** approved by the board **AND** that has a
9 minimum of 350 contact hours in classroom hands-on training, field
10 training, or supervised plant visits for high pressure boiler
11 operators. The board may establish lesser standards for an
12 educational program for low pressure operator training or other
13 entry level training positions only.

14 (S) ~~(r)~~ "Qualified training program" means ~~either~~ **ANY** of the
15 following:

16 (i) An in-house training program approved by the board and
17 offered to boiler operators and stationary engineers by an
18 employer.

19 (ii) An in-house training program implemented or developed by a
20 utility and offered to boiler operators and stationary engineers by
21 an employer as a result of negotiations between an employer and its
22 employees.

23 (iii) **A TRAINING PROGRAM OFFERED TO ACTIVE DUTY BOILER OPERATORS**
24 **AND STATIONARY ENGINEERS BY A BRANCH OF THE ARMED FORCES.**

25 (T) ~~(s)~~ "Rule" means a rule promulgated ~~pursuant to~~ **UNDER** the
26 administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to
27 24.328.

1 (U) ~~(t)~~ "Secondhand boiler" means a boiler that has changed
2 ownership and location after initial use.

3 Sec. 13d. (1) The director shall not issue a registration for
4 a title described in section 13a(2) unless the applicant meets the
5 requirements for the classification ~~as prescribed in~~ **UNDER**
6 subsections (2) to (6).

7 (2) An applicant for a low pressure boiler operator
8 registration shall have ~~not less than~~ **AT LEAST** 1 year of experience
9 operating or maintaining low or high pressure boilers, steam prime
10 movers, or associated auxiliaries.

11 (3) An applicant for a high pressure boiler operator
12 registration shall have 1 or more of the following:

13 (a) ~~Not less than~~ **AT LEAST** 2 years of experience in the
14 operation of a high pressure boiler.

15 (b) A low pressure boiler operator's registration and ~~not less~~
16 ~~than~~ **AT LEAST** 1 year of experience in the operation of a low
17 pressure boiler.

18 (c) ~~Not less than~~ **AT LEAST** 1 year of either a qualified
19 training program, a qualified technical education program, or an
20 approved apprenticeship program.

21 (4) An applicant for a third-class stationary engineer
22 registration shall meet 1 or more of the following requirements:

23 (a) ~~Be~~ **IS** registered as a high pressure boiler operator and
24 have ~~not less than~~ **AT LEAST** 1 year of experience in the operation
25 of a high pressure boiler.

26 (b) ~~Be~~ **IS** registered as a low pressure boiler operator, ~~have~~
27 ~~not less than~~ **HAS AT LEAST** 1 year of experience in the operation of

1 a low pressure boiler, and ~~have not less than~~ **HAS AT LEAST** 1 year
2 of maintenance experience on high pressure boilers and associated
3 auxiliaries.

4 (c) ~~Be~~ **IS** registered as a high pressure boiler operator and
5 ~~have not less than~~ **HAS AT LEAST** 1 year of boiler maintenance
6 experience or ~~not less than~~ **AT LEAST** 1 year as an apprentice in an
7 approved training program in a high pressure boiler plant ~~having~~
8 **THAT HAS** an aggregate heating surface of more than 4,000 square
9 feet.

10 (d) Have ~~not less than~~ **AT LEAST** 3 years of experience in the
11 operation of boilers in a high pressure boiler plant ~~having~~ **THAT**
12 **HAVE** an aggregate heating surface of more than 4,000 square feet.

13 (e) Have ~~not less than~~ **AT LEAST** 1 year of experience in the
14 operation of boilers in a high pressure boiler plant ~~having~~ **THAT**
15 **HAVE** an aggregate heating surface of more than 4,000 square feet
16 along with sufficient experience operating steam prime movers in
17 excess of 10 horsepower for a combined total of ~~not less than~~ **AT**
18 **LEAST** 3 years of experience.

19 (f) Have an associate degree in energy technology or a related
20 field, as determined by the board, with a power engineering option
21 from a 2-year college whose program is approved by the board and
22 employment or cooperative education experience of ~~not less than~~ **AT**
23 **LEAST** 360 hours as a power engineer, boiler operator, or stationary
24 engineer in a steam electric generation plant or a high pressure
25 steam heating or process plant.

26 (5) An applicant for a second-class stationary engineer
27 registration shall meet 1 or more of the following requirements:

1 (a) ~~Be~~**IS** registered as a third-class stationary engineer and
2 ~~have not less than~~**HAS AT LEAST** 1 year of experience as a third-
3 class stationary engineer.

4 (b) Have a bachelor's degree in engineering, engineering
5 technology, heating/power technology, or energy technology from a
6 college or university whose program is approved by the board and
7 employment experience as an engineer in the engineering or research
8 division of a steam electric power generating plant for ~~not less~~
9 ~~than~~**AT LEAST** 1 year.

10 (c) Have ~~not less than~~**AT LEAST** 4 years of experience in the
11 operation of boilers in a high pressure boiler plant ~~having~~**THAT**
12 **HAVE** an aggregate heating surface of more than 7,500 square feet.

13 (d) Have ~~not less than~~**AT LEAST** 1 year of experience in the
14 operation of boilers in a high pressure boiler plant ~~having~~**THAT**
15 **HAVE** an aggregate heating surface of more than 7,500 square feet
16 along with sufficient experience operating steam prime movers in
17 excess of 100 horsepower for a combined total of ~~not less than~~**AT**
18 **LEAST** 4 years of experience.

19 (e) Have ~~not less than~~**AT LEAST** 1 year of experience in the
20 operation of boilers in a high pressure boiler plant ~~having~~**THAT**
21 **HAVE** an aggregate heating surface of more than 7,500 square feet
22 along with sufficient experience operating boilers in a high
23 pressure boiler plant ~~having~~**THAT HAVE** an aggregate heating surface
24 of more than 4,000 square feet for a combined total of ~~not less~~
25 ~~than~~**AT LEAST** 4 years of experience.

26 (6) An applicant for a first-class stationary engineer
27 registration shall meet 1 or more of the following requirements:

1 (a) ~~Be~~**IS** registered as a second-class stationary engineer and
2 ~~have not less than~~**HAS AT LEAST** 2 years of experience as a second-
3 class stationary engineer.

4 (b) Have ~~not less than~~**AT LEAST** 6 years of experience in the
5 operation of boilers in a high pressure boiler plant ~~having~~**THAT**
6 **HAVE** an aggregate heating surface of more than 20,000 square feet.

7 (c) Have ~~not less than~~**AT LEAST** 2 years of experience in the
8 operation of boilers in a high pressure boiler plant ~~having~~**THAT**
9 **HAVE** an aggregate heating surface of more than 20,000 square feet
10 along with sufficient experience operating steam prime movers in
11 excess of 200 horsepower for a combined total of ~~not less than~~**AT**
12 **LEAST** 6 years of experience.

13 (d) Have ~~not less than~~**AT LEAST** 2 years of experience in the
14 operation of boilers in a high pressure boiler plant ~~having~~**THAT**
15 **HAVE** an aggregate heating surface of more than 20,000 square feet
16 along with sufficient experience in the operation of boilers in a
17 high pressure boiler plant ~~having~~**THAT HAVE** an aggregate heating
18 surface of more than 7,500 square feet of heating surface for a
19 combined total of ~~not less than~~**AT LEAST** 6 years of experience.

20 (e) Complete a 4-year approved apprenticeship program or a 4-
21 year qualified training program.

22 (f) Complete a 4-year program with a bachelor's degree from a
23 college or university in engineering, engineering technology,
24 heating/power technology, or energy technology whose program is
25 approved by the board and which includes a hands-on power option
26 from a 2-year community college program or the equivalent, as
27 determined by the board, and not less than 1 year of employment,

1 internship, or cooperative education experience in a steam electric
2 generation plant or high pressure steam heating process plant.

3 (7) AS USED IN THIS SECTION, "EXPERIENCE" INCLUDES EXPERIENCE
4 ACQUIRED, WHILE SERVING AS AN ACTIVE DUTY MEMBER OF THE ARMED
5 FORCES, BY A VETERAN WHO WAS NOT DISHONORABLY DISCHARGED FROM
6 MILITARY SERVICE. AN INDIVIDUAL DESCRIBED IN THIS SUBSECTION SHALL
7 SUBMIT WITH HIS OR HER APPLICATION FOR REGISTRATION AN AFFIDAVIT OR
8 LETTER SIGNED BY A COMMANDING OFFICER, SUPERVISOR, OR MILITARY
9 SUPERIOR WITH DIRECT KNOWLEDGE OF THE APPLICANT'S SERVICE THAT
10 DESCRIBES HIS OR HER EXPERIENCE AS A BOILER OPERATOR OR STATIONARY
11 ENGINEER IN 1 OR MORE OF THE CLASSIFICATIONS DESCRIBED IN SECTION
12 13B.

13 Enacting section 1. This amendatory act takes effect upon the
14 expiration of 90 days after the date it is enacted into law.