



# Construction Safety Week 2011

## Annual Boiler Inspections Juan Ruiz

*April 27, 2011 – 3<sup>rd</sup> Floor Conference Room*

# Today's Agenda

- **Properties requiring an annual boiler inspection**
- **Rule requirements for filing inspection reports**
- **How inspection reports should be filed**
- **Where to file**
- **How to reach us**

- **Central location for all NYC boiler related issues, inquiries & emergencies**
- **Respond to all citywide boiler related emergency escalations**
- **Process annual inspection disposition of low & high pressure boilers**
- **Generate annual violations to property owners who are non-compliant**
- **Conduct first test inspections on all new boilers**
- **Perform special reports on property for boiler verification**
- **Issue ECB and DOB violations**

# New Boiler Rule

- **Published in May 2009**
- **Signed into law in April 2010**
- **Fully implemented May 2010**
- **The rule is located in the Rules of City of New York, Subchapter C, Section 103-01 (RCNY 103-01)**
- **The rule relates to low pressure boiler inspections, filing requirements, penalties and waivers**

# Who Must File a Report

The following boilers must be inspected & file a report with the Department annually:

- **Low pressure boilers in residential buildings with 6 or more families**
- **Low pressure boilers in mixed-used buildings**  
*Note: Mixed-use building have both commercial & residential units*
- **Low pressure boilers in commercial buildings**
- **H-stamp domestic hot water heaters with over 350,000 BTUs in residential, mixed-used & commercial buildings**

# Who Doesn't Have to File

The following do not require an annual inspection:

- Low-pressure boilers in residential buildings with 5 families or less
- H-stamp domestic hot water heaters in residential buildings with 5 families or less
- Individual boilers heating individual residential units, including residential portions of mixed-use buildings

# Types of Boiler Forms

- **BO- 9: Boiler Annual Inspection Report**
  - Form used to report annual low pressure boiler inspections
  - Registration report for DEP renewal request
  - Completed by master plumber, oil burner installer or authorized insurance company
  - Due 45 days after the date of inspection, per inspection cycle
- **BO-13: Affirmation of Correction**
  - Form used to report defects that were corrected based on inspection
  - Completed by master plumber, oil burner installer or authorized insurance company
  - Due 45 days after the date of inspection, per inspection cycle
- **BO-13E: Extension Request**
  - Form used to request an extension for corrected defects
  - Completed by master plumber, oil burner installer or authorized insurance company
  - Due 45 days after the date of inspection, per inspection cycle
- **OP-49: Self-Certification of Removed, Disconnected Boiler**
  - Completed by master plumber, oil burner installer or authorized insurance company
  - Due 30 days after the date of inspection, per inspection cycle

# Low Pressure Boiler Requirements

- Inspections must be performed by a licensed master plumber, oil burner installer or authorized insurance company
- Annual inspection cycle is from November 15 to November 16 of the following year
- Inspection reports must be submitted within 45 days from date of inspection
- Inspection report submitted after the deadline are consider a late filing
- Full penalties are issued to owners who fail to file an inspection report or who filed an incomplete inspection report
- Defects must be corrected and an affirmation of correction must be filed with the Department within 45 days of the inspection
- Defect extension request must be made before the 45 day deadline
- Removal and disconnection forms must be filed with the Department within 30 days following boiler disconnection / removal



# Fees and Violations

Type	Form	Cost
Annual Inspection	BO-9	\$30
Affirmation of Correction	BO-13	\$30
Extension Request	BO-13E	\$15
Removal / Disconnection	OP-49	\$45
Late Filing	Applies to all forms	\$50 per month
Full Penalty	Applies to all forms	\$1,000

# Rule Comparison

Description	LL 62 of 1991	New Rule	Requires Business Change
Year Instituted	1992 to 2009	2010 to Current	X
Cycle	January 1 to December 31	November 16 to November 15	
Days to File	No deadline, but must be filed by December 31	Filed within 45 days from inspection	X
Late Filing	Allowed for all previous years	Only allowed during current cycle	X
Full Penalty	Issued based on the number of stories	Issued to each boiler	X
Late Filing	Allowed for all previous years	Only allowed during current cycle	X
OP-49	Allowed for all previous years	Filed within 30 days from inspection	X
BO-13	No cost, must be filed with BO-9	Filed with BO-9, 45 days from inspection	X
BO-13E	No cost, must be filed with BO-9	Filed with BO-9, 45 days from inspection	X

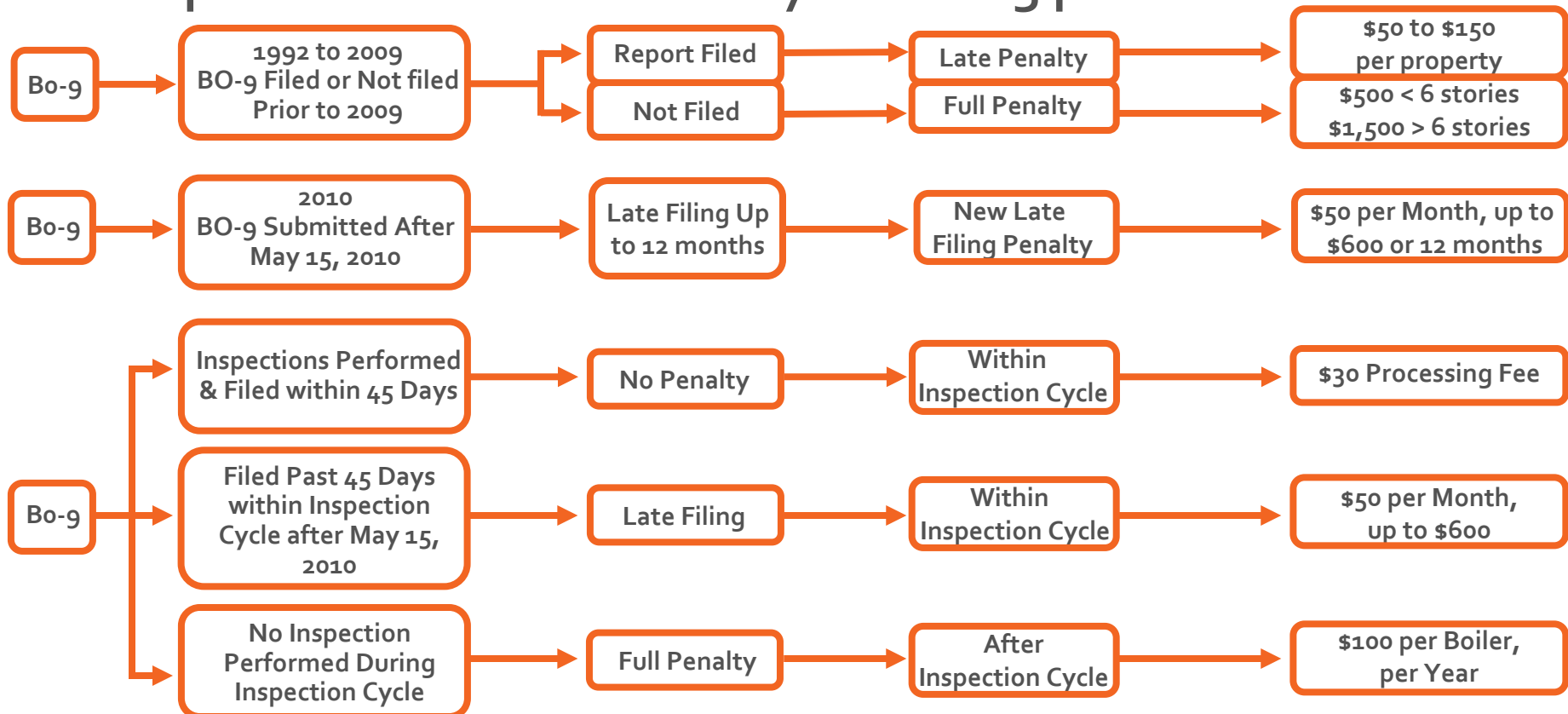
# Previous Year Penalties

Vios Issued Date	Year	BO9	Rule	Regulation Rule	Late Filing	Full Penalty
VO40193	1992	\$30	LL6291		\$0	\$500 or \$1,500
VO40194	1993	\$30	LL6291		\$0	\$500 or \$1,500
VO82995	1994	\$30	LL6291		\$0	\$500 or \$1,500
VO21097	1995	\$30	LL6291		\$0	\$500 or \$1,500
VO91697	1996	\$30	LL6291	LL27-1996	\$50 or \$150	\$500 or \$1,500
VO50498	1997	\$30	LL6291	LL27-1996	\$50 or \$150	\$500 or \$1,500
VO31699	1998	\$30	LL6291	LL27-1996	\$50 or \$150	\$500 or \$1,500
VO20700	1999	\$30	LL6291	LL27-1996	\$50 or \$150	\$500 or \$1,500
VO22701	2000	\$30	LL6291	LL27-1996	\$50 or \$150	\$500 or \$1,500
VO32602	2001	\$30	LL6291	LL27-1996	\$50 or \$150	\$500 or \$1,500
VO31903	2002	\$30	LL6291	LL27-1996	\$50 or \$150	\$500 or \$1,500
VO21304	2003	\$30	LL6291	LL27-1996	\$50 or \$150	\$500 or \$1,500
VO13105	2004	\$30	LL6291	LL27-1996	\$50 or \$150	\$500 or \$1,500
VO10606	2005	\$30	LL6291	LL27-1996	\$50 or \$150	\$500 or \$1,500
VO11907	2006	\$30	LL6291	LL27-1996	\$50 or \$150	\$500 or \$1,500
VO10308	2007	\$30	LL6291	LL27-1996	\$50 or \$150	\$500 or \$1,500
VO10109	2008	\$30	LL6291	LL27-1996	\$50 or \$150	\$500 or \$1,500
VO10110	2009	\$30	LBLVIO	X	X	\$500 or \$1,500

2009 Violation Generic Number: Vo10110LBLVIO-----

# The BO-9 Process

- The agency no longer accepts late filing for previous years
- 1992 to 2009 result in full penalties for LL 62/91
- Department to issue monthly late filing penalties



# Forms Submission

- **By mail to:**
  - Department of Buildings  
Central Filing and Billing Unit  
280 Broadway 6th Floor  
New York, NY 10007
- **Central Filing and Billing:**
  - Will be responsible for the processing fees and will be rejecting & sending back incomplete processing payments
- **Central Inspections:**
  - Will receive reports including the late / full penalties payments to be reviewed & processed
  - Incomplete reports or late / full payments will be sent back as a rejection and require a re-processing fee
- **In person for late filing / full penalty reports:**
  - Department of Buildings  
Central Inspection Service Area  
280 Broadway 4th Floor  
New York, NY 10007
  - Reports in compliance and within inspection cycle will be redirected to CFB

# Annual Notice of Violation



NYC Department of Buildings  
Central Inspections - Boiler Division  
280 Broadway, New York, NY 10007  
Robert Littman, Compliance

## Boiler Inspection Notice of Violation

Calendar Year Violation: 2009  
Borough: :  
BIN No. :  
Boiler Located at. :  
Block. : Lot. :  
Boiler Device No. :  
Violation #: :

Revision on property information format

OFFICIAL NOTICE: BOILER VIOLATIONS ATTACH TO THE OWNER'S PROPERTY BECOME A PART OF THE PUBLIC RECORD

[date]  
[owner]  
[address1]  
[address2]  
[city] [state] [zip]

### WHAT DOES THIS BOILER INSPECTION VIOLATION NOTICE MEAN TO YOU!

Our records indicate, based on the type of property and the active boiler design(s) in our system, an annual boiler inspection(s) was/were not recorded with the Boiler Division or was received after the December 31, 2009 deadline.

This constitutes a violation of Section 26-135 (d) and 27-793 (b) of the NYC Administrative, 1968 and Section 28 - 201.2.2, 28-201.1 and article 303 of NYC Administrative 2009 New Building Code and is subject to the imposition of penalties.

This boiler inspection violation notice and penalty will remain with this property until it is cured by the property owner.

Follow the instructions on how to clear this violation and return this notice by mail or in person and include the appropriate penalty payment to remove this violation from your property or provide the appropriate documentation to clear this violation to:

Mail or Visit Us:  
Central Inspections - Boiler Division Violation Notice  
280 Broadway 4<sup>th</sup> Floor  
New York, New York 10007  
Monday to Friday 8:30am to 4:00pm  
Telephone No: 212.227.4416  
www.nyc.gov/buildings

How to clear this violation: Check one box:

- Inspection Submitted Timely: must provide copy of 2009 BO-9 inspection report, copy of cashed check or money order front and back showing proof that LUB cashed payment or invoice for payment made in cash [No penalty payment required].
- Late Filing: is a boiler inspection performed during the 2009 inspection cycle but was submitted after 45 days from the date of inspection, or filed after Dec 31, 2009, or was never submitted to the agency. Provide actual BU-9 (30U) and the payment of \$50 for each month submitted past the 45<sup>th</sup> day up to 12 months. [Penalty payment required]. Full penalty past 12 months.
- Full Penalty: is an inspection that was not performed during the 2009 inspection cycle and will result in the payment based on building type below.
- Violation Waiver: use the enclosed Central Inspection Waiver, Reduction and Dismissal form to indicate your waiver of penalties. [no payment required until it is reviewed by Boiler Division].
- City Owned: property owned and operated by a city agency or entity. [no payment required until your proper documentation is reviewed by Boiler Division].

Complete instructional information on penalty and fees

Building Type	Reduced Penalty (Late Filing)	Full Penalty (No Filing)
1 to 6 stories	\$50	\$500
7 stories or greater	\$150	\$1,500

### OUTSTANDING ANNUAL VIOLATIONS ON THIS PROPERTY

Based on our records, below is a list of outstanding annual boiler violations that are not performed or submitted to the department. Please visit our Customer Service Area (280 Broadway 4<sup>th</sup> Floor) to resolve these outstanding violations or you can visit our website at NYC.gov/buildings.

1	6	11
2	7	12
3	8	13
4	9	14
5	10	15
		16

### HOW TO AVOID A BOILER ANNUAL VIOLATION NOTICE NEXT YEAR

Applicability: Property owners of:  
• Properties with 6 or more families  
• Mixed-Use  
• Commercial buildings  
• Single Room Occupancy  
• Active boiler in our BCS system

Who can perform inspections:  
Annual boiler inspections can only be performed by an authorized boiler inspector licensed by the city, or a qualified in-state company.

What must be inspected:  
Low-pressure and High pressure boilers must be inspected by completing a BO-9 Form.

What is the inspection cycle:  
The 2010 inspection cycle commences on Nov. 15<sup>th</sup>, 2009 and ends on Nov. 15<sup>th</sup>, 2010.

When are inspections due:  
Property owners have 45 days from the date of inspection to file the BO-9 form with the Boiler Department. The last day to file is Dec 31, 2010.

What if there are defects:  
If the inspector finds defects with your boiler, a BO-9 and a BO-13 forms detailing defect corrections must be returned within 45 days from the date of inspection.

How to file 2010 boiler inspection:  
Completed BO-9 form and a \$30 processing fee and if necessary a BO-13 form for corrected defect with \$30 processing fee mailed to:

NYC Department of Buildings  
280 Broadway CFB - 6<sup>th</sup> Fl.  
New York, New York 10007

Integrated transparency by including outstanding violations and how to avoid it

safety

service

integrity

# What is No Longer Accepted

- **Late filings for previous years are no longer accepted**
- **New owners purchasing properties on or before June 30 of the calendar year are required and responsible for submitting the building's annual inspection report**
- **Deeds will no longer be accepted for violation waivers, except for proving new ownership after June 30 during the inspection cycle**

# Questions?

New York City Department of Buildings  
Central Inspections Boiler Division  
280 Broadway 4th Floor  
New York, New York 10007  
(212) 566-4994

[boilersInfo@buildings.nyc.gov](mailto:boilersInfo@buildings.nyc.gov)