

Occupational Authorizations

for the meeting of the
ALC-OCCUPATIONAL LICENSING REVIEW SUBCOMMITTEE
Thursday, July 18, 2024 at 2:00 PM

Department of Labor and Licensing

COAL MINING BLASTER'S CERTIFICATION

Authorization Type: # of Individuals Regulated:

Entity Division Name: Office of Land Resources

Scope of Practice:

Statutory Requirement(s):

Pursuant to Arkansas Code §17-4-104, do you provide an automatic licensure to a uniformed service member stationed in the State of Arkansas, a uniformed service veteran who resides in or establishes residency in the State of Arkansas; and the spouse of a uniformed service member who is stationed in, resides in, or establishes residency in the State of Arkansas; a uniformed service member who is assigned a tour of duty that excludes the uniformed service member's spouse from accompanying the uniformed service member and the spouse relocates to this state; and a uniformed service member who is killed or succumbs to his or her injuries or illness in the line of duty if the spouse establishes residency in the state?

If NO, the rule establishing the expedited process and procedure:

(none provided)

Fees & Penalties

No Fees or Penalties Provided

Administrative Rules Documents

No Administrative Rules Documents Provided

Supporting Evidence Documents

No Supporting Evidence Documents Provided

OPEN CUT AND QUARRY MINING BLASTER'S CERTIFICATION

Authorization Type: # of Individuals Regulated:

Entity Division Name: Office of Land Resources

Scope of Practice:

Statutory Requirement(s):

Pursuant to Arkansas Code §17-4-104, do you provide an automatic licensure to a uniformed service member stationed in the State of Arkansas, a uniformed service veteran who resides in or establishes residency in the State of Arkansas; and the spouse of a uniformed service member who is stationed in, resides in, or establishes residency in the State of Arkansas; a uniformed service member who is assigned a tour of duty that excludes the uniformed service member's spouse from accompanying the uniformed service member and the spouse relocates to this state; and a uniformed service member who is killed or succumbs to his or her injuries or illness in the line of duty if the spouse establishes residency in the state?

If NO, the rule establishing the expedited process and procedure:

(none provided)

Fees & Penalties

No Fees or Penalties Provided

Department of Labor and Licensing (Continued)**OPEN CUT AND QUARRY MINING BLASTER'S CERTIFICATION (Continued)****Administrative Rules Documents***No Administrative Rules Documents Provided***Supporting Evidence Documents***No Supporting Evidence Documents Provided***BOILER INSPECTOR (INSURANCE)**Authorization Type: Licensure # of Individuals Regulated:

Entity Division Name: Boiler Inspection Division

Scope of Practice: The inspector has state and national requirements to perform inspection on fired and unfired pressure vessels. Safety inspections are required for insurance certification and in accordance with ASME and the National Boiler Board rules. Inspectors are required to Have a National certification and a State license for the inspection to be a qualifying inspection with the National Boiler Board.

Statutory Requirement(s): The Licensing is issued by the state to insure only qualified inspectors perform necessary inspections to insure that pressure vessels are complying with state and national standards of safe operations. to comply with the ASME and National Boiler Board of (NBBI) and the insurance standards are being met.

Pursuant to Arkansas Code §17-4-104, do you provide an automatic licensure to a uniformed service member stationed in the State of Arkansas, a uniformed service veteran who resides in or establishes residency in the State of Arkansas; and the spouse of a uniformed service member who is stationed in, resides in, or establishes residency in the State of Arkansas; a uniformed service member who is assigned a tour of duty that excludes the uniformed service member's spouse from accompanying the uniformed service member and the spouse relocates to this state; and a uniformed service member who is killed or succumbs to his or her injuries or illness in the line of duty if the spouse establishes residency in the state?

Fees & Penalties

Fee Type	Fee Description	Amount (\$)	Frequency
Fee	Initial Licensing Fee	\$25.00	Once
Fee	Renewal fee	\$15.00	Annually
Fee	Restricted Lifetime License Fee	\$50.00	Once

Administrative Rules Documents

Document Type	Document
Rules	Boiler-Rules-Full-2022.pdf

Supporting Evidence Documents*No Supporting Evidence Documents Provided***BOILER INSPECTOR (STATE)**Authorization Type: Licensure # of Individuals Regulated:

Entity Division Name: Boiler Inspection Division

Scope of Practice: The State inspector is mandated perform inspections in accordance with the ASME, National Boiler Board rules on fired and unfired vessels that are not presently insured. They are required to have the same national certifications as insurance inspectors. Additionally the state inspectors perform mandated inspections on schools, daycare's and churches.

Statutory Requirement(s): This is state required and used to insure only state inspectors are nationally certified to perform safety inspection in accordance with state and national codes to insure that the public is protected from

Department of Labor and Licensing (Continued)

BOILER INSPECTOR (STATE) (Continued)

explosions as a result of an improperly maintained or operated pressure vessels.

Pursuant to Arkansas Code §17-4-104, do you provide an automatic licensure to a uniformed service member stationed in the State of Arkansas, a uniformed service veteran who resides in or establishes residency in the State of Arkansas; and the spouse of a uniformed service member who is stationed in, resides in, or establishes residency in the State of Arkansas; a uniformed service member who is assigned a tour of duty that excludes the uniformed service member’s spouse from accompanying the uniformed service member and the spouse relocates to this state; and a uniformed service member who is killed or succumbs to his or her injuries or illness in the line of duty if the spouse establishes residency in the state?

Yes

Fees & Penalties

No Fees or Penalties Provided

Administrative Rules Documents

Document Type	Document
Rules	Boiler-Rules-Full-2022.pdf

Supporting Evidence Documents

No Supporting Evidence Documents Provided

BOILER INSTALLER

Authorization Type: Licensure # of Individuals Regulated:

Entity Division Name: Boiler Inspection Division

Scope of Practice: License holders for the installer/repair must hold several national certification being both ASME, Welding and National Board certifications to perform work on pressure vessels. License is to insure only qualified nationally certified repair companies operate in the state and have the qualified staff to perform work to insure public safety.

Statutory Requirement(s): This state license tracks all boiler installers to insure they qualified under state and National codes to perform work on pressure vessels.

Pursuant to Arkansas Code §17-4-104, do you provide an automatic licensure to a uniformed service member stationed in the State of Arkansas, a uniformed service veteran who resides in or establishes residency in the State of Arkansas; and the spouse of a uniformed service member who is stationed in, resides in, or establishes residency in the State of Arkansas; a uniformed service member who is assigned a tour of duty that excludes the uniformed service member’s spouse from accompanying the uniformed service member and the spouse relocates to this state; and a uniformed service member who is killed or succumbs to his or her injuries or illness in the line of duty if the spouse establishes residency in the state?

Yes

Fees & Penalties

Fee Type	Fee Description	Amount (\$)	Frequency
Fee	License Fee	\$75.00	Annually
Fee	Restricted Lifetime License	\$50.00	Once

Administrative Rules Documents

Document Type	Document
Rules	Boiler-Rules-Full-2022.pdf

Supporting Evidence Documents

No Supporting Evidence Documents Provided

BOILER OPERATOR (HIGH PRESSURE AND LOW PRESSURE)

Department of Labor and Licensing (Continued)**BOILER OPERATOR (HIGH PRESSURE AND LOW PRESSURE) (Continued)**

Authorization Type: Licensure # of Individuals Regulated:

Entity Division Name: Boiler Inspection Division

Scope of Practice: Operators are charged with the daily maintaining and operation of pressure vessels in use statewide. They are to receive training on the boiler devices they are operating and pass general competency tests issued by the Boiler Section.

Statutory Requirement(s): This license is state issued. The license is used to track and certify that operators are competent in both the safe operation of pressure vessels and trained to deescalate equipment failures or operation in upset condition.

Pursuant to Arkansas Code §17-4-104, do you provide an automatic licensure to a uniformed service member stationed in the State of Arkansas, a uniformed service veteran who resides in or establishes residency in the State of Arkansas; and the spouse of a uniformed service member who is stationed in, resides in, or establishes residency in the State of Arkansas; a uniformed service member who is assigned a tour of duty that excludes the uniformed service member's spouse from accompanying the uniformed service member and the spouse relocates to this state; and a uniformed service member who is killed or succumbs to his or her injuries or illness in the line of duty if the spouse establishes residency in the state?

Fees & Penalties

Fee Type	Fee Description	Amount (\$)	Frequency
Fee	Initial License	\$25.00	Once
Fee	Renewal	\$17.00	Annually
Fee	Restricted License	\$25.00	Once
Fee	Restricted Lifetime License	\$50.00	Once

Administrative Rules Documents

Document Type	Document
Rules	Boiler-Rules-Full-2022.pdf

Supporting Evidence Documents

No Supporting Evidence Documents Provided

BOILER REPAIRER

Authorization Type: Licensure # of Individuals Regulated:

Entity Division Name: Boiler Inspection Division

Scope of Practice: Boiler repair licenses are issued to individuals who hold state or national certifications to perform the work. Boiler repair must only be performed by qualified state and nationally certified individuals who hold credentials for both the type of unit and the specific repair.

Statutory Requirement(s): This is state required and used to insure only those recognized as an expert in the field of Boiler repair are performing work on pressure vessels. The Section verifies both credentials and qualifications to insure that repairs are performed in accordance with all national codes and standards.

Pursuant to Arkansas Code §17-4-104, do you provide an automatic licensure to a uniformed service member stationed in the State of Arkansas, a uniformed service veteran who resides in or establishes residency in the State of Arkansas; and the spouse of a uniformed service member who is stationed in, resides in, or establishes residency in the State of Arkansas; a uniformed service member who is assigned a tour of duty that excludes the uniformed service member's spouse from accompanying the uniformed service member and the spouse relocates to this state; and a uniformed service member who is killed or succumbs to his or her injuries or illness in the line of duty if the spouse establishes residency in the state?

Fees & Penalties

Fee Type	Fee Description	Amount (\$)	Frequency
Fee	License	\$75.00	Annually

Department of Labor and Licensing (Continued)

BOILER REPAIRER (Continued)

Fee Type	Fee Description	Amount (\$)	Frequency
Fee	Restricted Lifetime License	\$50.00	Once

Administrative Rules Documents

Document Type	Document
Rules	Boiler-Rules-Full-2022.pdf

Supporting Evidence Documents

No Supporting Evidence Documents Provided

ALC – Occupational Licensing Review Subcommittee
Occupational Entity Questionnaire

Responses to the following questions are due via email to Subcommittee staff no later than the 15th of the month immediately preceding the month the occupational authorization is scheduled for review by the Subcommittee.

1. Would consumers be at risk of substantial harm if Arkansas did not have this occupational authorization? **YES. The agency investigates all complaints and accidents and takes formal enforcement action on any non-certified repair company operating or any operator of a boiler in a hazardous situation.** What instances of specific and substantial harm have been documented in the past year? **The Boiler Safety licensing requirements are built upon a proactive inspection service using both State and National Insurance inspectors to prevent accidents or explosions as a result of pressure and steam vessels. During the reporting period 150 vessels were placed out of service due to failure to meet minimum safety standards.**
2. How many complaints were made to the occupational entity by consumers being harmed by unauthorized practitioners? **The agency received 72 complaints regarding expiration of operating certificates and 5 complaints of a boiler operating in an unsafe or hazardous manner. Inspections were performed on these vessels. Any violations were required to be corrected. The five complaints regarding an unsafe operating condition resulted in 3 vessels being removed from service and 2 were not valid. The Boiler and its pressure are highly regulated by the insurance industry and state and national guidelines. The agency is required to maintain “Cradle to Grave” records and tracking for all boiler vessels in Arkansas to ensure that decommissioned vessels are prevented from being operated and to prevent noncertified repairs from being conducted. This is also reported to the National jurisdiction online reporting system and included in all inspection reports.** What specific action was taken by the occupational entity?
3. How many complaints were made to the occupational entity by consumers being harmed by authorized practitioners? What specific action was taken by the occupational entity? **The Boiler program removed 20 vessels from service based on failed inspections through a red tag program. When a red tag is issued the fuel source is removed**

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Occupational Entity Questionnaire

from the vessel and the vessel must be replaced or repaired to meet or exceed the ASME standards.

4. Were any applicants who otherwise met authorization requirements denied an authorization in the past year? **NO** If so, why?
5. How much does the occupational entity collect annually in fees, and what are annual expenses? **\$786,2250.00 with an expenditure of \$717,388.00 for FY23** How much money does the occupational entity have in reserves? **\$1,097,250.03**
6. If the occupational entity has a positive amount in reserves, when was the last time reserve funds were used? **Program reserves average is one-year operating expense. For what purpose? Reserves are used for operating expenses. 2023 reserve funds were used to buy new vehicles, and online meeting communications upgrades.**
7. Does the occupational entity have any other sources of revenue? **The Boiler Section has a certificate of operation program for all regulated vessels in Arkansas.** Could occupational authorization fees be reduced without causing the occupational entity to be underfunded? **NO**
8. How many applicants for the occupational authorization fail each year? **The Boiler Section averages a 30% failure rate of passage of the test for licensure. Of the 30% failure rate 50% pass on their second attempt. National certification of Boiler and pressure vessel inspectors are tested by the National Boiler Board.** Does the occupational entity track how many applicants that do not progress are veterans, women, or minorities? **No, but the Boiler Section expedites licensing for veteran/spouse applicants.**
9. Can applicants complete the training requirements for this occupational authorization with vocational or non-traditional education (e.g., apprenticeships)? What percentage of applicants complete apprenticeships? **Yes- No known apprenticeships for boiler operators in Arkansas.**
10. In what ways would removal of the occupational authorization or reduction of occupational authorization requirements be harmful to current authorization holders? **An untrained, non-regulated boiler operator workforce could lead to boilers being operated outside of safe operating parameters that can cause an unstable condition**

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Occupational Entity Questionnaire

that leads to an explosion that can result in death, injuries, and major property damage.