

1 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE BOILER SAFETY
2 PROGRAM

3 Section 1. Amend § 7401B, Title 7 of the Delaware Code by making deletions as shown by strike through
4 and insertions as shown by underline as follows and re-designating accordingly:

5 (b) The primary objective of the Boiler Safety Program is to protect the health and safety of the general
6 public, especially those persons who are owners or users of objects ~~certified~~ regulated by the Program,
7 from unsafe construction, operation, maintenance and repair of boilers, pressure vessels and nuclear
8 installations. The secondary objectives of the Program are to maintain minimum standards of inspector
9 competency and to maintain certain standards in the delivery of services to the public. In meeting these
10 objectives, the Program shall develop standards assuring professional competence, shall monitor
11 complaints brought against inspectors, and shall develop rules and regulations- for the safe construction,
12 operation, and maintenance of boilers and pressure vessels necessary protect public health and safety.

13 Section 2. Amend § 7402B, Title 7 of the Delaware Code by making deletions as shown by strike through
14 and insertions as shown by underline as follows and re-designating accordingly:

15 (a) "Boiler" shall mean a closed vessel in which water is heated, steam is generated, steam is
16 superheated, or any combination thereof, under pressure or vacuum for use externally to itself by the
17 direct application of heat from the combustion of fuels, or from electricity or nuclear energy. The term
18 "boiler" shall include fired units for heating or vaporizing liquids other than water, where these units are
19 separate from processing systems, and are complete within themselves. The term "boiler" includes any
20 visible piping connected to the boiler or any appurtenant equipment.

21 (d) "Building Requiring a Carbon Monoxide Detector in the Boiler Room" includes apartment buildings
22 with more than six apartments, hotels, motels, prisons, group homes, nursing homes, child or adult care
23 facilities, dormitories, hospitals, and churches or other types of facilities that provide overnight housing
24 for more than 10 people for more than 30 days per year.

25 (g) "Person" means an entity, individual, trust, firm, joint stock company, federal agency, corporation
26 (including a government corporation), partnership, company, association, state, municipality,
27 commission, political subdivision of a state, or any interstate body.

28 Section 3 Amend § 7403B, Title 7 of the Delaware Code by making deletions as shown by strike through
29 and insertions as shown by underline as follows and re-designating accordingly.

30 (i) The Secretary shall promulgate and enforce rules and regulations, which shall be binding on all
31 persons commissioned by the Program, including manufacturers and users of boilers and pressure vessels.
32 The rules and regulations shall conform, insofar as possible, to the ASME Boiler and Pressure Vessel
33 Code and the NBBPVI's Inspection Code. The rules and regulations shall further the purposes and
34 objectives of this chapter and particularly as stated in § 7401B (b) of this title. In addition, the Secretary
35 may allow a rule, regulation or ordinance of any political subdivision of this State to supersede any rule or
36 regulation promulgated hereunder if the Secretary determines that such rule, regulation, or ordinance
37 imposes a higher or more restrictive standard than does the State rule or regulation, and furthers the
38 purposes and objectives of this Chapter. Any rules, regulations, or ordinances that are be adopted pursuant
39 to this subsection by a political subdivision of this State shall be enforced only by the adopting
40 jurisdiction. Notwithstanding the terms of this subsection, no provision of any safety standards

41 established by any political subdivision of this State shall excuse noncompliance with the provisions of
42 this Chapter or any rules or regulations promulgated hereunder.

43 (p) In addition to the enforcement authorities described in this Chapter, the Secretary is authorized to use
44 the enforcement powers authorized by 7 Del. C. §§ 6005 and 7906 to bring into compliance any person
45 who violates a rule or regulation promulgated pursuant to this Chapter.

46 Section 3. Amend_§ 7405B, Title 7 of the Delaware Code by making deletions as shown by strike through
47 and insertions as shown by underline as follows:

48 Section 7405B Carbon Monoxide Detectors in Boiler Rooms

49 By January 1, 2020. Each owner of a fossil fuel fired heating boilers, hot water supply boilers, and water
50 heaters operated by electronic ignition located in Buildings Requiring a Carbon Monoxide Detector must
51 install a carbon monoxide detector in such a manner that it shuts down the boiler or water heater and
52 alerts the owner, operator, or other person responsible for management of such boilers or water heaters in
53 the event that harmful levels of carbon monoxide are detected in the boiler room. The carbon monoxide
54 detector shall be installed pursuant to UL 2075, Second Edition dated March 5, 2013. The alarm must
55 meet and conform to UL 2034 Third Edition dated February 28, 2008 and be installed in accordance with
56 NFPA 720 and the manufacturer's instructions.

57

58

59

60

SYNOPSIS

61 This Act clarifies that the definition of boiler includes connected piping subject to visual inspection. It
62 also requires owners of boilers and water heaters that are fired by fossil fuels and located at facilities that
63 provide overnight accommodations to install carbon monoxide detectors in their boiler rooms. The
64 carbon monoxide detector must be capable of shutting down the boiler in the event that a harmful level of
65 carbon monoxide is detected. This bill also authorizes the Department of Natural Resources and
66 Environmental Control to utilize the enforcement authorities found in 7 Del. C. §§ 6005 and 7906 against
67 any person who violates a rule or regulation promulgated pursuant to this Chapter.