

Violation Follow Up

BSB 0104-25

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BOILER SAFETY BUREAU

STANDARD OPERATING PROCEDURE MANUAL

Violation Follow Up- BSB 0104-25 **R3**

1.0 PURPOSE AND SCOPE

This procedure is intended to provide guidance for the uniform enforcement and compliance with our Law and Rules regarding violation follow up. The Chief or designee may extend the time frame for a violation to be corrected and closed. If an extension has been granted, the 60-day time shall be the date of the extension. This procedure shall not apply to objects considered to be an imminent danger.

2.0 PERSONNEL RESPONSIBILITIES

- 2.1. The Bureau Chief – BSB has the overall responsibility for implementation of this procedure.
- 2.2. The Boiler Safety Bureau Chief, Assistant Chief, Supervisors and Administrative Assistant have day-to-day responsibility for ensuring Boiler Safety Bureau staff work in accordance with this procedure.
- 2.3. Boiler Safety Bureau staff, Deputy Inspectors, and Special Inspectors are responsible for cognizance, understanding, and adherence to this procedure.

3.0 HEALTH and SAFETY ISSUES

This procedure is intended to promote the safe operation of jurisdictional objects in this State.

4.0 PROCEDURE

- 4.1. A BSB Deputy Inspector shall give the Owner or Owner Representative a Violation Notice (Attachment 1) as proof of service for the violation. The completed Violation Notice shall be sent to the corresponding Administrative Assistant I. Owners are given 60 days to comply with our Laws and Rules after a deficiency has been identified and a violation has been documented.
- 4.2. After 60 days, a Notice of Past Due Violation will be sent to the Owner of the deficient object via certified mail, return receipt requested, unless a Violation Notice was originally signed by the Owner Representative.

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- 4.3. After 60 days, and before 90 days, the Inspector shall follow up with the Owner and ascertain the status of the objects. Unless there is a specific reason for not doing so, the Inspector shall visit the location in person to verify the status, and whether the object is in service or not. The Inspector may place a Menace to Public Safety tag on the object, if accessible, and another tag in or on the building, so that it may be easily read by members of the public and employees. Care must be taken when choosing a surface to affix the tag(s), so that damage does not occur when the tag is removed. The Inspector shall take photos of the affixed Menace tags, along with the violation if possible. The Inspector must notify their Supervisor when a Menace to Public Safety tag has been posted. The Inspector shall document all information from this and any follow up inspection on an inspection report, including the operational status of the object.
- 4.4. After 60 days, the Chief, or designee, may issue a cease operation letter to the Owner, and assess penalties pursuant to 13 NCAC 13.0306 (b)(2) and GS 95-69.19.
- 4.5. After 120 days, if the owner has not corrected the violation, the Chief, or designee, may begin injunctive proceedings pursuant to 13 NCAC 13 .0306 (b)(1) and GS 95-69.11 or GS 95-69.19.
- 4.6. Deputy Inspectors are required to perform violation follow up inspections on insured items for which they wrote the violation.
- 4.7. Inspector Supervisors will monitor violations on insured objects and instruct Deputy Inspectors to follow up as necessary.

5.0 CUSTOMER SERVICE REQUIREMENTS

It is a goal of the Boiler Safety Bureau to treat all its customers fairly and consistently. Bureau and insurance company employees should maintain contact with the owners of objects that have open violations, to assure proper repairs are being made, and that owners understand the requirements and expectations of the Bureau.

6.0 DATA AND RECORD MANAGEMENT

- 6.1. Information on objects with open violations must be documented on an inspection report. Cease operation letters and penalty notices sent to owners shall be performed in accordance with BSB SOP's 0104-14 and 0104-24. Issuing penalties for violations shall be performed in accordance with BSB SOP 0101-04.
- 6.2. A Penalty/Violation log shall be maintained and updated on the DOL network to provide tracking for such activities. This log may be updated by the office staff or Supervisors.
- 6.3. ***Records shall be maintained in accordance with the Functional Schedule for North Carolina State Agencies as adopted by State Archives, a Division of the North Carolina Department of Natural and Cultural Resources.***