

JOE LOMBARDO
Governor

TERRY REYNOLDS
Director

STATE OF NEVADA



VICTORIA CARREÓN
Administrator

PERRY FAIGIN
Deputy Administrator

**DEPARTMENT OF BUSINESS AND INDUSTRY
DIVISION OF INDUSTRIAL RELATIONS**

**NOTICE OF PUBLIC HEARING PER EXECUTIVE ORDER 2023-003
PROVIDING FOR THE REVIEW OF REGULATIONS OF THE
DIVISION OF INDUSTRIAL RELATIONS
AND
HEARING AGENDA**

(THIS IS NOT A NOTICE OF INTENT TO ACT ON A REGULATION)

**Notice of Public Hearing to Solicit Comments on Recommended Changes to Existing
Regulations for the Division of Industrial Relations,
Department of Business and Industry
May 4, 2023 at 1:00 p.m.**

The public hearing will be conducted by Webex on May 4, 2023 at 1:00 p.m. This public hearing will be held via remote technology system only (WebEx) in accordance with Nevada's Open Meeting Law, Nevada Revised Statutes (NRS) Chapter 241. Members of the public may attend and participate in this meeting in the following ways:

Webex Access

Meeting Link:

<https://nvbusinessandindustry.webex.com/nvbusinessandindustry/j.php?MTID=mf09fdb2aba18c0f59317ad32db092fc>

Meeting number (access code): 2457 453 0641

Meeting password: SsFEmp4R53

Tap to join from a mobile device (attendees only):

+1-415-655-0001, 24574530641## US toll

Join by phone:

+1-415-655-0001 US Toll

Need help? Go to <https://help.webex.com/>

Pursuant to [Executive Order 2023-003](#), the Division of Industrial Relations of the Department of Business and Industry is holding a public hearing to receive comments from all interested

CARSON CITY
400 West King Street
Suite 400
Carson City, NV 89703
(775) 684-7270

LAS VEGAS
3360 West Sahara Avenue
Suite 250
Las Vegas, NV 89102
(702) 486-9080

persons regarding the comprehensive review of all regulations administered and enforced by the Division.

You are hereby given notice that the Division of Industrial Relations of the Department of Business and Industry, State of Nevada (Division) will conduct a public hearing to solicit comments on the removal of existing regulations and possible amendments to Chapters 455C, 512, 616A through 616D, inclusive, 617, and 618, of the Nevada Administrative Code (NAC).

The Division invites representatives of regulated businesses and the public to attend the public hearing and/or prepare written and/or oral comments concerning the recommended changes to regulations. A copy of the proposed language may be downloaded from the Division's website: <http://dir.nv.gov/Meetings/Meetings/>. Before the Public Hearing, persons may submit written comments to Christopher A. Eccles, Esq., Senior Division Counsel, Division of Industrial Relations, 3360 W. Sahara Avenue, Ste. 250, Las Vegas, Nevada 89102 or by email to ceccles@dir.nv.gov.

Persons with disabilities who require special accommodations or assistance at the public hearing must notify Rosalind Jenkins, at the Division of Industrial Relations, 3360 W. Sahara Ave., Ste. 250, Las Vegas, Nevada 89102, or by calling (702) 486-9014 at least three (3) working days prior to the scheduled hearing date.

A copy of this notice and the recommended changes to regulations are available at the Division's web page (<http://dir.nv.gov/Meetings/Meetings/>). Copies of this notice and the recommended changes to regulations will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

This notice has been posted on Nevada's notice website: <http://leg.state.nv.us/App/Notice/A/>; State of Nevada notice website: <https://notice.nv.gov>; and the Division's website: <http://dir.nv.gov/Meetings/Meetings>, as set forth in NRS 241.020(4)(b) and (4)(c). A copy of the Notice and the recommended changes to regulations is on file and has also been posted at the following locations: Division of Industrial Relations, 3360 West Sahara Avenue, Suite 250, Las Vegas, Nevada 89102; and 400 West King Street, Suite 400, Carson City, Nevada 89710.

**HEARING AGENDA
DIVISION OF INDUSTRIAL RELATIONS
DEPARTMENT OF BUSINESS AND INDUSTRY**

Notice: (1) Items on the Agenda may be taken out of order; (2) the Division may combine two or more Agenda items for consideration; and (3) the Division may remove an item on the Agenda at any time.

I. Call to Order.

II. Public Comment. The opportunity for public comment is reserved for any matter listed below on the Agenda as well as any matter within the jurisdiction of the Division. No action on such an item may be taken by the Division unless and until the matter has been noticed as an action item. Comment may not be restricted based on viewpoint.

III. Public Hearing on Existing Regulations per Executive Order 2023-003. Discussion of possible changes to existing regulations in NAC Chapters 455C, 512, 616A through 616D, inclusive, 617, and 618.

IV. Public Comment. The opportunity for public comment is reserved for any matter within the jurisdiction of the Division. No action on such an item may be taken by the Division unless and until the matter has been noticed as an action item. Comment may not be restricted based on viewpoint.

V. Adjournment.

| Section | Chapter of NAC | Citation | Title of Regulation | Text of Regulation | Reason regulation should be repealed or changed | Year Adopted/ Revised |
|---------|----------------|-----------|---|---|---|-------------------------------------|
| MCS | 455C | 120 | Notification by insurance companies | An insurance company shall notify the Mechanical Compliance Section within 30 days after the insurance company: 1. Commences the coverage of a boiler or pressure vessel; or 2. Cancels, refuses to renew or suspends the coverage of a boiler or pressure vessel. | Notification of insurance coverage is no longer a necessary metric, as insurance companies update this information automatically when submitting inspection reports. | 2004 |
| MCS | 455C | 450(2)(b) | Fees and charges of Mechanical Compliance Section. | 2. In addition to paying the fees imposed by this section for services rendered by the Mechanical Compliance Section to assist a person in complying with the provisions of this chapter, a person who requests that the Mechanical Compliance Section perform such services must pay all necessary expenses incurred by the Mechanical Compliance Section in fulfilling the request, including, without limitation: (b) A charge of \$20 for the filing of a maintenance control program for an elevator. | Maintenance Control Programs are no longer filed independently, but are part of standard submittal packages for the installation of new elevators and the alteration of existing elevators. | 2004 |
| MCS | 455C | 503 | Elevator with 55 feet or less of travel not required to have Phase II Emergency In-Car Operation Installed; exception | 1. An elevator with 55 feet or less of travel is not required to have Phase II Emergency In-Car Operation installed unless installation is required by local ordinance. If Phase II Emergency In-Car Operation is installed, it must be maintained and tested monthly. 2. As used in this section, "Phase II Emergency In-Car Operation" has the meaning ascribed to it in section 1.3 of the Safety Code for Elevators and Escalators, A17.1, as adopted by reference in NAC 455C.500. | Elevators are no longer manufactured without Phase II Emergency In-Car Operation. | 2015 |
| MCS | 455C | 512(1) | Periodic tests: Notification of Mechanical Compliance Section; performance; witness of test by special inspector | 1. A licensed elevator contractor who performs periodic tests on an elevator shall notify the Mechanical Compliance Section, in writing, at least 3 business days before commencing any periodic tests on the elevator. | Inspection requests are no longer submitted via US mail but are requested via instant electronic means. There is no longer a need for a three-day transit time allowance for inspection requests. | 2004 |
| MSATS | 512 | Various | Boilers and Pressure Vessels | See attachment | Regulation can be significantly reduced and streamlined by referencing NAC455C for numerous provisions. This will also make the boiler code more consistent between MSATS and MCS | 2000/2004 |
| WCS | 616A | 50 | "Chief" defined | "Chief" means the Chief Administrative Officer of the Workers' Compensation Section. | The NRS referenced says nothing about the chief as it is defined here. There is no chief in regulation as defined here. | Supplied in codification 06/30/2010 |

| Section | Chapter of NAC | Citation | Title of Regulation | Text of Regulation | Reason regulation should be repealed or changed | Year Adopted/ Revised |
|---------|----------------|----------|---------------------|---|---|-------------------------------|
| WCS | 616A | 170 | "Manual" defined | "Manual" means the classifications and basic rates filed by the Advisory Organization, as defined in NRS 616A.045, and adopted by the Commissioner. | The referenced NRS no longer contains language regarding a manual. | Eff. 10/26/1983, A 06/26/1998 |
| WCS | 616B | 16 | Reports of claims | <p>1. Upon the request of the Administrator, each insurer shall file a report with the Administrator which contains the following information:</p> <p>(a) For claims other than claims for an occupational disease:</p> <p>(1) The number of new claims filed.</p> <p>(2) The number of claims for accident benefits only that were accepted by the insurer.</p> <p>(3) The number of claims for benefits for lost time that were accepted by the insurer.</p> <p>(4) The number of compensable fatalities.</p> <p>(5) The number of claims that were denied by the insurer.</p> <p>(b) For claims for an occupational disease:</p> <p>(1) The number of new claims filed.</p> <p>(2) The number of claims for accident benefits only that were accepted by the insurer.</p> <p>(3) The number of claims for benefits for lost time that were accepted by the insurer.</p> <p>(4) The number of compensable fatalities.</p> <p>(5) The number of claims that were denied by the insurer.</p> <p>(c) The number of requests to reopen a claim.</p> <p>(d) The number of requests to reopen a claim that were denied by the insurer.</p> <p>(e) The number of claims for accident benefits only that were reopened by the insurer.</p> <p>(f) The number of claims for benefits for lost time that were reopened by the insurer.</p> <p>(g) The number of injured employees who received benefits for a permanent partial disability.</p> | This regulation sets forth specific line items in the annual Claims Activity Report required to be submitted to DIR/WCS by insurers. The intent of repealing this regulation is NOT to repeal the requirement to submit the report. However, listing the specific line items in a report format and requirements that can, and do, change from year to year and then circumventing that by adding the "any other information requested by the Administrator" in subsection (1)(q) seems counter-productive and unnecessary. Furthermore, removing a line item from the report might further complicate things by requiring a regulation amendment. NRS 616B.006 already provided the Administrator the authority to require insurers to provide information needed to enforce statutes and regulations. Further, this regulation was adopted to supplement NRS 616B.009 requiring reports to be made to the Administrator -- an this statute does not include language requiring the Administrator to prescribe by regulation how it should be done, or provide discretionary language to adopt such regulations. | Eff. 03/01/2001 |
| WCS | 616B | 7702 (3) | Submission of claim | 3. A copy of Form D-37 may be obtained from the Administrator or on the Internet website maintained by the Administrator at no cost. | This subsection provides information regarding ways the self-insured employers can locate a D-37 form. This information is located easily on the DIR website as well as via an internet search. | Eff. 02/18/1997, A 02/27/2020 |

| Section | Chapter of NAC | Citation | Title of Regulation | Text of Regulation | Reason regulation should be repealed or changed | Year Adopted/ Revised |
|---------|----------------|------------|---|---|---|-----------------------------|
| WCS | 616C | 021 (4)(e) | Rating physician or chiropractic physician: Designation; qualifications; maintenance of designation; authority; review of rating evaluation by Administrator. | <p>4. In order to maintain designation as a rating physician or chiropractic physician, the physician or chiropractic physician must:</p> <p>(e) Except as otherwise provided in subsection 5, if the physician or chiropractic physician passed an examination concerning an edition of the Guide that is not the most recent edition adopted by the Administrator to become designated as a rating physician, pass the Nevada Impairment Rating Skills Assessment Test which is administered by the American Academy of Expert Medical Evaluators or its successor organization and which examines the practical application of the rating of disabilities in accordance with the Guide with a score of 75 percent or higher.</p> | All those designated as rating physicians and chiropractors should be trained on the use of the AMA Guides, 5 th edition as it is the only edition mandated for use in determining permanent partial disability ratings. Additionally, other editions of the AMA Guides utilize methodologies that are significantly different than those utilized in the 5 th edition. | Last revised 2010 |
| WCS | 616C | 520 (2) | Temporary Total Disability - Forms for inclusion with payments of compensation. | <p>2. Each insurer may provide Form D-6, "Injured Employee's Request for Compensation," to the injured employee with each check for a temporary total disability. The form must be used by the injured employee to request compensation for the temporary total disability if the insurer elects to use it. Failure to submit the form does not preclude the payment of the compensation if there is documentation on file which indicates a continued disability.</p> | Form D-6 is available for TPAs, but in practice, it is not commonly used. Furthermore, the injured employee is not required to submit the D-6 form as a requirement for compensation eligibility. | Adopted 1994 / Revised 2022 |
| WCS | 616D | 413 (2) | Determination of pattern of untimely payments to injured workers | <p>2. Timeliness of payments must be determined by the statute or regulation specifically applicable to the type of payment involved.</p> | This subsection provides information regarding the timeliness of payments to be determined by statute or regulation applicable to the type of payment involved. The statutes outline the timelines for the timely payment of benefit payment. The benefit type can be found in the applicable statute and will provide the timelines for timely payment of benefits (Medical, TTD, TPD, PPD, Voc Rehab, travel, etc.) | Eff. 10/23/2013 |

| Section | Chapter of NAC | Citation | Title of Regulation | Text of Regulation | Reason regulation should be repealed or changed | Year Adopted/ Revised |
|---------|----------------|----------|--|--|--|---|
| OSHA | 618 | 767 | Prehearing conference | <p>1. At any time before a hearing, the Board, on its own motion or on the motion of a party, may direct the parties or their representatives to exchange information or to participate in a prehearing conference to consider matters which will simplify the issues or expedite the proceedings.</p> <p>2. The Board may issue a prehearing order which includes the agreements reached by the parties. The order will be served on all parties and is a part of the record.</p> | Prehearing conferences have not been conducted within (at least) the last 14 years. | Effective: 11/9/1973 |
| OSHA | 618 | 779 | Expedited proceeding | <p>1. Upon application of any party or intervener, or upon the motion of any member of the Board, the Chair of the Board may order an expedited proceeding.</p> <p>2. If an expedited proceeding is ordered:</p> <p>(a) The Chief shall notify all parties and interveners.</p> <p>(b) The Chair of the Board shall make necessary rulings for the time for the filing of pleadings and all other matters, order daily transcripts of the hearing, and do all other things necessary to complete the proceeding in the minimum time consistent with fairness.</p> | Expedited proceedings have not been conducted within (at least) the last 14 years. | Effective: 11/9/1973 NAC A by OSH Review Bd.: 2/19/1987 |
| OSHA | 618 | 6334 | Notice of application; Decision of Administrator | <p>1. If an application for a variance has not been denied because it is defective, the Administrator will have published in at least two daily newspapers a notice of the filing of the application.</p> <p>2. The Administrator will include in the notice:</p> <p>(a) The terms or an accurate summary of the application;</p> <p>(b) A reference to the statutory section under which the application has been filed;</p> <p>(c) An invitation to interested persons to submit, within a stated period, written data, views or arguments regarding the application; and</p> <p>(d) A statement of the right of affected employers and employees to request a hearing on the application.</p> <p>3. Within 10 days after issuing a final decision on the application, the Administrator will furnish a copy of his or her decision to the affected employer and employees and will have the decision published in at least two daily newspapers.</p> | Notification to the public of a variance request is not as important as notification to the employer making the request. | Adopted: 8/26/1983 |

| Section | Chapter of NAC | Citation | Title of Regulation | Text of Regulation | Reason regulation should be repealed or changed | Year Adopted/ Revised |
|---------|----------------|----------|---------------------|--|--|--|
| OSHA | 618 | 6373 | Records of Hearings | <p>A hearing must be stenographically reported or recorded on magnetic tape. A stenographic or electronic record must be kept of the hearing.</p> <p>Copies of the transcript may be obtained by the parties upon the filing of a written application with the reporter and the payment of fees at the rate provided in the agreement with the reporter or the Enforcement Section.</p> | Language is outdated for modern recording methodology. | <p>Adopted: 8/26/1983</p> <p>Revised by R142-98 on 2/28/2000</p> |

BOILERS AND PRESSURE VESSELS

*New proposed language in blue
New proposed deletions in red*

General Provisions

NAC 512.500 Definitions. (NRS 455C.110, 512.131) *The definitions of words and terms listed in NAC 455C.020 to NAC 455C.106 apply to NAC 512.500 to NAC 512.595 inclusive. [As used in NAC 512.500 to 512.594, inclusive, unless the context otherwise requires, the words and terms defined in NAC 512.502 to 512.558, inclusive, have the meanings ascribed to them in those sections.]*

NAC 512.502 “Authorized inspection entity” defined. (NRS 455C.110, 512.131)
“Authorized inspection entity” means:

1. The *Mechanical Compliance Section or the Enforcement Section*;
2. An insurance company that:
 - (a) Is licensed in this State to write insurance for a boiler or pressure vessel; and
 - (b) Employs or contracts with a special inspector who has been issued a certificate; or
3. An inspection organization that employs or contracts with a special inspector who has been issued a certificate.

~~*[NAC 512.504 “Boiler” defined. (NRS 455C.110, 512.131) “Boiler” means a closed vessel in which water or another liquid is heated, steam or vapor is generated or steam is superheated, or any combination thereof, under pressure or vacuum, for use external to the boiler by the direct application of energy from the combination of fuels or from electricity. The term includes, without limitation, a fired unit for heating or vaporizing liquids other than water if the unit is separate from the processing system and is complete within itself.]*~~

~~*[NAC 512.506 “Boiler inspector” defined. (NRS 455C.110, 512.131) “Boiler inspector” means a person who:*~~

- ~~*—1. Inspects boilers or pressure vessels;*~~
- ~~*—2. Holds a commission; and*~~
- ~~*—3. Is employed or retained as an independent contractor by an authorized inspection entity.]*~~

~~*[NAC 512.508 “Certificate” defined. (NRS 455C.110, 512.131) “Certificate” means a certificate to work as a special inspector that is issued by the Occupational Safety and Health Administration of the Division pursuant to NAC 455C.130.]*~~

~~*[NAC 512.510 “Code” defined. (NRS 455C.110, 512.131) “Code” means:*~~

- ~~*—1. The Boiler and Pressure Vessel Code of the American Society of Mechanical Engineers with amendments and interpretations adopted by the Council of the Society and approved and adopted by the Division;*~~
- ~~*—2. A code relating to the construction of boiler and pressure vessels that has been approved by the National Board and adopted by the Division; or*~~
- ~~*—3. The National Board Inspection Code.]*~~

~~[NAC 512.512 – “Commission” defined. (NRS 455C.110, 512.131) – “Commission” means the commission issued by the National Board to a person who is authorized to inspect boilers or pressure vessels.]~~

~~[NAC 512.514 – “Contractor” defined. (NRS 455C.110, 512.131) – “Contractor” has the meaning ascribed to it in NRS 624.020.]~~

~~[NAC 512.520 – “Heat exchanger” defined. (NRS 455C.110, 512.131) – “Heat exchanger” means a device for transferring energy in the form of heat from a warmer medium to a cooler medium, including, without limitation, a radiator.]~~

~~[NAC 512.522 – “Heating boiler” defined. (NRS 455C.110, 512.131) – “Heating boiler” means:~~

- ~~— 1. A steam or vapor boiler intended for operation at pressures not exceeding 15 PSIG; or~~
 - ~~— 2. A hot water boiler intended for operation at pressures not exceeding 160 PSIG or temperatures of not more than 250°F;~~
- ~~→ that is not used to heat potable water except through a heat exchanger.]~~

~~[NAC 512.524 – “High-pressure, high-temperature boiler” defined. (NRS 455C.110, 512.131) – “High-pressure, high-temperature boiler” means a boiler in which water or other liquid is heated and which is intended for operation at pressures in excess of 160 PSIG or at temperatures in excess of 250°F. The term includes, without limitation, a miniature boiler.]~~

~~[NAC 512.526 – “Hot water supply boiler” defined. (NRS 455C.110, 512.131) – “Hot water supply boiler” means a boiler that is completely filled with water that furnishes hot water to be used outside the boiler at pressures not exceeding 160 PSIG or at temperatures not exceeding 250°F at or near the boiler outlet and which:~~

- ~~— 1. Uses a storage tank to supply hot water to the system;~~
- ~~— 2. Fires on demand to heat water which is supplied directly into the system; or~~
- ~~— 3. Is fired at a rate of not less than 200,000 British thermal units.]~~

~~[NAC 512.528 – “Inspection organization” defined. (NRS 455C.110, 512.131) – “Inspection organization” means an owner or user of pressure retaining items who maintains an established inspection program and whose organization and inspection procedures comply with the National Board Inspection Code and have been approved by the Enforcement Section.]~~

~~[NAC 512.530 – “Miniature boiler” defined. (NRS 455C.110, 512.131) – “Miniature boiler” means a power boiler or high pressure, high temperature boiler that does not exceed the following limits:~~

- ~~— 1. An inside diameter of the shell of 16 inches (410 millimeters);~~
- ~~— 2. Except for electric boilers, a heating surface of 20 square feet (1.9 square meters);~~
- ~~— 3. A gross volume, not including casing and insulation, of 5 cubic feet (140 liters); and~~
- ~~— 4. A maximum allowable working pressure of 100 PSIG.]~~

~~[NAC 512.532 – “National Board” defined. (NRS 455C.110, 512.131) – “National Board” means the National Board of Boiler and Pressure Vessel Inspectors.]~~

~~[NAC 512.534 — “National Board Inspection Code” defined. (NRS 455C.110, 512.131) — “National Board Inspection Code” means the manual for boiler and pressure vessel inspectors published by the National Board and adopted by reference in NAC 512.562.]~~

~~[NAC 512.536 — “New boiler or pressure vessel installation” defined. (NRS 455C.110, 512.131) — “New boiler or pressure vessel installation” means the construction, installation or placing into operation of or contracting for any boiler or pressure vessel on or after January 28, 2000.]~~

~~[NAC 512.538 — “Owner or user” defined. (NRS 455C.110, 512.131) — “Owner or user” means any person who is responsible for the safe installation, operation or maintenance of any boiler or pressure vessel within this State.]~~

~~[NAC 512.540 — “Power boiler” defined. (NRS 455C.110, 512.131) — “Power boiler” means a boiler in which steam or other vapor is generated at a pressure of more than 15 PSIG. The term includes, without limitation, a high-pressure, high-temperature boiler and a miniature boiler.]~~

~~[NAC 512.542 — “Pressure vessel” defined. (NRS 455C.110, 512.131) — “Pressure vessel” means a vessel in which pressure is obtained from an external source or by the application of heat from a direct or indirect source. The term includes, without limitation, an unfired steam boiler.]~~

~~[NAC 512.544 — “Pressure-retaining item” defined. (NRS 455C.110, 512.131) — “Pressure-retaining item” means a boiler, pressure vessel, piping or material used for the containment of:~~

- ~~— 1. Internal pressure;~~
- ~~— 2. Pressure obtained from an external source;~~
- ~~— 3. Pressure obtained by the application of heat from a direct source; or~~
- ~~— 4. Any combination of subsections 1, 2 and 3.]~~

~~[NAC 512.546 — “PSIG” defined. (NRS 455C.110, 512.131) — “PSIG” means pounds per square inch gauge.]~~

~~[NAC 512.548 — “Relief valve” defined. (NRS 455C.110, 512.131) — “Relief valve” means an automatic pressure-relieving device as described in section I, IV or VII of the Boiler and Pressure Vessel Code of the American Society of Mechanical Engineers that is used primarily for liquid service.]~~

~~[NAC 512.550 — “Repair” defined. (NRS 455C.110, 512.131) — “Repair” means the work necessary to restore a pressure-retaining item to a safe and satisfactory operating condition if there is no deviation from the original design.]~~

~~[NAC 512.552 — “Safety relief valve” defined. (NRS 455C.110, 512.131) — “Safety relief valve” means a relieving device that is:~~

- ~~— 1. Automatically pressure-actuated; and~~
- ~~— 2. Suitable for use as a safety valve or relief valve, depending on the application.]~~

~~[NAC 512.554 — “Safety valve” defined. (NRS 455C.110, 512.131) — “Safety valve” means an automatic pressure-relieving device that:~~

- ~~—1. Is actuated by the static pressure upstream of the valve; and~~
- ~~—2. Has a full opening spring pop type action that is used for gas or vapor service.]~~

~~[NAC 512.555 — “Special inspector” defined. (NRS 455C.110, 512.131) — “Special inspector” means a boiler inspector who holds a certificate and who is employed or retained as an independent contractor by:~~

- ~~—1. An insurance company that is licensed in this State to write insurance for a boiler or pressure vessel; or~~
- ~~—2. An inspection organization.]~~

~~[NAC 512.556 — “Unfired steam boiler” defined. (NRS 455C.110, 512.131) — “Unfired steam boiler” means an unfired pressure vessel or a system of unfired pressure vessels intended for operation at a pressure in excess of 15 PSIG to produce and control an output of thermal energy. The term includes, without limitation, a boiler that heats water with waste heat.]~~

~~[NAC 512.558 — “Water heater” defined. (NRS 455C.110, 512.131) — “Water heater” means a hot water supply boiler or a closed vessel in which water is heated by the combustion of fuel, electricity or any other source and withdrawn from the heater for use outside the system of the water heater at pressures not exceeding 160 PSIG and which includes, without limitation, any control or device necessary to prevent the water temperature from exceeding 210°F (99°C).]~~

NAC 512.562 Adoption by reference of certain publications, codes and sections of codes. ([NRS 455C.110](#), [512.131](#))

1. The Administrator hereby adopts by reference the **publications, codes and sections of codes listed in NAC 455C.108.** ~~[National Board Inspection Code, 2001 edition and addenda, and any subsequent edition and addenda issued by the National Board of Boiler and Pressure Vessel Inspectors, unless the edition or addenda is disapproved by the Administrator within 60 days after the date the edition is published by the National Board of Boiler and Pressure Vessel Inspectors. The most current edition that has been approved by the Administrator may be determined by contacting the Office of the Administrator. A copy of the 2001 edition may be obtained from the National Board of Boiler and Pressure Vessel Inspectors, 1055 Crupper Avenue, Columbus, Ohio 43229, for the price of \$85.~~

~~—2. The Administrator hereby adopts by reference the following sections of the ASME Boiler and Pressure Vessel Code, 2001 edition and addenda, and of any subsequent edition and addenda issued by the American Society of Mechanical Engineers, unless the edition or addenda is disapproved by the Administrator within 60 days after the date the edition is published by the American Society of Mechanical Engineers. The most current edition that has been approved by the Administrator may be determined by contacting the Office of the Administrator. A copy of the sections of the 2001 edition and its addenda adopted by reference in this subsection may be obtained from ASME International, 22 Law Drive, P.O. Box 2900, Fairfield, New Jersey 07007-2900, for the price indicated:~~

- Cost
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| | |
|--|-------------------|
| —(a) Section I, Power Boilers..... | —\$295 |
| —(b) Section II, Part D: Properties..... | —435 |
| —(c) Section IV, Rules for Construction of Heating Boilers..... | —280 |
| —(d) Section V, Nondestructive Examination..... | —315 |
| —(e) Section VI, Recommended Rules for the Care and Operation of Heating Boilers— | —175 |
| —(f) Section VII, Recommended Guidelines for the Care of Power Boilers..... | —180 |
| —(g) Section VIII, Pressure Vessels—Division 1..... | —460 |
| —(h) Section IX, Welding and Brazing Qualifications..... | —330 |
| —(i) Section X, Fiber-Reinforced Plastic Pressure Vessels..... | —250 |

~~3. The Administrator hereby adopts by reference Controls and Safety Devices for Automatically Fired Boilers, CSD-1, 2002 edition, and any subsequent edition issued by the American Society of Mechanical Engineers, unless the edition is disapproved by the Administrator within 60 days after the date the edition is published by the American Society of Mechanical Engineers. The most current edition that has been approved by the Administrator may be determined by contacting the Office of the Administrator. This publication applies to automatically fired boilers which are directly fired with gas, oil, a combination of gas and oil or electricity. The 2002 edition may be obtained from ASME International, 22 Law Drive, P.O. Box 2900, Fairfield, New Jersey 07007-2900, for the price of \$56.~~

~~4. The Administrator hereby adopts by reference the Power Piping Code, B31.1, 2001 edition and addenda, and any subsequent edition and addenda issued by the American Society of Mechanical Engineers, unless the edition is disapproved by the Administrator within 60 days after the date the edition is published by the American Society of Mechanical Engineers. The most current edition that has been approved by the Administrator may be determined by contacting the Office of the Administrator. The 2001 edition and its addenda may be obtained from ASME International, 22 Law Drive, P.O. Box 2900, Fairfield, New Jersey 07007-2900, for the price of \$230.~~

~~5. The Administrator hereby adopts by reference the National Fuel Gas Code, ANSI Z223.1/NFPA 54, 2002 edition, and any subsequent edition issued by the National Fire Protection Association, unless the edition is disapproved by the Administrator within 60 days after the date the edition is published by the National Fire Protection Association. The most current edition that has been approved by the Administrator may be determined by contacting the Office of the Administrator. The 2002 edition may be obtained from Global Engineering Documents, 15 Inverness Way East, Englewood, Colorado 80112, for the price of \$69.~~

~~6. The Administrator hereby adopts by reference the National Electrical Code, ANSI/NFPA 70, 2002 edition and any subsequent edition issued by the American National Standards Institute, unless the edition is disapproved by the Administrator within 60 days after the date the edition is published by the American National Standards Institute. The most current edition that has been approved by the Administrator may be determined by contacting the Office of the Administrator. The 2002 edition may be obtained from Global Engineering Documents, 15 Inverness Way East, Englewood, Colorado 80112, for the price of \$284.~~

~~7. The Administrator hereby adopts by reference the Uniform Building Code, 1997 edition, and any subsequent editions issued by the International Conference of Building Officials, unless~~

~~the edition is disapproved by the Administrator within 60 days after the date the edition is published by the International Conference of Building Officials. The most current edition that has been approved by the Administrator may be determined by contacting the Office of the Administrator. The 1997 edition may be obtained from the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California 90601, for the price of \$227.~~

~~—8.— The Administrator hereby adopts by reference the Uniform Mechanical Code, 2000 edition, and any subsequent edition issued by the International Conference of Building Officials, unless the edition is disapproved by the Administrator within 60 days after the date the edition is published by the International Conference of Building Officials. The most current edition that has been approved by the Administrator may be determined by contacting the Office of the Administrator. The 2000 edition may be obtained from the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California 90601, for a cost of \$70.~~

~~—9.— The Administrator hereby adopts by reference the Uniform Fire Code, 2000 edition, and any subsequent editions issued by the International Conference of Building Officials, unless an edition is disapproved by the Administrator within 60 days after the date the edition is published by the International Conference of Building Officials. The most current edition that has been approved by the Administrator may be determined by contacting the Office of the Administrator. The 2000 edition may be obtained from the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California 90601, for the price of \$94.95.~~

~~—10.— The Administrator hereby adopts by reference the Uniform Plumbing Code, 2000 edition, and any subsequent edition issued by the International Association of Plumbing and Mechanical Officials, unless the edition is disapproved by the Administrator within 60 days after the date the edition is published by the International Association of Plumbing and Mechanical Officials. The most current edition that has been approved by the Administrator may be determined by contacting the Office of the Administrator. The 2000 edition may be obtained from the International Association of Plumbing and Mechanical Officials, 20001 Walnut Drive South, Walnut, California 91789-2825, for the price of \$89.~~

~~—11.— The Administrator hereby adopts by reference the Standard for the Installation of Oil-Burning Equipment, ANSI/NFPA 31, 2001 edition, and any subsequent edition issued by the National Fire Protection Association, unless the edition is disapproved by the Administrator within 60 days after the date the edition is published by the National Fire Protection Association. The most current edition that has been approved by the Administrator may be determined by contacting the Office of the Administrator. The 2001 edition may be obtained from Global Engineering Documents, 15 Inverness Way East, Englewood, Colorado 80112, for the price of \$59.~~

~~—12.— The Administrator hereby adopts by reference the Safety Standard for Refrigeration Systems, ANSI/ASHRAE 15, 2001 edition, and any subsequent edition issued by the American Society of Heating, Refrigeration and Air-Conditioning Engineers, unless the edition is disapproved by the Administrator within 60 days after the date the edition is published by the American Society of Heating, Refrigeration and Air-Conditioning Engineers. The most current edition that has been approved by the Administrator may be determined by contacting the Office of the Administrator. The 2001 edition may be obtained from Global Engineering Documents, 15 Inverness Way East, Englewood, Colorado 80112, for the price of \$46.]~~

NAC 512.564 Requirements for operation. ([NRS 455C.110](#), [512.131](#)) A new boiler, pressure vessel or water heater must not be operated in this State unless it is designed, constructed,

inspected *by the Enforcement Section or the Mechanical Compliance Section* and installed in accordance with the *Code* and the provisions of [NAC 512.500](#) to [512.594](#), inclusive.

New addition: NAC 512.xxx The following provisions apply to NAC 512.500 to NAC 512.595 inclusive:

- 1. Clearance: NAC 455C.250 and NAC 455.252***
- 2. Platforms and runways NAC 455C.204***
- 3. Safety Appliances NAC 455C.296***
- 4. Qualifications of Attendant NAC 455C.268***
- 5. Supervision NAC 455C.274***
- 6. Contractor's license required NAC 455C.300***

~~*[NAC 512.579 Clearance: Generally. (NRS 455C.110, 512.131) Except as otherwise provided in NAC 512.577 and 512.581, if a boiler is replaced or a new boiler is installed in an existing or new building, a minimum height of at least 3 feet must be provided between the top of the boiler, excluding appurtenances, and the ceiling and at least 3 feet between any side of the boiler and any adjacent wall or other structure. A boiler or pressure vessel that has a manhole must have a 5-foot clearance from the opening of the manhole to any wall, ceiling or piping that will prevent a person from entering the boiler or pressure vessel. A boiler or pressure vessel must be located so that adequate space will be provided for the proper operation of the boiler or pressure vessel and its appurtenances, for the inspection of all surfaces, tubes, waterwalls, economizers, piping, valves and other equipment, and for the necessary maintenance and repair and the replacement of tubes. When a pressure vessel is installed or replaced, there must be an area of unobstructed clearance which is at least 18 inches wide and provides access for inspection, maintenance and repair. Clearance for repairs and cleaning may be provided through a door or access panel into another area if the door or access panel is large enough to allow the repairs and cleaning to be performed adequately.]*~~

~~*[NAC 512.581 Clearance: Fired storage and fired coil water heater. (NRS 455C.110, 512.131) The clearance between a wall or other structure and a fired storage and fired coil water heater must be at least that specified by the manufacturer.]*~~

~~*[NAC 512.583 Platforms or runways. (NRS 455C.110, 512.131)*~~

~~*—1. If a valve or any appurtenance of a boiler or pressure vessel requires frequent manipulation or is so located that it cannot be reached or operated from the floor, a platform or other safe means of operation must be provided. If a platform or runway is used, it must be at least 24 inches wide and be provided with standard handrails and toeboards and have at least 7 feet 6 inches of headroom. A runway must have at least two means of exit remotely located from one another and be connected to a permanent stairway or incline ladder leading to the floor.*~~

~~*—2. When necessary for safety, a steel runway or platform of standard construction must be installed across the tops of adjacent boilers or pressure vessels or at some other convenient level to afford safe access. A runway must have at least two means of exit, remotely located from one another.]*~~

~~*[NAC 512.587 Safety appliances: Generally. (NRS 455C.110, 512.131) Each pressure vessel must be protected by safety or relief valves and indicating and controlling devices that will ensure*~~

~~its safe operation. These valves and devices must be so constructed, located and installed that the valves and devices cannot be rendered inoperative readily. The relieving capacity of safety valves must be sufficient to prevent a rise of pressure in the vessel of more than 10 percent above the highest pressure to which any device to relieve pressure is set, but in no case more than 6 percent above the maximum allowable working pressure. The opening (set) pressure of the device to relieve pressure must be no greater than the maximum allowable working pressure of the vessel.]~~

~~**[NAC 512.589—Safety appliances: Capacity. (NRS 455C.110, 512.131)**~~

~~—1. The capacity of a safety valve that is designed primarily for steam or vapor service must be rated in pounds per hour.~~

~~—2. The capacity of a relief valve that is designed primarily for liquid service must be rated in British thermal units per hour. The capacity of a relief valve used for liquid service with cold water may be rated in gallons per hour.~~

~~—3. The capacity of a safety relief valve that is designed for use in steam or vapor and liquid service must be rated in pounds per hour when used for steam or vapor service and in British thermal units per hour when used for heated liquid service.~~

~~—4. A pressure relief valve that is used for air service must be rated in PSIG and square cubic feet per minute.]~~

~~**[Miscellaneous Provisions]**~~

~~**[NAC 512.590—Qualifications of attendant. (NRS 455C.110, 512.131)**—A person is qualified to attend a power boiler or high pressure, high temperature boiler if the person has the technical training, experience and knowledge necessary to start, operate and shut down the boiler.]~~

~~**[NAC 512.592—Boilers: Supervision. (NRS 455C.110, 512.131)**~~

~~—1. Except as otherwise provided in subsection 5, a high pressure, high temperature boiler and a power boiler must be attended by a person who meets the qualifications set forth in NAC 512.590.~~

~~—2. A steam boiler must be attended by a person who meets the qualifications set forth in NAC 512.590, unless the boiler is equipped with:~~

~~—(a) A mechanism that cuts off fuel if the level of water in the boiler or pressure vessel is low;~~

~~—(b) An automatic feed water regulator;~~

~~—(c) Fireside regulators and controls;~~

~~—(d) An audible alarm to indicate low water; and~~

~~—(e) A pressure control.~~

~~—3. The attendant shall check personally the operation of the boiler, the necessary auxiliaries and the level of water in the boiler at intervals necessary to ensure the safe operation of the boiler but not less than once every 60 minutes or for intervals in excess of the time required to evaporate the water from the normal operating level to the lowest water level permissible if the feed water is shut off or the boiler is forced to its maximum capacity. A log noting the time of all checks and observations must be kept in the boiler room.~~

~~—4. If attendance of the boiler is required pursuant to this section, a time clock to start or stop the operation of the boiler automatically must not be used, unless the timing mechanism is a device or system that has been approved by the Administrator.~~

~~—5. A high pressure, high temperature boiler and a power boiler do not need to be attended, if the boiler is equipped with the following protective devices which are functioning properly, as~~

~~required by the applicable provisions of Controls and Safety Devices for Automatically Fired Boilers, CSD-I, which is adopted by reference pursuant to NAC 512.562:~~

~~—(a) If the boiler is operated at less than supercritical pressure:~~

~~——(1) A mechanism that cuts off fuel if the level of water in the boiler or pressure vessel is low;~~

~~——(2) An automatic feed regulator;~~

~~——(3) Fireside regulators and controls;~~

~~——(4) An audible alarm to indicate low water;~~

~~——(5) A pressure control; and~~

~~——(6) A programmed flame safeguard system with an audible alarm on burners equipped with spark ignition.~~

~~—(b) If the boiler is operated at supercritical pressure (3206 PSIG and 705°F):~~

~~——(1) All the devices set forth in paragraph (a);~~

~~——(2) A cutoff device for high temperature or fuel; and~~

~~——(3) An audible alarm to indicate high temperature.]~~

~~[NAC 512.594—**Contractor's license required for certain activities.** (NRS 455C.110, 512.131)~~

~~A person shall not undertake to, or offer to undertake to, install, construct, add to, subtract from, improve or move any boiler, pressure vessel or water heater unless the person holds a current contractor's license issued pursuant to chapter 624 of NRS that authorizes him or her to install boilers or pressure vessels.]~~