

MEMORANDUM OF AGREEMENT
between the
Board of Housing and Community Development
and the
Virginia Department of Labor and Industry

(Revised November 2001)

In accordance with Sections 36-98 et seq. and 40.1-51.6 et seq. of the Code of Virginia, the Virginia Department at Labor and industry (hereinafter referred to as the "Department") and the Board of Housing and Community Development (hereinafter referred to as the "Board") on this Nov. 1, 2001 agree to coordinate the Virginia Uniform Statewide Building Code (hereinafter referred to as the "Code") and the Boiler and Pressure Vessel Safety Regulations (hereinafter referred to as the "Regulations"). The parties agree to the following:

1. That enforcement of the Code is the responsibility of the local building department, and that enforcement of the Regulations is the responsibility of the Department.
2. That this agreement covers boilers and water heaters except:
 - A Boilers used in private residences or apartment houses of less than four apartments.
 - B. Hot water supply boilers and water heaters when the following limitations are not exceeded:
 - a) heat input of 200,000 BTU per hour
 - b) water temperature of 210 Fahrenheit
 - c) water-containing capacity of 120 gallons
3. That the local building department shall notify, in writing, the chief boiler inspector when a building, mechanical or plumbing permit is issued for any boiler or water heater that is subject to the Department's inspection. The local building department may provide computer generated disks in e-mail attachments listing owners/users addresses of boilers and water heaters.
4. That inspection and certification of boilers shall be the responsibility of the Department; however, the Department may authorize and accept inspection reports from approved special inspectors and owner-user inspection agencies in accordance with sections 40.1-51.9 and 40.1-51.11:1 of the Code of Virginia.
5. That the Department shall assure new and existing boilers and water heaters are in compliance with the Regulations.

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6. That the local building department shall accept the inspection certificate of compliance from the Department as evidence of compliance with the Regulations. The Department shall notify, in writing, the local building department of the issuance of certificate of compliance.
7. That appropriate amendments, additions, or deletions will be made to the Regulation. and to the Code to insure that there is no jurisdictional conflict between the two documents.
8. That it is the intention of both the Board and the Department to cooperate with each other in resolving any technical conflicts between the Regulations and the Code, and in developing and implementing operational procedures to insure and promote a constructive working relationship between building officials and boiler inspectors.
9. That, except in matters of imminent danger to public health or safety, whenever conflicts or disagreements arise between the two agencies or their staffs or localities, all appropriate regulatory procedures will be exhausted prior to any judicial action. That the local building official may require appropriate corrective actions in accordance with the Code, where unsafe conditions exist and there is an imminent danger to the public health or safety.
10. That this Agreement may be amended or terminated by mutual consent of the parties.

The undersigned agree to the conditions of this Agreement.



**Director,
Department of Housing and
Community Development**

**For the Board of Housing and
Community Development**



**Commissioner,
Department of Labor and
Industry**

Frequently Asked Questions: Boiler & Pressure Vessel Safety From the Virginia Department of Labor and Industry

- 1. What are the requirements regarding having a boiler and/or pressure vessel inspected?**

The Code of Virginia specifies that all boilers and pressure vessels in the Commonwealth must be registered with the Department of Labor and Industry unless specifically exempted in the Code. [Click here to see Exemptions.](#)
- 2. How often must a boiler and/or pressure vessel be inspected?**

High pressure boilers are to be inspected annually.
Heating boilers are to be inspected every 2 years.
Pressure vessels are to be inspected every 2 years.
- 3. What is considered to be a high pressure boiler?**

A steam boiler over 15 psi or a hot water boiler over 160 psi.
- 4. Who can inspect my boilers?**

You should contact either a qualified Inspector from your insurance company if you are insured; OR a qualified Contract Fee Inspector.
- 5. We are installing new equipment, who should we contact?**

You should contact either a qualified Inspector from your insurance carrier if you are insured; OR a qualified Contract Fee Inspector.
- Is a license required to operate a boiler in Virginia?**

There is no state requirement by the Commonwealth to have a license to operate a boiler. However, the Code of Virginia allows any city or county in Virginia the option of requiring certain persons to obtain a certificate from the locality. At the present time, no locality in the Commonwealth requires such a certification.
- 7. Isn't it the responsibility of the insurance company to know when my certificate expires?**

No, it is the responsibility of the owner to make sure the certificate is up to date.
- 8. Prior to issuing a delinquent notice, should the state notify me that my certificate will be expiring soon?**

No, the state issues no notices to the owner regarding the expiration of the certificate prior to the issuance of a delinquent notice.
- 9. How can I obtain a listing of all registered equipment in Virginia?**

A listing of all registered equipment in Virginia can be obtained by requesting the information in writing under the FOIA and paying a fee.
- 10. Can you provide us with a printout of what your records show registered for my company?**

Your inspection company gets a free copy annually.
- 11. I just received my certificates of inspection and the owner/user's information is incorrect. Can you please update them and submit corrected certificates?**

Certificates were issued based on the information reported by the inspection company. If there is an error or errors, please specify the VA number marked on the vessel, the correction to be made, and a corrected certificate will be issued.
- 12. How can I get a duplicate of my certificate?**

Please provide the VA number marked in the vessel and a duplicate certificate will be provided.

13. How can I get an extension of a certificate for operating a boiler past its expiration date?

All owners/users have a 60-day grace period to renew a certificate. In order to get a further extension (maximum of three months) you must specify the VA number for the boiler needing the extension, the expiration date, the requested extension date; a check for \$20 for each additional month; and arrange for an Inspector to provide an external inspection report indicating agreement to the additional time.

14. Are Virginia Boiler & Pressure Vessel Rules and Regulations available online?

Yes, they can be found in the Virginia Administrative Code's Searchable Database by entering the "Boiler and Pressure Vessel Safety", or you can also download Boiler & Pressure Vessel Safety Rules and Regulations in pdf format.

15. Questions? Email the Virginia Department of Labor and Industry at boilersafety@doli.virginia.gov or call the Boiler Chief Inspector at (804) 786-3169.

STATE AGENCIES WITH FUNCTIONAL DESIGN RESPONSIBILITIES

Although the USBC supersedes building regulations of state agencies, § 36-98 of the Code of Virginia provides it shall not supersede state agency regulations, which require and govern the functional design and operation of building related activities not covered by the USBC. The building official may require building permit applicants to submit evidence of compliance with functional design requirements prior to issuance of a permit. Functional design activities include but are not limited to: public water supply systems, wastewater treatment and disposal systems, and solid waste facilities. State agencies may also require, when authorized by other state law, buildings be maintained in accordance with the USBC under which constructed.

The following list is intended as a guide to users of the USBC. In a few cases, a memorandum of agreement exists between DHCD or the BHCD and the affected state agency. An asterisk in the listing indicates an agreement exists and is contained in the documents or may be obtained from DHCD.

RELATED ACTIVITIES	PHONE	ADDRESS		
*Adult homes and day care centers, child care facilities, group homes for children and family day care homes	(804) 726-7143	Division of Licensing Programs, DSS 7 N. 8th Street Richmond, VA 23219		
Signs for outdoor advertising	(804) 371-6823	VDOT, Environmental Division 1401 E. Broad St. Richmond, VA 23219		
Utilities affected by highway	(804) 786-2801	VDOT 1401 E. Broad St. Richmond, VA 23219		
Driveways entering State highways, VDOT District Engineer at the following:				
870 Bonham Rd. Bristol, VA 24203 (276) 669-6151	731 Harrison Ave. Salem, VA 24153 (540) 387-5320	1601 Orange Rd. Culpeper, VA 22701 (540) 829-7537	87 Deacon Rd. Fredericksburg, VA 22404 (540) 899-4560	
4219 Campbell Ave. Lynchburg, VA 24506 (804) 947-6599	2430 Pine Forest Dr. Colonial Hts., VA 23834 (804) 524-6000	14685 Avion Parkway Chantilly, VA 20151 (703) 383-8368	P. O. Box 1070 Suffolk, VA 23434 (757) 925-2500	P. O. Box 2249 Staunton, VA 24401 (540) 332-9075
Historic buildings and landmarks, preservation regulations	(804) 367-2323	Department of Historic Resources 2801 Kensington Avenue Richmond, VA 23221		
Hospitals and nursing homes	(804) 367-2102	Div. of Lic. and Certification, VDH 9960 Mayland Dr., Suite 401 Richmond, VA 23219		
Hotels, motels, restaurants, camps, swimming pools and tourist areas	(804) 864-7473	Office of Environmental Health, VDH 109 Governor Street Richmond, VA 23219		
Mental health facilities (providing psychological care, drug, alcohol and mental treatment)	(804) 786-1747	Office of Licensing DMHMRSAS 1220 Bank St., 4 th Floor Richmond, VA 23219		
School buildings (public) and training schools for juveniles and adults	(804) 225-2035	Department of Education P. O. Box 2120 Richmond, VA 23218		
*Sewage treatment, septic tanks and sanitation; * Waterworks and public water supply	(804) 864-7473	Office Environmental Health, VDH 109 Governor St. Richmond, VA. 23219 or Local Public Health Office		
Toilet facilities for construction workers; * Boilers and pressure vessels; Occupational safety	(804) 786-6613 (804) 786-3262 (804) 786-2391	Department of Labor and Industry 13 S. Thirteenth St. Richmond, VA 23219-1747		
Architects & Engineers Asbestos & Lead based paint Contractors & Tradesman	(804) 367-8506 (804) 367-8595 (804) 367-8511	DPOR 9960 Mayland Dr. Richmond, VA 23233		
Detention Facilities	(804) 674-3102	Dept. of Correction – Arch. And Eng. 6900 Atmore Drive Richmond, VA 23225		

