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**OFFICE OF THE LIEUTENANT GOVERNOR  
ALASKA**

**M E M O R A N D U M**

**TO:** Becky Weimer  
Department of Labor and Workforce Development

**FROM:** April Simpson, Office of the Lieutenant Governor   
465.4081

**DATE:** March 25, 2020

**RE:** Filed Permanent Regulations: Department of Labor and Workforce Development

Department of Labor and Workforce Development regulations re: updates to minimum plumbing standards, elevator safety standards, boiler and pressure vessel standards, and pressure relief testing valve standards (8 AAC 63.010; 8 AAC 77.005; 8 AAC 80)

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Attorney General File:	2019200855
Regulation Filed:	3/25/2020
Effective Date:	4/24/2020
Print:	234, July 2020

cc with enclosures: Harry Hale, Department of Law  
Judy Herndon, LexisNexis

ORDER ADOPTING CHANGES TO REGULATIONS  
OF DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT

The attached 14 pages of regulations, dealing with uniform plumbing code, safety code for elevators and escalators, boiler and pressure vessel code and API pressure relief testing valve standards, are adopted and certified to be a correct copy of the regulation changes that the Department of Labor and Workforce Development adopts under the authority of AS 05.20.070, AS 18.60.800, AS 18.62.060 and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

In considering public comments, the Department of Labor and Workforce Development paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes adopted under this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

Date: 2-18-20

  
\_\_\_\_\_  
Dr. Tamika L. Ledbetter

FILING CERTIFICATION



I, Kevin Meyer, Lieutenant Governor for the State of Alaska, certify that on

March 25, 2020, at 9:49 A.m., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.

  
for Lieutenant Governor Kevin Meyer

Effective: April 24, 2020.

Register: 234, July 2020

**FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY**

**I, KEVIN MEYER, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA,  
designate the following state employees to perform the Administrative Procedures Act  
filing functions of the Office of the Lieutenant Governor:**

**Josh Applebee, Chief of Staff  
Kady Levale, Notary Administrator  
April Simpson, Regulations and Initiatives Specialist**

**IN TESTIMONY WHEREOF, I have  
signed and affixed the Seal of the State of  
Alaska, in Juneau, on December 11th,  
2018.**



*K. Meyer*  
.....

**KEVIN MEYER  
LIEUTENANT GOVERNOR**

8 AAC 63.010 is repealed and readopted to read:

**8 AAC 63.010. Minimum plumbing standards.** <sup>(a)</sup> The codes set out in this section are adopted in accordance with AS 18.60.705 as the minimum plumbing standards to be followed throughout the state. The Department of Labor and Workforce Development adopts the following codes by reference that are published by the International Association of Plumbing and Mechanical Officials (IAPMO):

(1) *Uniform Plumbing Code*, 2018 Edition, Sections 101.0 – 103.2, 103.3.1 – 103.4, 105.0 – 105.2.2, and 105.3 – 106.6 of chapter 1, chapters 2 <sup>(lower case))</sup> through 10, chapter 11 excluding the requirements of section 1101.5, chapters 12 through 17, and appendices A through L, with the following revisions:

(A) Section 1210.2.3 (prohibited locations), of the *Uniform Plumbing Code* is amended by adding section 1210.2.3.1 to read: “1210.2.3.1. Liquefied petroleum gas piping <sup>may</sup> shall not serve any gas fired appliance located in a pit or basement where heavier than air gas might collect to form a flammable mixture.” <sup>3</sup>

(B) Section 612.2 (types of systems) of the *Uniform Plumbing Code* is revised to read: “This section shall apply to multipurpose wet-pipe sprinkler systems that do not include the use of antifreeze. Stand-alone sprinkler systems are not subject to the <sup>remaining</sup> provisions of this section. A multipurpose fire sprinkler system shall provide potable water to both fire sprinklers and plumbing fixtures. A stand-alone sprinkler system shall be separate and independent from the potable water distribution system and must have a backflow preventer to separate it from the potable water distribution system.” <sup>3</sup> <sup>(etc.))</sup>

(2) *Uniform Swimming Pool, Spa and Hot Tub Code*, 2018 edition, paragraphs <sup>sections</sup> 101.0 – 103.2, 103.3.0, 103.4, 105.3 – 106.6, chapters 2 through 10, and appendices A through C;

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(3) *Uniform Solar, Hydronics and Geothermal Code*, 2018 edition, <sup>sections</sup> paragraphs

101.0 – 103.2, 103.4, 105.2 – 105.2.2, 105.3 – 106.6, chapters 2 <sup>2</sup> through 12, and appendices A through C. (Eff. 8/5/72, Register 43; am 7/12/81, Register 79; am 11/1/2000, Register 156; am 9/25/2002, Register 163; am 12/6/2003, Register 168; am 9/27/2008, Register 187; am 2/23/2011, Register 197; am 10/23/2014, Register 212; am 3/6/2016, Register 217 <sup>#</sup> am 11/5/2017, Register 224; am 4/24/2020, Register 234)

**Authority:** AS 18.60.705 AS 18.60.710

**Editor's note:** Copies of the codes adopted by reference in 8 AAC 63.010 are available at the International Association of Plumbing and Mechanical Officials, 4775 E. Philadelphia Street, Ontario, CA 91761-2816. In addition, the codes are available for inspection at the Lieutenant Governor's Office, Juneau, Alaska.

As of Register 151 (October 1999), the regulations attorney made technical revisions under AS 44.62.125(b)(6) to reflect the name change of the Department of Labor to the Department of Labor and Workforce Development made by ch. 58, SLA 1999 and the corresponding title change of the commissioner of labor.

*"Publisher": No changes to existing editor's note after 8 AAC 63.010 -- leave as is."*

The introductory language of

8 AAC 77.005 is amended to read:

**8 AAC 77.005. Elevator safety standards code.** (a) The minimum elevator safety

standards applicable to elevators, escalators, and similar devices in the state are set out in the following editions of safety codes for elevators, escalators, platform lifts and stairway chairlifts, published by the American Society of Mechanical Engineers (ASME), and are adopted by reference:

*The introductory language of 8 AAC 77.005(1) is amended to read:*  
(1) the *Safety Code for Elevators and Escalators*, **2016 edition (ASME A17.1-**

2016) [2013 edition (ASME A17.1-2013)],

« Publisher: The existing introductory language of 8 AAC 77.005(1)(A) is unchanged. »

(A) with the following revisions:

8 AAC 77.005(1)(A)(i) is amended to read:

(i) Section 2.2.2.3 is amended by replacing the existing language to

read:

“2.2.2.3. For pits subject to the periodic accumulation of ground

water, a permanent drain or sump pump shall be installed. For pits not subject to

the periodic accumulation of ground water, **as determined by the authority**

**having jurisdiction**, the permanent installation of a drain or sump pump is not

required, unless required by section 2.2.2.5.”;

The introductory language of 8 AAC 77.005(3) is amended to read:

8 AAC 77.005(3)(A)(iii) is amended to read:  
(iii) Section 10.2.1 is revised by replacing the existing language to read:

“10.2.1 Inspection and Test Periods. The

(3) the *Safety Standard for Platform Lifts and Stairway Chairlifts*, **2017 edition**

**(ASME A18.1-2017)** [2014 EDITION (ASME A18.1-2014)],

of vertical platform lifts, inclined platform lifts, and inclined

stairway chairlifts will be conducted in accordance with 8 AAC 77.025(a) [8 AAC 77.025(a)].”;

8 AAC 77.005(4) is amended to read:

(4) the *Guide for Inspection of Elevators, Escalators, and Moving Walks*, **2017**

**edition (ASME A17.2-2017)** [2012 EDITION (ASME A17.2-2012)];

8 AAC 77.005(5) is amended to read:

(5) the *Standard for Elevator Suspension, Compensation, and Governor Systems*,

**2017 edition (ASME A17.6-2017)** [(ASME A17.6-2010)];

8 AAC 77.005(6) is amended to read:

(6) the *Performance-Based Safety Code for Elevators and Escalators*, 2007 edition (ASME A17.7-2007). (Eff. 10/21/79, Register 72; am 10/21/92, Register 124; am 12/17/99, Register 152; am 9/25/2002, Register 163; am 6/14/2006, Register 178; am 2/23/2011, Register 197; am 10/16/2012, Register 204; am 10/23/2014, Register 212; am 3/6/2016, Register 217; am 4/24/2020, Register 234)

**Authority:** AS 18.60.800

8 AAC 80.010 is repealed and readopted to read:

**8 AAC 80.010. Boiler and pressure vessel construction code.** (a) The department adopts by reference the following sections of the 2013 edition of the American Society of Mechanical Engineers' *Boiler and Pressure Vessel Code* (ASME code) as interpreted as of July 1, 2013:

- (1) Section I, Rules for Construction of Power Boilers;
- (2) Section II, Materials;
- (3) Section IV, Rules for Construction of Heating Boilers;
- (4) Section V, Nondestructive Examination;
- (5) Section VI, Recommended Rules for Care and Operation of Heating Boilers;
- (6) Section VII, Recommended Guidelines for the Care of Power Boilers;
- (7) Section VIII, Rules for Construction of Pressure Vessels;
- (8) Section IX, Welding, Brazing, and Fusing Qualifications;
- (9) Section X, Fiber Reinforced Plastic Pressure Vessels.

(b) The department adopts by reference ~~the 2014 edition of~~ the American Petroleum ~~Institutes~~ <sup>328</sup> *Pressure Vessel Inspection Code: In-Service Inspection, Rating, Repair, and*

10th edition, May 2014, with Addendum 1, May 2017, and Addendum 2, March 2018

Alteration, ~~Fifth Edition~~ (API 510).

«no italics»

(c) Canadian registration number (CRN) vessels that are designed and constructed in conformance with the *ASME Code*, but do not bear the ASME symbol, will be approved for use upon receipt of the manufacturer's data sheet.

(d) A boiler or pressure vessel fabricated for installation in this state in accordance with AS 18.60.180 – 18.60.390 must bear a National Board of Boiler and Pressure Vessel Inspectors registration number. Cast iron heating boilers are exempt from the requirements of this subsection. (In effect before 7/28/59; am 4/22/73, Register 45; am 11/22/75, Register 56; am 6/11/78, Register 66; am 5/12/82, Register 82; am 6/21/84, Register 90; am 10/21/92, Register 124; am 12/17/99, Register 152; am 11/1/2000, Register 156; am 9/25/2002, Register 163; am 6/14/2006, Register 178; am 9/27/2008, Register 187; 10/16/2012, Register 204; am 10/23/2014, Register 212; am 4/24/2020, Register 234 )

**Authority:** AS 18.60.180

**Editor's note:** The American Society of Mechanical Engineers' *Boiler and Pressure Vessel Code*, and the American Petroleum Institutes' <sup>3e</sup> *Pressure Vessel Inspection Code: In-Service Inspection, Rating, Repair, and Alteration, Fifth Edition*, adopted by reference in 8 AAC 80.010, are available for public review at the Mechanical Inspection Section,

Division of Labor Standards and Safety, Department of Labor and Workforce Development,

[330] EAGLE STREET, SUITE 302 [995031]  
1251 Muldoon Rd, Suite 113, Anchorage, AK 99504; telephone (907) 269-4925, and

may be obtained by contacting the American Society of Mechanical Engineers, Three Park Avenue, New York, NY 10016; telephone: (800) 843-2763; facsimile: (973) 882-1717; Internet address: http://www.asme.org or the American Petroleum Institute, 200 Massachusetts Avenue NW, Suite 1100, Washington, DC 20001-5571; telephone (202) 682-8000.

As of Register 151 (October 1999), the regulations attorney made technical revisions under AS 44.62.125 (b)(6) to reflect the name change of the Department of Labor to the Department of Labor and Workforce Development made by ch. 58, SLA 1999 and the corresponding title change of the commissioner of labor.

8 AAC 80.060(b) is amended to read:

(b) The state vessel number shall be affixed as follows:

(1) except as provided in (2) of this subsection, a steel boiler or unfired pressure vessel will be stamped, preferably on the nameplate, with at least five-sixteenths-inch numbers; the stamping must be plainly visible and easily read; [IF A HIGH-PRESSURE UNFIRED VESSEL IS IN SERVICE, AN IDENTIFICATION TAG PROVIDED BY THE DEPARTMENT MAY BE USED UNTIL THE VESSEL NAMEPLATE CAN BE PROPERLY STAMPED;]

(2) paint marker pens [ MARKING PENCILS ] may be used if they are designed to make notations that are permanent and readable; the state vessel number must be placed above or below the manufacturer's information nameplate.

(3) during the initial inspection and each subsequent periodic inspection,

(A) the responsible inspector shall affix an inspection tag provided by the department;

(B) the inspection tag must set out

(i) the state vessel number;

(ii) the name of the responsible inspector;

(iii) the responsible inspector's identification number as it appears

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*(delete one (excess) space))*  
on the card issued under 8 AAC 80.040, if the responsible inspector is a special inspector; and

(iv) the month and year in which the inspection was performed; and

(C) the inspection tag must be replaced at each subsequent periodic inspection. (Eff. 6/21/84, Register 90; am 10/21/92, Register 124; 10/16/2012, Register 204; am 4/24/2020, Register 234)

**Authority:** AS 18.60.180

8 AAC 80.070(a) is amended to read:

*(delete one (excess) space))*  
(a) An automatically fired steam boiler must be equipped with an automatic low-water fuel cutoff **with manual reset**.

~~(b) An automatically fired hot water heating or hot water supply boiler that exceeds an input of 400,000 Btu per hour must be equipped with an automatic low water fuel cutoff or a loss of flow switch, as appropriate for the heater or boiler.~~ (Eff. 6/21/84, Register 90; am

12/17/99, Register 152; am 4/24/2020, Register 234)

**Authority:** AS 18.60.180

*cc Publisher: Existing  
8 AAC 80.070(b) is  
unchanged*

8 AAC 80.110 is amended by adding a new subsection to read:

(An operator)  
(c) Operators with a verified testing and inspection program, and certified under the

standards of *Pressure Vessel Inspection Code: In-service Inspection, Rating, Repair, and Alteration* (API 510), (and adopted by reference in 8 AAC 80.010.) as published by the American Petroleum Institute, may perform testing at

intervals consistent with that standard. (Eff. 6/21/84, Register 90; am 4/24/2020, Register 234)

**Authority:** AS 18.60.180

Re Publisher: Existing 8 AAC 80.130  
is unchanged. »»

8 AAC 80.130 is amended to read:

**8 AAC 80.130. Requirements for boiler operator license.** (a) An applicant for a boiler operator license must submit documented proof, on a notarized form provided by the department or by notarized statements on letterhead stationery from employers, of qualifications for the respective license category as follows:

(1) fireman – no experience required;

(2) third class – at least

(A) 40 hours of classroom training and three months' experience in the operation, maintenance, or repair of boilers; or

(B) six months' experience in the operation, maintenance, or repair of boilers;

(3) second class – at least

(A) six months' experience in the operation, maintenance, or repair of boilers in the size range of 3,500 pounds of steam an hour to 100,000 pounds of steam an hour while holding a third class license; or

(B) 12 months' experience in the operation, maintenance, or repair of boilers having a size equal to or greater than 100,000 pounds of steam an hour;

(4) first class – at least

(A) 12 months' experience in the operation, maintenance, or repair of boilers having a size equal to or greater than 100,000 pounds of steam an hour while holding a second class license; or

(B) 24 months' experience in the operation, maintenance, or repair of

*((( Publisher: Existing 8 AAC 80.130 is unchanged. )))*

~~boilers having a size equal to or greater than 100,000 pounds of steam an hour~~

(b) An examination will be given upon approval of an application. If the applicant fails the examination, the applicant must wait 30 days before reexamination.

(c) A license is valid for three years and is renewable upon request by contacting the Anchorage office of the department. (Eff. 6/21/84, Register 90; am 6/14/2006, Register 178; am 9/27/2008, Register 187; am 10/16/2012, Register 204; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

~~Authority: AS 18.60.180 AS 18.60.395~~

*((( Publisher: Please make the changes indicated to the editor's note after 8 AAC 80.130. )))*

**Editor's note:** For the purposes of 8 AAC 80, the Anchorage office of the department

can be contacted at Mechanical Inspection Section, Division of Labor Standards and Safety,

Department of Labor and Workforce Development, 1251 Muldoon Rd, Suite 113

[3301 EAGLE STREET, SUITE 302], Anchorage, AK 99504 [99503]; telephone: (907)

269-4925.

*((( Publisher: Existing 8 AAC 80.900(a)(1) - (12) are unchanged. )))*

~~8 AAC 80.900 is amended to read:~~

**8 AAC 80.900. Definitions.** (a) In this chapter and in AS 18.60.180 – 18.60.395, unless the context requires otherwise

(1) "alteration" means a change in any item described on the original manufacturer's data report which affects the pressure capability of a boiler or unfired pressure vessel, and includes, for example, a non-physical change such as an increase in the maximum allowable working pressure (internal or external) or design temperature of a boiler or unfired pressure vessel, and a reduction in minimum temperature such that additional mechanical tests are required;

~~(2) "ASME Code" means the American Society of Mechanical Engineers Boiler~~

(Publisher: Existing 8 AAC 80.900(a)(1) - (12) are unchanged.)  
And Pressure Vessel Code, adopted by reference in 8 AAC 80.010;

(3) "boiler" means a closed vessel in which water or other vaporizing fluids are heated, steam is generated, steam is superheated, or a combination of these processes occurs, under pressure or vacuum, for use external to the vessel by the direct application of heat; "boiler" includes fired units for heating or vaporizing liquids other than water where these units are separate from processing systems and complete within themselves; "boiler" also means a

(A) power boiler – a boiler in which steam or other vapor is generated at a pressure of more than 15 psi for use external to itself;

(B) miniature boiler – a power boiler or high-temperature water boiler that does not exceed the following limits:

- (i) 16 inches inside diameter of shell;
- (ii) 20 square feet heating surface; this sub-subparagraph is not applicable to electric boiler;
- (iii) five cubic feet gross volume exclusive of casing and insulation; and
- (iv) 100 psi maximum allowable working pressure;

(C) waste heat boiler – an unfired pressure vessel or system of unfired pressure vessels intended for the purpose of producing and controlling an output of thermal energy;

(D) steam heating boiler – a boiler designed to convert water into steam that is supplied to an external space heating system;

~~(E) hot water heating boiler – a boiler designed to heat water for~~

*All Publications: Existing 8 AAC 80.900(a)(1) - (12) are unchanged. ))*

*9* circulation through an external space heating system;

(F) hot water supply boiler – a boiler used to heat water for purposes other than space heating;

(G) portable boiler – a boiler which is primarily intended for temporary location and the construction and usage of which permits it to be readily moved from one location to another;

(H) electric boiler – a power boiler or a high-temperature water boiler in which the source of heat is electricity; and

(I) high-temperature water boiler – a water boiler intended for operation at pressures in excess of 160 psi or temperatures in excess of 250 degrees Fahrenheit;

(4) “certificate of inspection” means a certificate issued by the department for the operation of a boiler or unfired pressure vessel, as required by AS 18.60.340 and 18.60.390;

(5) “chief inspector” means the individual who is in charge of boiler and pressure vessel inspections in the mechanical inspection section of the division of labor standards and safety in the department;

(6) “commissioner” means the commissioner of Labor and Workforce Development;

(7) “department” means the Alaska Department of Labor and Workforce Development;

(8) “director” means the director of the labor standards and safety division of the department, or his or her designee;

*« Publisher: Existing 8 AAC 80.900(a)(1) - (12) are unchanged. »*

~~(9) "discharge capacity" means the discharge capacity of safety or safety relief valves in terms of Btu's or pounds per hour;~~

(10) "external inspection" means an inspection made when a boiler or unfired pressure vessel is in operation;

(11) "internal inspection" means as complete an examination as can reasonably be made of the internal and external surfaces of a boiler or unfired pressure vessel while it is shut down, with manhole plates, handhole plates or other inspection opening closures removed as required by the inspector;

(12) "owner or user" means any person that is legally responsible for the safe installation, operation, and maintenance of a boiler or unfired pressure vessel within the state;  
*8 AAC 80.900(a)(13) is amended to read:*

(13) "pressure vessel" means a vessel in which the pressure is obtained from an external source, or by the application of heat from an indirect source, or from a direct source other than those boilers defined in (3) of this <sup>(subsection)</sup> section;

~~(14) "psi" means pounds per square inch;~~

*« Publisher: Existing 8 AAC 80.900(a)(14) - (d) are unchanged »*

(15) "repair" means the work necessary to restore a boiler or unfired pressure vessel to a safe and satisfactory operating condition, in accordance with the provisions of the NBIC;

(16) "NB" means the National Board of Boiler and Pressure Vessel Inspectors;

(17) "NBIC" means the *National Board Inspection Code Manual for Boiler and Pressure Vessel Inspectors*, as adopted in AS 18.60.315;

(18) "R stamp" means the repair stamp issued by the National Board of Boiler and Pressure Vessel Inspectors for the repair of boilers or pressure vessels;

~~(19) "VR stamp" means the safety or safety relief valve repair stamp issued~~

at Publisher: Existing 3 AAC 80.900(a)(14) - (d) are unchanged.  
~~by the National Board of Boiler and Pressure Vessel Inspectors;~~

(20) "automatic utility hot water heater" means a vessel in which potable water is heated by the combustion of fuel, by electricity, or by any other source, and withdrawn for external use;

(21) "Btu" means British thermal unit;

(22) "control copy" means a quality system manual described in the *NBIC*, RA 2151(e);

(23) "deputy inspector" means an employee of the department assigned by the department chief inspector to conduct inspections under this chapter;

(24) "kPa" means kilopascal;

(25) repealed 9/25/2002;

(26) "special inspector" means an individual commissioned under AS 18.60.240 and 8 AAC 80.040 to perform inspections under this chapter;

(27) "approved inspector" means an employee of the department appointed by the commissioner and approved by the director to perform inspections of cast iron boilers and domestic hot water heaters under AS 18.60.180 – 18.60.395 and this chapter;

(28) "National Board" has the same meaning given for the term "NB" in this section;

(29) "combination boiler-water heater unit" means a water heating device that combines the function of an automatic utility hot water heater and a space heating boiler in a single unit.

(b) As used in AS 18.60.210(a)(5), "inside diameter not exceeding six inches" means having a cross sectional area no greater than 28.26 square inches.

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*in Publisher: Existing 8 AAC 80.900(a)(14) - (d) are unchanged >>>*

~~(c) As used in AS 18.60.210(a)(2), "unfired pressure vessels" means portable "DOT"~~

~~stamped pressure vessels used for the shipment of liquids or gases under pressure.~~

~~(d) As used in AS 18.60.210(a)(6), "place of public assembly" has the same meaning~~

~~given "public structures" in AS 18.60.660. (Eff. 6/21/84, Register 90; am 10/21/92, Register~~

~~124; am 12/17/99, Register 152; am 11/1/2000, Register 156; am 9/25/2002, Register 163; am~~

~~12/6/2003, Register 168; am 9/27/2008, Register 187 am 2/23/2011, Register 197; am~~

4/24/2020, Register 234)

**Authority:** AS 18.60.180 AS 18.60.315

**Editor's note:** For the purposes of 8 AAC 80, the Anchorage office of the Department of Labor and Workforce Development can be contacted at Mechanical Inspection Section, Division of Labor Standards and Safety, Department of Labor and Workforce Development, **1251 Muldoon Rd, Suite 113** [3301 EAGLE STREET, SUITE 302], Anchorage, AK **99504** [99503]; **telephone:** [PHONE:] (907) 269-4925.

As of Register 151 (October 1999), the regulations attorney made technical revisions under AS 44.62.125 (b)(6) to reflect the name change of the Department of Labor to the Department of Labor and Workforce Development made by ch. 58, SLA 1999 and the corresponding title change of the commissioner of labor.

As of Register 204 (January 2013), the regulations attorney made a technical revision under AS 44.62.125(b)(6), to the definition of "ASME Code" in 8 AAC 80.900(a).

# MEMORANDUM

## State of Alaska Department of Law

**To:** The Honorable Kevin Meyer  
Lieutenant Governor

**Thru:** Susan R. Pollard *SRP*  
Chief Assistant Attorney General  
and Regulations Attorney  
Legislation and Regulations Section

**From:** Steven C. Weaver *SCW*  
Senior Assistant Attorney General  
Legislation and Regulations Section

**Date:** March 20, 2020

**File No.:** 2019200855

**Tel. No.:** 465-3600

**Re:** Department of Labor and Workforce  
Development regulations re: updates  
to minimum plumbing standards,  
elevator safety standards, boiler and  
pressure vessel standards, and  
pressure relief testing valve standards  
8 AAC 63.010; 8 AAC 77.005;  
8 AAC 80)

The Department of Law has reviewed the attached regulations of the Department of Labor and Workforce Development against the statutory standards of the Administrative Procedure Act. Based upon our review, we find no legal problems. This memorandum constitutes the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulations. The regulations were adopted by the Department of Labor and Workforce Development after the close of the public comment period. The regulations concern updates to minimum plumbing standards, elevator safety standards, boiler and pressure vessel standards, and pressure relief testing valve standards. The regulations also include a few technical clean-ups. We note that the attached adopted regulations no longer include text, set out in the earlier proposed regulations, to eliminate the apprenticeship registration requirement for plumbing and electrical trainees and to add new sections on student trainee certificates of fitness.

The December 10, 2019 public notice and the February 18, 2020 adoption order both state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.195 is not required.

Honorable Kevin Meyer, Lieutenant Governor  
File No. 2019200855

March 20, 2020  
Page 2 of 2

We have made some technical corrections to conform the regulations in accordance with AS 44.62.125. The corrections are shown on the attached copy of the regulations.

SCW

cc w/enc: Hon. Dr. Tamika L. Ledbetter, Commissioner  
Department of Labor and Workforce Development

Becky Weimer, Regulations Contact  
Department of Labor and Workforce Development

Charles E. Brasington, Assistant Attorney General  
Labor and State Affairs Section

NOTICE OF PROPOSED CHANGES ON UNIFORM PLUMBING CODE, SAFETY CODE  
FOR ELEVATORS AND ESCALATORS, BOILER AND PRESSURE VESSEL CODE AND  
API PRESSURE RELIEF TESTING VALVE STANDARDS IN THE REGULATIONS OF  
THE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT

BRIEF DESCRIPTION

The Department of Labor and Workforce Development proposes to change regulations in Title 8 of the Alaska Administrative Code, dealing with uniform plumbing code, safety code for elevators and escalators, boiler and pressure vessel code and API pressure relief testing valve standards.

The Department of Labor and Workforce Development proposes to adopt regulation changes in Title 8 of the Alaska Administrative Code.

8 AAC 63.010, 8 AAC 80.010, 8 AAC 90.130-8 AAC 90.165 and 8 AAC 90.900 are proposed to be repealed and readopted to reorganize existing material; adopt current versions of uniform codes; clarify existing language; update methods; and eliminate the apprenticeship registration requirement for plumbing and electrical trainees.

8 AAC 77.005, 8 AAC 80.060(b), 8 AAC 80.070(a), 8 AAC 80.110, 8 AAC 80.130, 8 AAC 80.900 and 8 AAC 90 are proposed to be amended to clarify existing language; adopt versions of uniform codes; adopt the API pressure relief testing valve standard; add new subsection relating to testing and inspection program; and add new section and Article on student trainee certificate of fitness.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Becky Weimer, Department of Labor and Workforce Development, Labor Standards and Safety, P.O. Box 111149, Juneau, AK 99811-1149. Additionally, you may submit comments by facsimile at (907) 465-3584 and by electronic mail at [dol.lss.regulations@alaska.gov](mailto:dol.lss.regulations@alaska.gov). Comments may also be submitted through the Alaska Online Public Notice System by accessing this notice on the system and using the comment link. The comments must be received not later than 4:00 p.m. on January 13, 2020.

You may submit written questions relevant to the proposed action to Becky Weimer by e-mail at [dol.lss.regulations@alaska.gov](mailto:dol.lss.regulations@alaska.gov) or by mail to the Department of Labor and Workforce Development, Labor Standards and Safety, P.O. Box 111149, Juneau, AK 99811-1149. The questions must be received at least 10 days before the end of the public comment period. The Department will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Becky Weimer at (907) 465-6002 not later than January 3, 2020 to ensure that any necessary accommodation can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System or by contacting Becky Weimer, Department of Labor and Workforce Development, Labor Standards and Safety, P.O. Box 111149, Juneau, AK 99811-1149 or [dol.lss.regulations@alaska.gov](mailto:dol.lss.regulations@alaska.gov) or (907) 465-6002.

A copy of material proposed for adoption by reference may be viewed at the agency's office at 1251 Muldoon Road, Suite 113, Anchorage, AK 99504.

After the public comment period ends, the Department of Labor and Workforce Development will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulation may be different from that of the proposed regulation. You should comment during the time allowed if your interests could be affected.

**Statutory authority:** AS 05.20.070; AS 18.60.800; AS 18.62.060

**Statutes being implemented, interpreted, or made specific:** AS 18.60.180; AS 18.60.315; AS 18.60.395; AS 18.60.705; AS 18.60.710; AS 18.60.800; AS 18.62.020; AS 18.62.030; AS 18.62.050; AS 18.62.060; AS 18.62.070; AS 23.05.060

**Fiscal information:** The proposed regulation changes are not expected to require an increased appropriation.

Date:

12/06/19



Dr. Tamika L. Ledbetter, Commissioner  
Department of Labor and Workforce Development

ADDITIONAL REGULATION NOTICE INFORMATION  
(AS 44.62.190(d))

1. Adopting agency: Department of Labor and Workforce Development, Division of Labor Standards and Safety
2. General subject of regulation: uniform codes, safety code for elevators and escalators, boiler and pressure vessel code and API pressure relief testing valve standards.
3. Citation of regulation (may be grouped): 8 AAC 63.010; 8 AAC 77.005; 8 AAC 80.010; 8 AAC 80.060; 8 AAC 80.070; 8 AAC 80.110; 8 AAC 80.130; 8 AAC 80.900; 8 AAC 90.130 - 8 AAC 90.165; 8 AAC 90.300; 8 AAC 90.900
4. Department of Law file number, if any: 2019200855
5. Reason for the proposed action:
  - ☐ Compliance with federal law or action (identify): \_\_\_\_\_
  - ☐ Compliance with new or changed state statute
  - ☐ Compliance with federal or state court decision (identify): \_\_\_\_\_
  - ☒ Development of program standards
  - ☒ Other (identify): reduction of regulations
6. Appropriation/Allocation: Labor Standards and Safety (113)/Mechanical Inspection (346)
7. Estimated annual cost to comply with the proposed action to:
  - A private person: \$0
  - Another state agency: \$0
  - A municipality: \$0
8. Cost of implementation to the state agency and available funding (in thousands of dollars):

No costs are expected in FY 2020 or in subsequent years.
9. The name of the contact person for the regulation:

Name: Becky Weimer  
Title: Regulations Specialist II  
Address: P.O. Box 111149 Juneau, AK 99811-1149  
Telephone: (907) 465-6002  
E-mail address: Becky.Weimer@alaska.gov

10. The origin of the proposed action:

- ☒ Staff of state agency  
☐ Federal government  
☐ General public  
☐ Petition for regulation change  
☐ Other (identify): \_\_\_\_\_

11. Date: 12-9-19

Prepared by:

Becky Weimer

Name (printed): Becky Weimer

Title (printed): Regulations Specialist II

Telephone: (907) 465-6002

# ANCHORAGE DAILY NEWS

## AFFIDAVIT OF PUBLICATION

Account #: 268975 ST OF AK/DEPT LABOR  
LABOR STANDARDS & SAFETY/OSH, JUNEAU, AK 99811

Order #: W0012633

Cost: \$448.22

STATE OF ALASKA  
THIRD JUDICIAL DISTRICT

Lisi Misa being first duly sworn on oath deposes and says that she is a representative of the Anchorage Daily News, a daily newspaper. That said newspaper has been approved by the Third Judicial Court, Anchorage, Alaska, and it now and has been published in the English language continually as a daily newspaper in Anchorage, Alaska, and it is now and during all said time was printed in an office maintained at the aforesaid place of publication of said newspaper. That the annexed is a copy of an advertisement as it was published in regular issues (and not in supplemental form) of said newspaper on

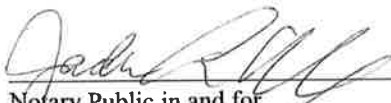
12/10/2019

and that such newspaper was regularly distributed to its subscribers during all of said period. That the full amount of the fee charged for the foregoing publication is not in excess of the rate charged private individuals.

Signed



Subscribed and sworn to before me  
this 10th day of December 2019.

  
Notary Public in and for  
The State of Alaska.  
Third Division  
Anchorage, Alaska

MY COMMISSION EXPIRES

7/14/2020

STATE OF ALASKA  
NOTARY  
PUBLIC  
Jada L. Nowling

NOTICE OF PROPOSED CHANGES ON UNIFORM PLUMBING CODE, SAFETY CODE FOR ELEVATORS AND ESCALATORS, BOILER AND PRESSURE VESSEL CODE AND API PRESSURE RELIEF TESTING VALVE STANDARDS IN THE REGULATIONS OF THE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT

The Department of Labor and Workforce Development proposes to adopt regulation changes in Title 8 of the Alaska Administrative Code.

8 AAC 63.010, 8 AAC 80.010, 8 AAC 90.130-8 AAC 90.165 and 8 AAC 90.900 are proposed to be repealed and readopted to reorganize existing material; adopt current versions of uniform codes; clarify existing language; update methods; and eliminate the apprenticeship registration requirement for plumbing and electrical trainees.

8 AAC 77.005, 8 AAC 80.060(b), 8 AAC 80.070(a), 8 AAC 80.110, 8 AAC 80.130, 8 AAC 80.900 and 8 AAC 90 are proposed to be amended to clarify existing language; adopt versions of uniform codes; adopt the API pressure relief testing valve standard; add new subsection relating to testing and inspection program; and add new section and Article on student trainee certificate of fitness.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Becky Weimer, Department of Labor and Workforce Development, Labor Standards and Safety, P.O. Box 111149, Juneau, AK 99811-1149. Additionally, you may submit comments by facsimile at (907) 465-3584 and by electronic mail at [dol.lss.regulations@alaska.gov](mailto:dol.lss.regulations@alaska.gov). Comments may also be submitted through the Alaska Online Public Notice System by accessing this notice on the system and using the comment link. The comments must be received not later than 4:00 p.m. on January 13, 2020.

You may submit written questions relevant to the proposed action to Becky Weimer by e-mail at [dol.lss.regulations@alaska.gov](mailto:dol.lss.regulations@alaska.gov) or by mail to the Department of Labor and Workforce Development, Labor Standards and Safety, P.O. Box 111149, Juneau, AK 99811-1149. The questions must be received at least 10 days before the end of the public comment period. The Department will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Becky Weimer at (907) 465-6002 not later than January 3, 2020 to ensure that any necessary accommodation can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System or by contacting Becky Weimer, Department of Labor and Workforce Development, Labor Standards and Safety, P.O. Box 111149, Juneau, AK 99811-1149 or [dol.lss.regulations@alaska.gov](mailto:dol.lss.regulations@alaska.gov) or (907) 465-6002.

A copy of material proposed for adoption by reference may be viewed at the agency's office at 1251 Muldoon Road, Suite 113, Anchorage, AK 99504.

After the public comment period ends, the Department of Labor and Workforce Development will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulation may be different from that of the proposed regulation. You should comment during the time allowed if your interests could be affected.

Statutory authority: AS 05.20.070; AS 18.60.800; AS 18.62.060

Statutes being implemented, interpreted, or made specific: AS 18.60.180; AS 18.60.315; AS 18.60.395; AS 18.60.705; AS 18.60.710; AS 18.60.800; AS 18.62.020; AS 18.62.030; AS 18.62.050; AS 18.62.060; AS 18.62.070; AS 23.05.060

Fiscal Information: The proposed regulation changes are not expected to require an increased appropriation.

Date: December 4, 2019

/s/  
Dr. Tamika L. Ledbetter, Commissioner  
Department of Labor and Workforce Development

Published: December 10, 2019

AFFIDAVIT OF NOTICE OF PROPOSED REGULATION  
AND FURNISHING OF ADDITIONAL INFORMATION


I, Becky Weimer Regulations Specialist, of Department of Labor and Workforce Development, being sworn, state the following:

As required by AS 44.62.190, notice of the proposed adoption of changes to 8 AAC 63, 8 AAC 77, 8 AAC 80, and 8 AAC 90 relating to uniform plumbing code, safety code for elevators and escalators, boiler and pressure vessel code and API pressure relief testing valve standards has been given by being

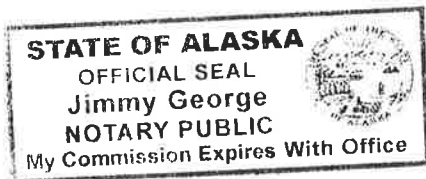
- (1) published in a newspaper or trade publication;
- (2) furnished to every person who has filed a request for notice of proposed action with the state agency;
- (3) furnished to appropriate state officials;
- (4) furnished to interested persons;
- (5) furnished to the Department of Law, along with a copy of the proposed regulation;
- (6) furnished electronically to incumbent State of Alaska legislators;
- (7) posted on the Alaska Online Public Notice System as required by AS 44.62.175(a)(1) and (b) and 44.62.190(a)(1).

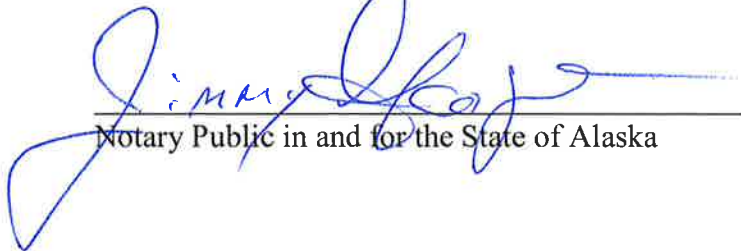
As required by AS 44.62.190, additional regulation notice information regarding the proposed adoption of the regulation changes described above has been furnished to interested persons and those in (2), (4) and (6) of the list above. The additional regulation notice information also has been posted on the Alaska Online Public Notice System.

Date: 1-22-20

  
Becky Weimer, Regulations Specialist

Subscribed and sworn to before me at Juneau, Alaska on January 22, 2020.



  
Notary Public in and for the State of Alaska

AFFIDAVIT OF AGENCY RECORD OF PUBLIC COMMENT

I, Becky Weimer, Regulations Specialist for the Department of Labor and Workforce Development, being duly sworn, state the following:

In compliance with AS 44.62.215, the Department of Labor and Workforce Development has kept a record of its use or rejection of factual or other substantive information that was submitted in writing as public comment and that was relevant to the accuracy, coverage, or other aspect of the Department of Labor and Workforce Development regulation on uniform plumbing code, safety code for elevators and escalators, boiler and pressure vessel code, plumber, electrician, power lineman certificates of fitness, and API pressure relief testing valve standards.

Date: 1-22-20

Becky Weimer  
Becky Weimer, Regulations Specialist

Subscribed and sworn to before me at Juneau, Alaska on January 22, 2020.

Jimmy George  
Notary Public in and for the State of Alaska  
My Commission Expires: with office

