

TITLE 14 HOUSING AND CONSTRUCTION
CHAPTER 9 MECHANICAL CODES
PART 4 BOILERS

14.9.4.1 ISSUING AGENCY: The Construction Industries Division (CID) of the Regulation and Licensing Department.

[14.9.4.1 NMAC - Rp, 14.9.4 NMAC, XX/XX/XXXX]

14.9.4.2 SCOPE:

A. This rule applies to all contractors and individuals performing in the construction, installation, operation, repair and alterations of boilers and pressure vessels within the state of New Mexico.

B. These boiler rules and regulations address the following: permits, insurance and inspection requirements, licensing, licensing of boiler operators, installers and repair organizations, and the issuing of boiler certificates of inspection.

[14.9.4.2 NMAC - Rp, 14.9.4 NMAC, XX/XX/XXXX]

14.9.4.3 STATUTORY AUTHORITY: Sections 60-13-9, 60-13-38, 60-13-44, and 60-13-45 NMSA 1978.

[14.9.4.3 NMAC - Rp, 14.9.4.3 NMAC XX/XX/XXXX]

14.9.4.4 DURATION: Permanent.

[14.9.4.4 NMAC - Rp, 14.9.4.4 NMAC XX/XX/XXXX]

14.9.4.5 EFFECTIVE DATE: XXXX, XX, XXXX, unless a later date is cited at the end of a section.

[14.9.4.5 NMAC - Rp, 14.9.5 NMAC XX/XX/XXXX]

14.9.4.6 OBJECTIVE: The objective of this rule is to establish minimum requirements for the construction, installation, operation, repair, alterations, and maintenance of boilers and pressure vessels in the state of New Mexico.

[14.9.4.6 NMAC - Rp, 14.9.6 NMAC XX/XX/XXXX]

14.9.4.7 DEFINITIONS: The following terms shall have the meaning indicated when used in these rules and when referenced in the applicable codes:

A. ACCA. Air conditioning contractors of America.

B. ASHRAE. American society of heating, refrigerating, and air conditioning engineers.

C. Authority Having Jurisdiction. See 14.5.1 NMAC.

D. Alteration. Any change in the item described on the original manufacturer's data report which affects the pressure-containing capacity of the boiler. Nonphysical changes such as an increase in the maximum allowable working pressure (internal or external) or design temperature of a boiler shall be considered an alteration. A reduction in the minimum temperature of a pressure-retaining item shall also be considered an alteration.

E. ANSI. The American national standards institute.

F. ASME Code. The American society of mechanical engineers boiler and pressure vessel code as published by that society, including addenda and code cases approved by its council.

G. Boiler. A closed vessel in which water or other liquid is heated, steam or vapor is generated, steam or vapor is superheated, or any combination of these functions is accomplished, under pressure, for use external to itself, by the direct application of energy from the combustion of fuels or from electricity or solar energy. The term includes a fired unit for heating and vaporizing liquids and all controls and safety devices associated with such unit or the closed vessel.

(1) High-temperature boiler. A power boiler in which water is heated and operates at a pressure in excess of 160psig (1.1MPa) and may or may not have a temperature in excess of 250 degrees fahrenheit.

(2) Hot-water heating boiler. A hot water boiler installed to operate at pressures not exceeding 160psig (1,100 kPa) and may or may not have temperatures exceeding 250 degrees fahrenheit at or near the boiler outlet.

(3) Hot-water supply boiler. A boiler that furnishes hot water to be used externally to itself at a pressure less than or equal to 160 psig (1,100 kPa gage) or a temperature less than or equal to 250 degrees fahrenheit at or near the boiler outlet.

(4) Power boiler. A boiler in which steam or other vapor is generated at a pressure in excess of 15psig (100kPa) for use external to itself. The term power boiler includes fired units for vaporizing liquids other than water, but does not include fired process heaters and systems.

(5) Steam heating boiler. A steam boiler installed to operate at pressures not exceeding 15psig (100 kPa).

H. Certificate of Compliance/Operating Permit. A document issued by a special inspector containing the information required in 14.9.4.18 NMAC.

I. Certificate of Inspection. A document issued upon a successful inspection, stating the boiler may be operated.

J. Certificate of Qualification. See 14.6.3 NMAC.

K. Commission. See 14.5.1 NMAC.

L. Condemned Boiler. A boiler inspected and declared unsafe or disqualified by an inspector qualified to take such action. This designation indicates that the boiler has been deemed unsafe for further operation, and a stamping or marking has been applied to signify its rejection.

M. Director. See 14.5.1 NMAC.

N. Division. The construction industries division of the regulation and licensing department.

O. Existing Boiler. Any boiler installed in New Mexico before the adoption of these rules.

P. External Piping. Shall be considered as that piping which begins where the boiler proper terminates at the first circumferential joint for welding end connections; or the face of the first flange in bolted flanged connections; or the first threaded joint in that type of connection including the valve, if required.

Q. Boiler Inspection Code. The National Board Inspection Code published by the national board of boiler and pressure vessel inspectors or any other code or standard adopted by Sections 60-13-1 or 60-13-2 of the Construction Industries Licensing Act (CILA) and LPG Act, NMSA 1978.

R. Inspection Tag means:

(1) Yellow tag. The existing boiler does not meet code requirements, has minor deficiencies but may continue to be operated until such deficiencies are corrected.

(2) Red tag. The existing boiler does not meet code requirements, has major deficiencies, and is unsafe to operate. The existing boiler must be shut down until the condition(s) are corrected.

S. Maintenance Program. A program in accordance with ASHRAE/ACCA 180 developed by a facility to maintain all boilers and pressure vessels governed by this rule.

T. Mechanical Bureau. See 14.5.1 NMAC.

U. Mechanical Bureau Chief. See 14.5.1 NMAC.

V. National Board. The national board of boiler and pressure vessel inspectors.

W. National Board Commissioned Inspector (NBCI). An individual who holds a valid and current national board commission issued by the national board of boiler and pressure vessel inspectors. They are qualified to perform in-service, repair, and alteration inspections as defined by the national board inspection code (NBIC). Such national board commissioned inspector is not granted the authority contained in 60-13-41 and 60-13-42 of CILA and LPG Act, NMSA 1978.

X. New boiler installation. Any boiler constructed, installed or re-installed and placed in operation after the adoption of these boiler rules.

Y. Operator Certificate of Competency. A document issued to a person who has satisfied the minimum competency requirements for boiler operators under 60-13-38 of CILA and LPG Act, NMSA 1978.

Z. Owner-user inspection agency. An owner or user of pressure vessels that maintains a regularly established boiler inspection department, whose organization and inspection procedures meet the requirements of the national board rules and acceptable to the jurisdiction wherein the owner or user is located. It is recommended that either a commissioned national board owner/user inspector or a commissioned API-510 owner/user inspector be assigned the responsibility of establishing and monitoring such agency.

AA. Owner-user inspector. An inspector who holds a valid national board commission and has qualified by written examination under the laws, rules and regulations of a jurisdiction of a state of the United States or a province of Canada, and is regularly employed as an inspector by an owner-user inspection agency. Such inspector is not granted the authority contained in 60-13-41 or 60-13-42 of CILA and LPG Act, NMSA 1978.

BB. Public Building or Place of Public Accommodation. See 14.5.1 NMAC.

CC. Reinstalled Boiler. A boiler that has been removed from its original setting and reinstalled at the same location or at a new location.

DD. Repair. The work necessary to restore a boiler or pressure vessel to a safe and satisfactory operating condition provided there is no deviation from the original design.

EE. Repair Organization. An individual that is a holder of a valid national board commission authorizing the use of the "R", "VR" or "NR" stamp; or one that is properly licensed in accordance with 14.6.6 NMAC.

FF. Responsible Party. The building owner shall be responsible for meeting the requirements of this rule regarding maintenance and operation of existing boilers.

GG. Second-hand Boiler. A boiler that has changed ownership and location subsequent to its original installation and use.

[14.9.4.7 NMAC - Rp, 14.9.4.7 NMAC, XX/XX/XXXX]

14.9.4.8 ADOPTED PUBLICATIONS: The commission has adopted the following publication as the rules for construction, installation, operation, inspection, repair and alterations of all existing boilers: Uniform Mechanical Code as adopted in 14.9.2 NMAC.

[14.9.4.8 NMAC - Rp, 14.9.4.8 NMAC XX/XX/XXXX]

14.9.4.9 PERMIT REQUIRED:

A. It shall be unlawful to install or reinstall any boiler without first obtaining a permit from the division or local AHJ, subject to all provisions of the construction industries division rules and regulations.

B. Owner or user inspectors are not required to have permits issued for repairs or alterations as defined in this rule.

C. Each application for a boiler permit (installation or re-installation) may require plans and specifications as determined necessary by the mechanical bureau or local AHJ to describe adequately the proposed installation.

D. It shall be the responsibility of the organization planning the installation to provide for a permit, inspection, documentation and certification of the work and to ensure prior acceptance of the procedures for the work.

E. Emergency boiler installation may be performed during non-business hours provided a permit is requested on the next regular business day.

[14.9.4.9 NMAC - Rp, 14.9.4.9 NMAC, XX/XX/XXXX]

14.9.4.10 ANNUAL PERMITS: Boilers and pressure vessels are not included in annual permit work as specified in 14.5.2 NMAC.

[14.9.4.10 NMAC - Rp, 14.9.4.10 NMAC, XX/XX/XXXX]

14.9.4.11 CITY AND LOCAL JURISDICTION: Cities that have adopted a boiler code in substantial compliance with this rule may enforce the provisions of the city code within their jurisdictions.

[14.9.4.11 NMAC - Rp, 14.9.4.11 NMAC, XX/XX/XXXX]

14.9.4.12 EXEMPTIONS: BOILERS AND PRESSURE VESSELS NOT SUBJECT TO THE MECHANICAL BUREAU RULES AND REGULATIONS:

A. Listed and approved potable water heaters with a nominal capacity not exceeding 120 gallons (454L) and having a heat input not exceeding 200,000 British thermal units per hour (Btu/hr) (58.6kW) used for hot water supply at a pressure not exceeding 160 pounds-force per square inch (psi) (1103 kPa) and at temperatures not exceeding 210 degrees fahrenheit (99 degrees celsius), in accordance with 14.8.2 NMAC.

B. Pressure vessels used for unheated water supply, including those containing air that serves as a cushion and is compressed by the introduction of water and tanks connected to sprinkler systems.

C. Portable unfired pressure vessels, and interstate commerce commission (I.C.C.) containers.

D. Containers for liquefied petroleum gases, bulk oxygen and medical gas, which are regulated by the fire code or section 70-5-1 through 70-5-23 NMSA 1978.

E. Unfired pressure vessels in business, factory, hazardous, mercantile, residential, storage, and utility occupancies having a volume not exceeding 5 cubic feet and operating at pressures not exceeding 250 psi (1724 kPa).

F. Pressure vessels used in refrigeration systems, which are regulated by 14.9.4 NMAC.

G. Pressure tanks used in conjunction with coaxial cables, telephone cables, power cables, and other similar humidity-control systems.

H. Any boiler or pressure vessel subjected to regular inspection by federal inspectors or licensed by federal authorities.

- I. Pressure vessels used in specific appliances shall comply with 14.9.2 NMAC.
- J. Public utilities, rural electric cooperatives, mining process (administration facilities are NOT exempt), refinery processing, gas processing (administration facilities are NOT exempt) and lumber industries (sawmill only).
[14.9.4.12 NMAC - Rp, 14.9.4.12 NMAC, XX/XX/XXXX]

14.9.4.13 NEW CONSTRUCTION AND INSTALLATION OF BOILERS:

- A. All boiler installations shall conform to minimum requirements for safety from structural and mechanical failure and excessive pressure, as established by the mechanical bureau in accordance with 14.9.4 NMAC, ASME boiler and pressure vessel codes, sections I, IV, and IX, and the national board inspection code.
- B. All installations after the adoption of this rule shall be designed, constructed, inspected and stamped in accordance with 14.9.2 NMAC and ASME. In addition, all boilers, except cast iron and boilers exempted in this rule, shall be registered with the national board of boiler and pressure vessel inspectors and be assigned a national board registration number.
- C. The mechanical bureau may inspect any boiler installations in the state of New Mexico with sufficient notice to the owners/operators of such equipment.
[14.9.4.13 NMAC - Rp, 14.9.4.13 NMAC, XX/XX/XXXX]

14.9.4.14 EXISTING BOILERS:

- A. All existing boilers shall be maintained and operated in compliance with the manufacturer's requirements and all existing codes at the time of installation. All existing boilers installed prior to 1973 shall, within two years, meet the minimum requirements of the Uniform Mechanical Code, 1973 (Reference Appendix B, Chapter 21, Table No. 21-C).
- B. All boilers which are re-located with or without a change of ownership shall be installed, permitted and inspected in compliance with 14.5.2 and 14.9.2 NMAC and ASME as a new installation. Following such reinstallation of a boiler, a hydrostatic test in compliance with these rules may be required by the AHJ.
- C. Used boilers from within New Mexico, another state or country must be approved by the mechanical bureau or local AHJ prior to installation. Such boilers shall bear the standard stamping of ASME and the national board registration number.
[14.9.4.14 NMAC - Rp, 14.9.4.14 NMAC, XX/XX/XXXX]

- 14.9.4.15 NON-CODE BOILERS:** Any boiler which is not constructed and stamped in accordance with the rules of the appropriate ASME boiler code shall not be installed or reinstalled to operate at any pressure after the adoption of these rules. Any non-code boiler installed prior to the adoption of these rules and regulations may be operated after a successful inspection.
[14.9.4.15 NMAC - Rp, 14.9.4.15 NMAC, XX/XX/XXXX]

14.9.4.16 VIOLATIONS AND PENALTIES: Violation(s) of this rule may result in one or more of the following:

- A. The construction industries division may assess the licensee an administrative penalty provided under the provisions of the CILA and the LPG Act, NMSA 1978, or its rules and regulations.
- B. The AHJ may assess a fee in the amount of twice the usual permit amount and inspection fees for the first violation with all subsequent violations disciplined pursuant to 60-13-23 NMSA 1978 or refer the violation to CID for disciplinary action.
- C. Any work being done contrary to the provisions of these rules, the director may order the work stopped by notice in writing served on a person engaged in doing or causing such work to be done, and that person shall forthwith stop such work until authorized by the director or the mechanical bureau chief to proceed with the work.
[14.9.4.16 NMAC - Rp, 14.9.4.16 NMAC, XX/XX/XXXX]

- 14.9.4.17 ACCIDENT REPORTING:** In case of boiler accident (fire or waterside) or other serious damage to a boiler, the insurance company shall be notified immediately by the owner or user. No parts or appurtenances shall be removed or their positions changed unless necessary for the protection of life or limb until the state or a national board commissioned inspector has made an investigation.
[14.9.4.17 NMAC - Rp, 14.9.4.17 NMAC, XX/XX/XXXX]

14.9.4.18 NATIONAL BOARD COMMISSIONED INSPECTORS:

A. National board commissioned inspectors shall not receive any salary or expenses from the state or local AHJ. National board commissioned inspectors shall not be required to use the inspection tags designated in this rule, but shall use inspection tags with equivalent information.

B. National board commissioned inspectors shall inspect all boilers covered by these rules that are located in publicly owned places of public assembly and places of public assembly and insured by their respective insurance companies, authorized national board inspection agencies. All boilers, when so inspected, shall be exempt from payment to the state for inspection fees 60-13-41 or 60-13-42 NMSA 1978.
[14.9.4.18 NMAC - Rp, 14.9.4.18 NMAC, XX/XX/XXXX]

14.9.4.19 CERTIFICATE OF COMPLIANCE/OPERATING PERMIT:

A. All boilers and steam generators as stipulated in this rule shall be inspected as set forth in 14.9.4 NMAC. Upon successful inspection, a certificate of inspection shall be issued by a national board commission inspector or insurance company. Such certificate may take any format approved for use by the mechanical bureau chief.

B. If, upon making the internal and/or external inspection, the special inspector finds the boiler to be in safe working order, provided with the appurtenances necessary for safety, and properly set up, the insurance company, upon receipt of an inspection report from the national board commission inspector, shall issue to the owner or user thereof a certificate of inspection. Upon receipt of the certificate of inspection, such owner or user may operate the boiler described in the certificate until the date of expiration unless such certificate shall be withdrawn or revoked.

C. The certificate of compliance shall state the name of the owner or user; location; manufacturer's serial number, and the national board registration number; date of inspection; date of expiration of the certificate of compliance; the maximum allowable working pressure at which the boiler may operate; name of the manufacturer; type of boiler and insurance company with the name and national board commission number of the national board commissioned inspector that conducted the inspection.

D. The certificate of compliance/operating permit or a copy shall be conspicuously placed so it can be readily identified with the boiler and must be posted in the boiler or mechanical room. The certificate of compliance/operating permit for a portable boiler shall be attached to the boiler and shall be accessible at all times.
[14.9.4.19 NMAC - Rp, 14.9.4.19 NMAC, XX/XX/XXXX]

14.9.4.20 INSPECTION METHODS AND FREQUENCY:

A. The responsible party of boiler and pressure vessels equipment shall be responsible for obtaining a certificate of inspection. The method and frequency of boiler inspections shall be in accordance with ASHRAE/ACCA 180 and shall be inspected by a national board commission inspector employed by the responsible party's insurance carrier.

B. Based upon documentation regarding actual service conditions, the mechanical bureau may, at its discretion, permit variations in the inspection requirements.

C. The inspections herein required, including repair or modification shall be made by special inspector.

D. If, at the discretion of the special inspector, a hydrostatic test shall be deemed necessary, the test shall be performed and the expense shall be borne by the owner or user of the boiler and the test shall be witnessed by the special inspector.

[14.9.4.20 NMAC - Rp, 14.9.4.20 NMAC, XX/XX/XXXX]

14.9.4.21 INSPECTION AND CERTIFICATE FEES:

A. Any insurance company licensed to sell boiler and pressure vessel insurance in this state and insuring a boiler located in the state shall inspect such boiler so insured. The inspector performing the inspection shall be certified as a national board commission inspector.

B. Equipment that has been inspected by a national board commission inspector may at any time be inspected by the mechanical bureau or local AHJ.

[14.9.4.21 NMAC - Rp, 14.9.4.21 NMAC, XX/XX/XXXX]

14.9.4.22 EMERGENCY EXITS:

A. Boilers shall be so located and so equipped that egress is provided to permit safe and quick escape of any person in case of emergency; this shall include suitable and sufficient permanent stairs or ladders from boiler

tops and elevated appurtenances and appliances which are located more than eight feet above the floor, walkway or platform nearest thereto, except water columns and gauge glasses.

B. Water columns or gauge glasses which are located over 10 feet above the floor or a walkway shall be provided with a suitable platform beneath them, which need not be provided with a permanent means of egress. [14.9.4.22 NMAC - Rp, 14.9.4.22 NMAC, XX/XX/XXXX]

14.9.4.23 UNSAFE INSPECTION CONDITIONS: Upon discovering any unsafe inspection conditions, it is the responsibility of the national board commission inspector to decline such inspection and the certificate of operation withheld until such time as the unsafe conditions have been eliminated. [14.9.4.23 NMAC - Rp, 14.9.4.23 NMAC, XX/XX/XXXX]

14.9.4.24 HYDROSTATIC TEST:

A. Whenever a boiler is subject to hydrostatic test required by these rules, the required test pressure may be at a pressure no more than the maximum allowable working pressure for the installation so tested, at the discretion of the national board commission inspector.

B. Re-rating of a boiler shall be subject to the requirement of the national board inspection code. The test pressure shall be under proper control so that in no case shall the required test pressure be exceeded by more than six percent.

[14.9.4.24 NMAC - Rp, 14.9.4.24 NMAC, XX/XX/XXXX]

14.9.4.25 PREPARATION OF BOILERS:

A. After timely notification, it shall be the responsibility of the owner or user to prepare the boiler for inspection. To prepare a boiler for internal inspection, all manhole plates, handhold plates, washout plugs and water column connection plugs shall be removed and the waterside thoroughly washed. Furnace, combustion chambers and tubes must be thoroughly cleaned and grates of internally-fired boilers, brickwork or other insulation material shall be removed to determine the condition of the shell furnace, mud drum, heads or any covered pressure part. The chamber of the low water fuel cutoffs shall be opened and the float or probes removed.

B. Any leakage of steam or hot water into the boiler shall be prevented by disconnecting the pipe or valve at the most convenient point or any appropriate means approved by the national board commission inspector. [14.9.4.25 NMAC - Rp, 14.9.4.25 NMAC, XX/XX/XXXX]

14.9.4.26 REMOVABLE INSULATION: If upon external inspection there is evidence of a leak or crack, enough of the covering of the boiler shall be removed as the national board commission inspector shall deem necessary to determine the safety of the boiler. If the covering cannot be removed at that time, the inspector may order the operation of the boiler suspended until such time as the covering can be removed and proper inspection made.

[14.9.4.26 NMAC - Rp, 14.9.4.26 NMAC, XX/XX/XXXX]

14.9.4.27 BOILERS NOT PROPERLY PREPARED: If a boiler has not been properly prepared for inspection as provided in these rules, the national board commission inspector may decline to make such inspection and the certificate of operation shall be withheld until the boiler has been properly prepared and inspected.

[14.9.4.27 NMAC - Rp, 14.9.4.27 NMAC, XX/XX/XXXX]

14.9.4.28 BOILERS FOUND TO BE UNSAFE TO OPERATE; NON-CODE COMPLIANT CONDITIONS:

A. If, upon inspection, a boiler is found to be in such condition that it is unsafe to operate, a red tag or the equivalent shall be attached to the boiler and the owner or user shall have an appropriate New Mexico licensed contractor make required repairs.

B. If, upon inspection, a non-code compliant condition is discovered, the national board commission inspector, a representative of the mechanical bureau, or local mechanical AHJ may:

(1) shut the vessel down until the condition is corrected and tag the equipment with a red tag or the equivalent; or

(2) tag the vessel with a yellow tag or the equivalent and allow the vessel to operate until the condition is corrected.

(3) An immediate appeal may be made if a boiler is found unsafe to the mechanical bureau chief before the boiler is stamped as provided in this rule.

(4) The decision of the bureau chief to shut a boiler or pressure vessel down may be appealed to the commission.

[14.9.4.28 NMAC - Rp, 14.9.4.28 NMAC, XX/XX/XXXX]

14.9.4.29 CONDEMNED BOILERS:

A. Any boiler which comes under these rules and having been inspected and declared condemned by a national board commission inspector shall, after notifying the mechanical bureau or local AHJ, be stamped by the special inspector.

B. The condemnation mark shall be a series of capital X's stamped over the boiler identification number (the manufacturer's tag serial number or national board number). Additionally, stamping shall consist of capital X's stamped on the nameplate and on a conspicuous place on the boiler proper; (i.e., NMXXXXXNM, on the drum, shell, tubesheet, etc.)

C. Any person, firm, partnership or corporation using or offering to sell a condemned boiler which comes under these rules for operation within the state shall be subject to the penalty provided in this rule.

[14.9.4.29 NMAC - Rp, 14.9.4.29 NMAC, XX/XX/XXXX]

14.9.4.30 REPORTS: When a national board commission inspector performs a first inspection of a boiler and finds that the boiler or any of the appurtenances thereof are in such condition that the insurance company refuses to insure such boiler, said inspection agency or said national board commission inspector shall notify the mechanical bureau or local AHJ of that fact in writing, with a list describing the defects so found, within 10 days of the inspection date, along with a phone call within 24 hours.

[14.9.4.30 NMAC - Rp, 14.9.4.30 NMAC, XX/XX/XXXX]

14.9.4.31 MAINTENANCE PROGRAMS AND IMPLEMENTATION:

A. The responsible party of the boiler or pressure vessel shall develop and implement a boiler and pressure vessel maintenance program in accordance with ASHRAE/ACCA 180.

B. Constant attendance of a boiler with automatic controls is not required, but shall be maintained and inspected in accordance with ASHRAE/ACCA 180 and this rule.

C. Any boiler that is not considered an automatic boiler and located in a publicly owned place of public assembly shall have a full-time, licensed boiler operator. The boiler operator shall not leave the operating floor for more than 10 minutes at any one time without leaving an on duty operator with the same classification as the boiler operator.

[14.9.4.31 NMAC - Rp, 14.9.4.31 NMAC, XX/XX/XXXX]

14.9.4.32 BOILER OPERATOR/CERTIFICATE OF COMPETENCE:

A. Pursuant to 60-13-38 CILA and LPG Act NMSA 1978, the New Mexico boiler operator classifications are listed below.

(1) Classification: boiler operator trainee:
(a) Experience: entry level position.
(b) Limitations: shall not operate any devices except under the direct observation of a boiler operator.

(2) Classification: boiler operator low pressure (BO1):
(a) Experience: six months operating experience on the type(s) of boiler plant to be licensed on, and pass the low pressure examination.
(b) Limitations: may operate steam boilers and direct-fired pressure vessels up to 15 psi, and hot water boilers up to 160 psi and may or may not have a temperature of 250 degrees fahrenheit.

(3) Classification: boiler operator low and high pressure (BO2):
(a) Experience: have at least six (6) months verifiable operating experience on the type(s) of boiler plant to be licensed on, and pass the prescribed examination.
(b) Limitations: may operate steam boilers and direct-fired pressure vessels up to 15 psi, and hot water boilers up to 160 psi and may or may not have a temperature of 250 degrees fahrenheit and may operate high-pressure boilers (15 psi and greater), steam boilers and direct-fired pressure vessels up to 15 psi, and hot water boilers up to 160 psi and 250 degrees fahrenheit, As per manufacture's instructions.

B. No state certificate of competence is required for a boiler operator trainee.

- C. A certificate of competence is required for boiler operators.
- D. In lieu of experience, alternative methods of training may be approved by the mechanical bureau chief. A certificate of competency will be issued upon successful completion of the appropriate examination.
[14.9.4.32 NMAC - Rp, 14.9.4.32 NMAC, XX/XX/XXXX]

14.9.4.33 OPERATION: No individual shall engage in the occupation of boiler operator at a publicly owned place of public assembly unless that person holds a certificate of competence issued by the division for the occupation of boiler operator.
[14.9.4.33 NMAC - Rp, 14.9.4.33 NMAC, XX/XX/XXXX]

14.9.4.34 REPAIRS BY INSPECTORS PROHIBITED: State inspectors, local inspectors, or national board commission inspectors shall not make any of the repairs they order to boilers.
[14.9.4.34 NMAC - Rp, 14.9.4.34 NMAC, XX/XX/XXXX]

14.9.4.35 REPAIRS/ALTERATIONS OF BOILERS AND SAFETY/SAFETY RELIEF VALVES:

- A. Repair organizations making repairs to boilers shall have an ASME qualified welders certificate or national board "R" stamp.
- B. All repairs of boilers shall be in compliance with these rules. A report of welder repair/alteration and the completed work may be subject to the approval of the insurance company insuring the unit. The mechanical bureau or local AHJ may make random field site inspections.
- C. Safety valves and safety relief valves shall be repaired only by organizations having a certificate of authorization code symbol stamp, ASME, "V", "HV", "UV", "NV" or a national board "VR" (repair of pressure relief valves) symbol stamp. Additionally, such repair firms when located within or doing business within the state of New Mexico shall be a properly licensed New Mexico contractor.
- D. No repair/alteration by welding shall be made without the approval of a national board commissioned inspector holding a valid national board commission. If the special inspector determines a hydrostatic test is required, such test shall be applied after the repair/alteration have been completed.
- E. A boiler shall be removed from service if a lap seam crack is discovered along a longitudinal riveted joint. Repairs are prohibited.
[14.9.4.35 NMAC - Rp, 14.9.4.35 NMAC, XX/XX/XXXX]

14.9.4.36 SALES BY INSPECTORS PROHIBITED: State inspectors, local inspectors, nor national board commissioned inspectors shall not sell or be interested in the sale directly or indirectly of articles or accessories used in the maintenance of boilers and steam equipment, to the owners of the boilers which they inspect.
[14.9.4.36 NMAC - Rp, 14.9.4.36 NMAC, XX/XX/XXXX]

14.9.4.37 [RESERVED]

14.9.4.38 SAFETY APPLIANCES:

- A. No person shall attempt to remove or do any work on any safety appliance prescribed by these rules while the appliance is subject to pressure.
- B. Should any safety appliance be removed for repair during an outage of a boiler, it must be reinstalled and in proper working order before the object is again placed in service.
- C. No person shall repair/alter any safety or safety relief valve or pressure-relief valves in any manner.
- D. Pursuant to this rule, the alteration of any safety device may be subject to a penalty assessed by the division, with approval by the commission.
[14.9.4.38 NMAC - Rp, 14.9.4.38 NMAC, XX/XX/XXXX]

14.9.4.39 SEVERABILITY: If any section, paragraph, clause or provision of these rules shall be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining sections, paragraphs, or provisions.
[14.9.4.39 NMAC - Rp, 14.9.4.39 NMAC, XX/XX/XXXX]

HISTORY OF 14.9.4 NMAC:

Pre-NMAC History: The material in this part was derived from that previously filed at the state records and archives center under:
CID-90-1 Amendment #6, Section 1400.00 Administrative, Section 14001.01, Authority, construction industries division rules and regulations, Section 60-13-6 and 60-13-9.K. of the New Mexico Construction Industries Division Licensing Act and LPG Act, 1978, and the Uniform Mechanical Code; Section 1400.02, Scope, Section 1401.00, definitions, construction industries division rules and regulations, filed September 16, 1993.

DRAFT