

SUBMITTAL OF TECHNICAL INQUIRIES TO THE TENNESSEE BOARD OF BOILER RULES

Chapter 0800-3-3

INTRODUCTION

(a) The Tennessee Board of Boiler Rules meets quarterly (first Wednesday in March, June, Sept. & Dec.) to consider Rule Cases and Rule interpretations to Rules of Tennessee Department of Labor and Workforce Development Division of Boiler and Elevator Inspection Board of Boiler Rules. This document provides guidance to the Rule users for submitting technical inquiries to the Board. Technical inquiries include requests for Rule Cases and Rule interpretations.

(b) Rule Cases may be issued by the Board when the need is urgent. Rule Cases clarify the intent of existing Rule requirements or provide alternative requirements. Rule Cases are written as a question and reply and are usually intended to be incorporated into the Rule at a later date. Rule interpretations provide the meaning of or the intent of existing rules in the Rule and are also presented as a question and a reply. Both Rule Cases and Rule interpretations are published by the Board.

(c) The Rules, Rule Cases, and Rule interpretations established by the Board are not to be considered as approving, recommending, certifying, or endorsing any proprietary or specific design or as limiting in any way the freedom of manufacturers or constructors to choose any method of design or any form of construction that conforms to the Rules.

(d) As an alternative to the requirements of this document, members of the Board, or Chief Boiler Inspector, may introduce requests for Rule Cases and Rule interpretations at their respective Board meeting or may submit such requests to the Secretary of the Board (Chief Boiler Inspector).

(e) Inquires that do not comply with the provisions of this document or that do not provide sufficient information for the Board's full understanding may result in the request being returned to the inquirer with no action

INQUIRY FORMAT

Submittals to the Board shall include:

- (a) *Purpose.* Specify one of the following:
- (1) Rule Case;
 - (2) Rule interpretation.

(b) *Background.* Provide the information needed for the Board's understanding of the inquiry, being sure to include reference to the applicable Rule section, paragraph, subparagraph, figures, calculations, and tables. Preferably, provide a copy of the specific referenced portions of the Rule.

(c) *Presentations.* The inquirer may desire or be asked to attend a meeting of the Board to make a formal presentation or to answer questions from the Board members with regard to the inquiry. Attendance at a Board meeting shall be at the expense of the inquirer. The inquirer's attendance or lack of attendance at a meeting shall not be a basis for acceptance or rejection of the inquiry by the Board.

RULE CASES

Requests for Rule Cases shall provide the following:

(a) *Statement of Need.* Provide a brief explanation of the need for the Rule Case.

(b) *Background.* Provide the information needed for the Board's understanding of the inquiry, being sure to include reference to the applicable Rule section, paragraph, subparagraph, figures, calculations, and tables. Preferably, provide a copy of the specific referenced portions of the Rule.

(c) *Question.* Provide a condensed and precise question, omitting superfluous background information, and, when possible, composed in such a way that a "yes" or a "no" *Reply*, possibly with brief provisos, is acceptable. The question should be technically and editorially correct.

(d) *Reply.* Provide a proposed *Reply* that will clearly and concisely answer the *Inquiry* question. Preferably, the *Reply* should be "yes" or "no" possibly with brief provisos.

RULE INTERPRETATION

Requests for Rule interpretations shall provide the following.

(a) *Inquiry.* Provide a condensed and precise question, omitting superfluous background information, and, when possible, composed in such a way that a "yes" or a "no" *Reply*, possibly with brief provisos, is acceptable. The question should be technically and editorially correct.

(b) *Reply*. Provide a proposed *Reply* that will clearly and concisely answer the *Inquiry* question. Preferably, the *Reply* should be “yes” or “no” possibly with brief provisos.

(c) *Background Information*. Provide any background information that will assist the Board in understanding the proposed *Inquiry* and *Reply*.

SUBMITTALS

Submittals to and responses from the Board shall meet the following:

(a) *Submittal*. Inquiries from Rule users shall be submitted forty-five (45) days prior to the next scheduled meeting, and preferably be submitted in typewritten form; however, legible handwritten inquiries will also be considered.

They shall include the name, address, telephone number, email address, and fax number, if available, of the inquirer and be mailed to the following address:

Chief Boiler Inspector
Tennessee Department of Labor and
Workforce Development
220 French Landing Drive
Nashville, Tennessee 37243

(b) *Response*. The Secretary (Chief Boiler Inspector) of the Board of Boiler Rules shall acknowledge receipt of each properly prepared inquiry and shall provide a written response to the inquirer upon completion of the requested action by the Board.