

**Boiler Advisory Board  
February 22, 2017  
Compliance Statistics**

	FY 2014 11/15/13 thru 08/31/14	FY 2015 09/01/14 thru 10/15/14	FY 2015 10/15/14 thru 03/02/15	FY 2015 03/02/15 thru 09/15/15	FY 2016 09/16/15 thru 12/01/15	FY 2016 12/02/15 thru 02/03/17
<b>Special Inspections</b>						
Total Special Inspections Conducted	372	74	112	173	117	4
ASME	195	42	94	152	56	234
National Board	157	37	91	143	60	258
State Issued Certificate of Authorization	1	3	2	2	1	11

	FY 2014 11/15/13 thru 08/31/14	FY 2015 09/01/14 thru 10/15/14	FY 2015 10/15/14 thru 03/02/15	FY 2015 03/02/15 thru 09/15/15	FY 2016 09/16/15 thru 12/01/15	FY 2016 12/02/15 thru 02/03/17
<b>Owner/Operator Requests and Notifications</b>						
Total Extensions Processed	1,337	307	886	809	391	2,444
Total Variances Processed	14	19	28	42	11	43
Total Re-Stampings Processed	7	8	14	13	8	5
Total Boiler Installation Reports Processed	491	106	404	750	680	1,903
Total Temporary Operating Boiler Permits Processed	/	/	/	/	/	521

	FY 2014 11/15/13 thru 08/31/14	FY 2015 09/01/14 thru 10/15/14	FY 2015 10/15/14 thru 03/02/15	FY 2015 03/02/15 thru 09/15/15	FY 2016 09/16/15 thru 12/01/15	FY 2016 12/02/15 thru 02/03/17
<b>Inspections Completed (includes Certificate Inspection as well as Non-Certificate Inspections)</b>						
Total Number of Boilers Inspected	24,224	3,782	10,441	17,370	6,980	37,971
Total Number of Boilers Inspected by TDLR	7,444	1,151	3,170	4,516	1,677	10,306
Total Number of Boilers Inspected by AIAs	16,780	2,631	7,271	12,854	5,303	27,665

<b>Active Boilers</b>	-	As of 10/15/14	As of 03/02/15	As of 09/15/15	As of 12/01/15	As of 02/03/17
Total Active Boilers	-	52,921	52,839	52,514	52,578	52,861
Total Boilers Assigned to TDLR	-	15,148	15,027	13,803	14,002	14,174
Total Boilers Assigned to AIAs	-	37,773	37,604	38,264	38,387	38,156
Total Pending Responsibility Change	-	0	208	447	189	531
Total Overdue Boilers	-	2,756	1,814	1,651	1,060	1,584
Total Overdue Boilers Assigned to TDLR	-	289	100	65	71	150
Total Overdue Boilers Assigned to AIAs	-	2,467	1,698	1,561	980	1,394
Total Overdue Boilers Pending Responsibility Change	-	0	16	25	9	40
Total Boilers Assigned to AIA Under Rule §65.91	-	-	-	-	-	165

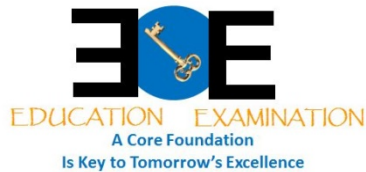
Total Special Inspections conducted does not equal total combined ASME, National Board and Owner/Operator Special Investigations.

AIA= Authorized Inspection Agency

# Boiler Advisory Board

## Education and Examination Division

February 22, 2017



### Personnel Updates

#### Newest Members of Our Team

Please join us in welcoming Roy Cantu and Lance Caroland to the Education & Examination family.

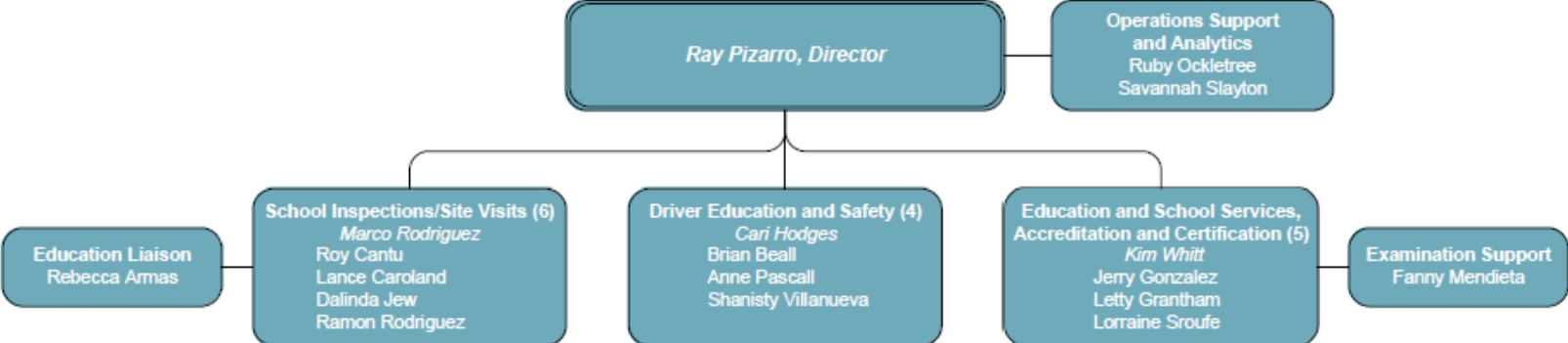


Roy has worked a number of years in a school environment. His most recent responsibilities were the oversight of a Cosmetology School as the Executive Director. Roy is bilingual and has an Instructor License in the Cosmetology industry.



Please join us in welcoming our new Education Inspector, Mr. Lance Caroland. In the last 5 years, Lance has been a Field Inspector with the Field Operations Division. Prior to TDLR he worked for Parks and Wildlife coordinating public educational programs for schools and for state parks. With his inspection/education background, Lance will be a huge asset for E&E and our licensees.

# Education and Examination (18)



## Examination Statistics

FY 2017 ALL		SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	TOT
BLR	Pass	0	2	0	2	1			1				0				0	3
	Fail	0	2	0	2	0			0				0				0	2
	Subtotal	0	4	0	4	1	0	0	1	0	0	0	0	0	0	0	0	5
	Rate	0.0%	50.0%	0.0%	50.0%	100.0%	0.0%	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	60.0%
	No Show	0	0	0	0	0			0				0				0	0
	Total	0	4	0	4	1	0	0	1	0	0		0	0	0	0	0	5

FY2016		SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	TOT
BLR	Pass	2	1	1	4	2	1	2	5	1	1	1	3	1	1	1	3	15
	Fail	0	0	0	0	0	1	1	2	1	0	0	1	0	0	1	1	4
	Subtotal	2	1	1	4	2	2	3	7	2	1	1	4	1	1	2	4	19
	Rate	100.0%	100.0%	100.0%	100.0%	100.0%	50.0%	66.7%	71.4%	50.0%	100.0%	100.0%	75.0%	100.0%	100.0%	50.0%	75.0%	78.9%
	No Show	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Total	2	1	1	4	2	2	3	7	2	1	0	4	1	1	2	4	19

FY 2015 ALL		SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	TOT
BLR	Pass	3	0	1	4	0	0	0	0	0	0	0	0	1	1	0	2	6
	Fail	2	2	0	4	0	0	0	0	1	0	0	1	0	1	0	1	6
	Subtotal	5	2	1	8	0	0	0	0	1	0	0	1	1	2	0	3	12
	Rate	60.0%	0.0%	100.0%	50.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%	50.0%	0.0%	66.7%	50.0%
	No Show	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Total	5	2	1	8	0	0	0	0	1	0	0	1	1	2	0	3	12

## **BOARD OF BOILER RULES**

### **Enforcement Division Staff Report**

**February 22, 2017**

- On November 16, 2015, an Agreed Order was entered into against Boiler Inspector Eddie McAbee in the amount of \$500 and a one (1) year probated suspension. Mr. McAbee submitted to the Department inspection reports that had been falsified. The two inspection reports that he submitted were for boilers that had been removed from the inspection location approximately three (3) years prior to the inspection. Respondent admitted to submitting the two false reports.
- On February 9, 2016, a Default Order was entered into against owner/operator Hai Nguyen in the amount of \$3,000. Mr. Nguyen was issued an NOAV for failing to pay invoices for its fire tube equipment in 2006, 2007, 2010, and 2014. Mr. Nguyen did not respond to the NOAV or the Notice of Default. His lack of response resulted in the Default Order being issued for the full \$3,000 penalty assessed by the NOAV. As of this date, Mr. Nguyen has not made payment on the Default Order.
- On March 28, 2016, an Agreed Order was entered into against owner/operator Douglas Spain in the amount of \$3,000. Mr. Spain was found to be operating a boiler that did not qualify for a current certificate of operation. Mr. Spain leased a boiler that was classified as “junked” and denied re-stamping. Mr. Spain agreed to settle the case for \$3,000 and has fulfilled payment on that penalty.
- On July 8, 2016, an Agreed Order was entered into against owner/operator Phuc Le in the amount of \$1,500. Mr. Lee was found to have failed to comply with the order of an inspector. After an annual inspection, the inspector red tagged the boiler at Mr. Lee’s place of business and was ordered not to operate the boiler again until necessary repairs were made. Approximately two days later the same inspector conducted a follow up inspection where inspector found the boiler hot to the touch. Respondent was assessed a \$1,500 penalty and that entire amount has been collected.
- On September 19, 2016, an Agreed order was entered into against Boiler Inspector Eddie McAbee in the amount of \$1,500 and a full one (1) suspension of his license. Mr. McAbee performed inspections and submitted inspection reports while not having a valid commission as an authorized inspection in Texas. As a result of this violation, Mr. McAbee also was in violation of his previous agreed order with where his license was on a probated suspension. Therefore, in addition to the administrative penalty of \$1,500, Mr. McAbee’s license was fully suspended for one (1) year.

### **Key Statistics – Fiscal Year 2016**

Shown below are key statistics for the Boilers program and for all TDLR programs combined for Fiscal Year 2016.

<b><u>Statistic</u></b>	<b><u>BLR</u></b>	<b><u>TDLR</u></b>
• Number of cases opened:	6	11,305
• Number of cases resolved:	8	12,314
• Number of Agreed Orders:	4	2,391
• Total amount of penalties assessed:	\$8,500	\$5,743,465
• Total amount of penalties collected:	\$5,500	\$2,749,020

### **Key Statistics – Fiscal Year 2017**

Shown below are key statistics for the Boilers program and for all TDLR programs combined through December of Fiscal Year 2017.

<b><u>Statistic</u></b>	<b><u>BLR</u></b>	<b><u>TDLR</u></b>
• Number of cases opened:	10	3,939
• Number of cases resolved:	6	3,636
• Number of Agreed Orders:	1	708
• Total amount of penalties assessed:	\$1,500	\$1,772,495
• Total amount of penalties collected:	\$1,500	\$632,429

**Board of Boiler Rules**  
**February 22, 2017**  
**Boiler Inspectors & Objects**  
**Licensing Statistics**

	<b>FY '17 As of 2/01/17</b>	<b>FY ' 16 As of 11/30/15</b>	<b>FY '15 As of 08/31/15</b>	<b>FY ' 15 As of 02/28/15</b>	<b>FY '15 As of 10/15/14</b>
<b>INSPECTORS</b>					
ASME ONLY	68	103	101	90	105
INSERVICE ONLY	94	114	114	118	123
COMBINATION	32	6	41	39	43
<b>TOTAL</b>	<b>194</b>	<b>223</b>	<b>256</b>	<b>247</b>	<b>271</b>

	<b>FY '17 9/1/16 - 1/31/17</b>	<b>FY ' 16 As of 11/30/15</b>	<b>FY '15 As of 08/31/15</b>	<b>FY 2015 As of 02/28/2015</b>	<b>FY 2015 As of 10/15/14</b>
<b>BOILER EQUIPMENT</b>					
Total Boilers Insured	14	14,085	39,755	38,856	38,826
Total Boilers Uninsured	39,748	39,671	13,945	15,124	15,247
<b>Total Boilers Registered</b>	<b>54,019</b>	<b>53,756</b>	<b>53,700</b>	<b>53,980</b>	<b>54,073</b>

	<b>FY '17 9/1/16 - 1/31/17</b>	<b>FY ' 16 09/01/15 thru 11/30/15</b>	<b>FY '15 03/01/15 thru 08/31/15</b>	<b>FY 2015 11/01/2014 thru 02/28/2015</b>	<b>FY 2015 09/01/14 thru 10/15/14</b>
<b>CERTIFICATES &amp; REGISTRATIONS</b>					
New Object Inspections	1,320	864	1,529	920	467
Subsequent Inspections	9,294	6,031	13,235	6,934	3,283
New Certificates Issued	1,227	779	1,226	838	437
Subsequent Certificates Issued	9,301	6,259	10,893	6,344	3,144
Total Certificates Issued	10,537	7,053	12,145	7,195	3,609
Insurance Changes	11,648	6,884	12,852	6,555	2,529
Violations Issued	2,616	1,201	1,831	801	622
Violations Cleared	2,049	978	1,368	856	