

**PROPOSED REGULATION OF THE  
DIVISION OF INDUSTRIAL RELATIONS OF THE DEPARTMENT OF  
BUSINESS AND INDUSTRY**

**LCB FILE NO. R033-20I**

**The following document is the initial draft regulation proposed  
by the agency submitted on 03/06/2020**

**PROPOSED REGULATION OF THE DIVISION OF INDUSTRIAL RELATIONS**  
**MINE SAFETY AND TRAINING SECTION FOR THE**  
**AMENDMENT OF CHAPTER 512, NAC**

**LCB File No. Unassigned**

March 6, 2020

EXPLANATION — Matter in *italics* is new; matter in brackets [~~omitted material~~] is material to be omitted.

NRS 455C.110; NRS 233B.100; NRS 233B.120.

A REGULATION

**Section 1.** Chapter 512 of NAC is hereby amended by adding thereto new sections as set forth in sections 2 and 3 as follows:

**Sec. 2.** *The Administrator in carrying out his duties to inspect pursuant to NRS 512.170 and NRS 512.180 may authorize and use the inspection services of the Mechanical Compliance Section to conduct an inspection of equipment, machinery or apparatus, including but not limited to boilers, elevators or pressure vessels which would otherwise be subject to the jurisdiction of the Mechanical Compliance Section if such equipment, machinery or apparatus was not located at a mine as defined in NRS 512.006. In the event the Administrator uses the inspection services of the Mechanical Compliance Section, the Mechanical Compliance Section will invoice the Mine Safety and Training Section of the Division which shall reimburse the actual expenses incurred in performing the inspection services rendered.*

**Sec. 3.** *Under NRS 512.160(3) the opening and closing of mine operations includes, but is not limited to, the construction, repair or demolition of any private ways or roads appurtenant to the mine and the operation, construction, repair or demolition of any structures, equipment, machinery, apparatus or other property upon the surface or underground, used to facilitate the work of exploring, developing or extracting minerals or mineral commodities, other than solid fuels, in or from any deposit.*

**Sec. 4** Chapter 512 of NAC is hereby amended as set forth as sections 5 to 9, inclusive, of this regulation.

**Sec. 5.** NAC 512.069 is hereby amended to read as follows:

NAC 512.069 “Enforcement Section” means the Mine Safety and Training Section of the Division, or its successor , *and includes any employee of the Mechanical Compliance Section of the Division conducting any inspection services pursuant to Section 2 of this regulation .*

**Sec. 6.** NAC 512.100 is hereby amended to read as follows:

NAC 512.100 “Operator” has the meaning ascribed to it in NRS 512.007 *and includes any person or organization commencing, operating, controlling or supervising a mining a mining activity and includes any individual, owner, lessor, lessee, agent, manager, worker, contractor, subcontractor, independent contractor, partnership, association or corporation or subsidiary of a corporation charged with the responsibility for the operation or support of the operation of a mine.*

**Sec. 7.** NAC 512.193 is hereby amended to read as follows:

NAC 512.193 1. An operator of a mine shall report a serious accident that occurs at the mine immediately to the ~~[Administrator]~~ *Chief* at (775) ~~[687-5243]~~ *684-7085*.

2. An operator shall:

(a) Investigate any serious accident, occupational injury or occupational illness that occurs at the mine; and

(b) Submit a report relating to the investigation to the ~~[Administrator]~~ Chief within 10 business days after the serious accident, injury or occupational illness occurs.

3. As used in this section:

(a) “Occupational illness” means an illness or disease of a worker which may have resulted from working at the mine or for which an award of compensation is made.

(b) “Occupational injury” means an injury to a worker which occurs at a mine for which medical treatment is administered, or which results in death, or loss of consciousness, inability to perform all job duties on any day after an injury, temporary assignment to other duties, or transfer to another job.

**Sec. 8.** NAC 512.570 is hereby amended to read as follows:

512.570 1. An internal inspection conducted pursuant to this section must consist of as complete an examination as can reasonably be made of the internal and external surfaces of a boiler or pressure vessel while it is not operating and must not be conducted until any plates for a manhole or handhole or other closures of openings used for an inspection are removed. An external inspection conducted pursuant to this section must consist of an examination of the external surfaces of a boiler or pressure vessel and must be performed while the boiler or pressure vessel is in operation. An inspection conducted pursuant to this section must include operational testing of all controls and safety devices.

2. A power boiler and a high-pressure, high-temperature boiler must be inspected internally, if the construction and design of the boiler so allows, at least once each year and externally

approximately 6 months after the date of the internal inspection. If an internal inspection is not possible, such a boiler must be inspected externally at least once every 6 months.

3. A low-pressure steam boiler must be inspected externally at least once every year and internally, if the construction and design of the boiler so allows, at least once every 2 years.

4. A hot water heating boiler and a hot water supply boiler must be inspected externally at least once every 2 years and internally, if the construction and design of the boiler so allows, at the request of the inspector or special inspector.

5. A ~~lined~~ potable water heater must be inspected externally at least once every 2 years.

6. Any other fired pressure vessel for which a frequency of inspection is not specified in subsections 1 to 5, inclusive, must be inspected internally, if the construction and design of the pressure vessel so allows, at least once each year.

7. Except as otherwise provided in this section, a pressure vessel must be inspected externally at least once every 3 years.

8. An inspector or special inspector may require any boiler or pressure vessel to be prepared for inspection if, in his or her opinion, an inspection is necessary to determine whether the boiler or pressure vessel is operating in a safe manner.

9. As used in this section:

(a) “Fired pressure vessel” means a vessel other than a boiler in which steam or vapor pressure is generated in excess of 15 pounds per square inch by direct firing with a solid, liquid or gaseous fuel or by an electric heating element.

(b) ~~“Lined-potable”~~ “Potable water heater” means a fired heater for the storage of water which has a corrosion-resistant lining and is used to supply potable hot water.

**Sec. 9.** NAC 512.575 is hereby amended to read as follows:

512.575 1. A contractor shall submit a written notice to the Administrator before installing a boiler or pressure vessel in this State that is constructed in a manner that meets the standards of this State, the American Society of Mechanical Engineers or the National Board. Except for an existing or a reinstalled boiler or pressure vessel, a boiler or pressure vessel must not be installed in this State unless it has been registered with the National Board.

2. Except as otherwise provided in subsection 4, the notice of installation of a boiler or pressure vessel must include the American Society of Mechanical Engineers' data report of the manufacturer concerning the construction of the boiler or pressure vessel, or an equivalent standard which is approved by the National Board, unless the boiler is constructed of cast iron.

3. A notice of installation of a new boiler or pressure vessel must include the plans and specifications of the boiler room in which the boiler or pressure vessel is being installed which designates the location of the boiler or pressure vessel and which complies with the requirements of NAC 512.579.

4. Before a secondhand *boiler or pressure vessel* or portable boiler or pressure vessel may be installed or shipped for installation into this State, the owner or user or the contractor installing the boiler or pressure vessel must submit to the Administrator a notice of installation. The notice of installation must include, without limitation, a report of inspection. The report of inspection must be prepared by a person who holds a commission and who inspected the boiler or pressure vessel. The fittings and appurtenances of the boiler or pressure vessel must comply with the requirements for the installation of a new boiler or pressure vessel.

5. As used in this section:

(a) "Existing boiler or pressure vessel" means any boiler or pressure vessel constructed, installed, placed in operation or contracted for use in this State before January 28, 2000.

(b) “Portable boiler ~~or~~ *or pressure vessel*” means a boiler *or pressure vessel* that is intended primarily for temporary use and has a construction that allows it to be moved readily from one location to another.

(c) “Reinstalled boiler or pressure vessel” means a boiler or pressure vessel removed from its original setting and reinstalled at the same location or at a new location with or without a change of ownership.

(d) “Secondhand boiler or pressure vessel” means a boiler or pressure vessel that has changed ownership and has been moved since its original installation.