



APPLICATION FOR A BOILER OR PRESSURE VESSEL VARIANCE

State Form 56815 (8-19)

INDIANA DEPARTMENT OF HOMELAND SECURITY CODE SERVICES SECTION

302 West Washington Street, Room W246

Indianapolis, IN 46204-2739

<http://www.in.gov/dhs/4290.htm>



INSTRUCTIONS: Please refer to the attached two (2) page instructions.
Attach additional pages as needed to complete this application.

Variance number (Assigned by department)

1. APPLICANT INFORMATION (Person who would be in violation if variance is not granted; usually this is the owner)

Name of applicant	Title
Name of organization	
Address (number and street, city, state, and ZIP code)	
Telephone number ()	E-mail address

2. PERSON SUBMITTING APPLICATION ON BEHALF OF THE APPLICANT (If not submitted by the applicant)

Name of applicant	Title
Name of organization	
Address (number and street, city, state, and ZIP code)	
Telephone number ()	E-mail address

3. ENGINEER INFORMATION (If applicable)

Name of engineer	License number
Name of organization	
Address (number and street, city, state, and ZIP code)	
Telephone number ()	E-mail address

4. PROJECT IDENTIFICATION

Name of project	National board number (if applicable)	County where boiler or pressure vessel will be operated
Address where boiler or pressure vessel will be operated (number and street, city, state, and ZIP code)		

Type of boiler or pressure vessel
☐ New ☐ Alteration ☐ Existing ☐ ASME Standard Vessel ☐ Non-ASME Standard Vessel

5. REQUIRED ADDITIONAL INFORMATION

The following required information has been included with this application (check as applicable):

- ☐ A check made payable to the Indiana Department of Homeland Security for the appropriate amount. (see instructions)
- ☐ One (1) set of plans or drawings and supporting data that fully describe the boiler or pressure vessel which is the subject of the requested variance and any proposed alternatives. Please have all materials and dimensions in both English and USA units of measurement.
- ☐ For vessels in prior service, documentation verifying the results of ultrasonic or other thickness testing.
- ☐ Written comments from the local building official, local fire official, or any interested party.
- ☐ Estimates or other evidence that demonstrate compliance with the rule will cause an undue hardship.
- ☐ ASME B and PVC required calculations, including relief device calculations certified by a professional engineer licensed in Indiana.
- ☐ Data for substitute materials, if the variance request involves the use of non-ASME B and PVC approved materials.
- ☐ A data sheet, similar to an ASME B and PVC manufacturer's data report, signed by the designated representative after construction is complete.
- ☐ For non-ASME standard vessels, include certified material test reports or results of examinations or tests that identify the chemical and physical properties of all materials of construction.
- ☐ For non-ASME standard vessels, include documentation to verify that all welding performed in fabrication of the vessel is equivalent to the requirements in Section IX of the ASME code and other sections of ASME codes applicable to the type of vessel under construction.
- ☐ For non-ASME standard vessels, include documentation to verify that examination and testing (including NOE) that were, or will be, completed meets or exceeds the minimum requirements stated in the applicable ASME code.

6. VIOLATION INFORMATION		
Has a violation been issued? ☐ Yes (If yes, attach a copy of the Violation and answer the following.) ☐ No		
7. DESCRIPTION OF REQUESTED VARIANCE		
Name of code or standard and edition involved	Specific code section	
Have similar variances been approved in the past? ☐ Yes ☐ No	If yes, what is the variance number?	
Nature of non-compliance (Include a description of spaces, equipment, etc. involved as necessary.) 		
8. DEMONSTRATION THAT PUBLIC HEALTH, SAFETY, AND WELFARE WILL BE PROTECTED		
Select one of the following statements: ☐ Non-compliance with the rule will not be adverse to the public health, safety or welfare; or ☐ Applicant will undertake alternative actions in lieu of compliance with the rule to ensure that granting of the variance will not be adverse to public health, safety, or welfare. Explain why alternative actions would be adequate (<i>be specific</i>).		
Facts demonstrating that the above selected statement is true (<i>Please attach any evidence in support of your position.</i>) 		
9. DEMONSTRATION OF UNDUE HARDSHIP		
Please explain and provide evidence demonstrating the <u>undue</u> hardship that compliance with the rule will have on the applicant. 		
10. LOCAL OFFICIAL INFORMATION		
Name of local building department	E-mail address of local building official	
Name of local fire department	E-mail address of local fire official	
Method of service: ☐ Mail ☐ E-mail ☐ Hand delivery		
I hereby certify that a copy of this application has been delivered to the local building official and local fire department official as of the date of its filing with IDHS.		
Signature of applicant	Please print name	Date of signature (<i>month, day, year</i>)
11. STATEMENT OF ACCURACY		
I hereby certify under penalty of perjury that the information contained in this application is accurate.		
Signature of applicant or person submitting application	Please print name	Date of signature (<i>month, day, year</i>)
12. STATEMENT OF AWARENESS (<i>If the application is submitted on the applicant's behalf, the applicant must sign the following statement.</i>)		
I hereby certify under penalty of perjury that I am aware of this request for variance and that this application is being submitted on my behalf.		
Signature of applicant	Please print name	Date of signature (<i>month, day, year</i>)

INSTRUCTIONS FOR APPLICATION FOR A BOILER OR PRESSURE VESSEL VARIANCE

Part of State Form 56815 (8-19)

INDIANA DEPARTMENT OF HOMELAND SECURITY
CODE SERVICES SECTION
302 West Washington Street, Room W246
Indianapolis, IN 46204-2739
<http://www.in.gov/dhs/4290.htm>

INSTRUCTIONS:

A variance application, accompanied by the required fee and all other required documents, shall be submitted to request a variance from a particular section of a fire, building or other code or standard adopted by the Fire Prevention and Building Safety Commission. See Indiana Code 22-13-2-11 and 675 IAC 12-5.

A separate variance application is required for each unrelated code provision* for which a variance is being requested.

A. VARIANCE APPLICATION

The following information is required:

1. **Applicant Information:** The applicant is the person who would be in violation of a rule of the commission if he or she maintained the conditions sought to be legalized by a variance and did not obtain the variance. This person is usually the owner or operator of the boiler or pressure vessel in question. If the applicant is a corporation, a governmental body, or any other type of legal organization, include the name of this legal organization, as well as the name and telephone number of the organization's contact person.
2. **Person Submitting Application on Behalf of the Applicant:** The name, address and telephone number of the person submitting the application, if the applicant is not the person who is submitting the application. If the person is a corporation, a governmental body, or any other type of legal organization, include the name of this legal organization, as well as the name and telephone number of the organization's contact person.
3. **Engineer Information:** The name, license number, address and telephone number of the design professional for the project (if there is one). If applicable, provide the name of the organization for which the engineer works.
4. **Project Identification:**
 - (a) Project Name: A name that will allow the Department to readily identify the project.
 - (b) The ASME number, if the variance involves a boiler or pressure vessel that has been registered with the National Board.
 - (c) The address of the boiler or pressure vessel for which the variance is being sought.
 - (d) The county of the boiler or pressure vessel for which the variance is being sought.
 - (e) The type of the project. Indicate whether the variance is being sought for a new boiler or pressure vessel, an addition or alteration to an existing boiler or pressure vessel, or an existing boiler or pressure vessel that is none of the above.
5. **Required Additional Information:** To apply for a variance, the following shall be submitted with the application:
 - A. A \$276 check made payable to the **Indiana Department of Homeland Security** for the application filing fee (\$138) and the processing fee (\$138) for a single code provision, together with an additional fee of \$69 for each additional unrelated code provision*, where applicable.
 - B. One (1) set of plans or drawings and supporting data that describe the boiler or pressure vessel affected by the requested variance and any proposed alternatives. Please have all materials and dimensions in both English and USA units of measurement.
 - C. For vessels in prior service, documentation verifying the results of ultrasonic or other thickness testing.
 - D. A copy of any written comments, in appropriate format, received from the local building official, local fire official, or any other interested party.
 - E. Estimates or other evidence that demonstrate compliance with the rule will cause an undue hardship.
 - F. ASME B and PVC required calculations, including relief device calculations certified by a professional engineer licensed in Indiana.
 - G. Data for substitute materials, if the variance request involves the use of non-ASME B and PVC approved materials.
 - H. A data sheet, similar to an ASME B and PVC manufacturer's data report, signed by the designated representative after construction is complete.
 - I. For non-ASME standard vessels, include certified material test reports or results of examinations or tests that identify the chemical and physical properties of all materials of construction.
 - J. For non-ASME standard vessels, include documentation to verify that all welding performed in fabrication of the vessel is equivalent to the requirements in Section IX of the ASME code and other sections of ASME codes applicable to the type of vessel under construction.
 - K. For non-ASME standard vessels, include documentation to verify that examination and testing (including NOE) that were, or will be, completed meets or exceeds the minimum requirements stated in the applicable ASME code.
6. **Violation Information:**
 - (a) Indicate if the request for a variance is a result of a Notice of Violation / Order. If so, **include a copy of this Notice of Violation / Order.**

7. Description of Requested Variance:

- A. Include the name of the Code or Standard, as well as the edition. (*For example, Indiana Building Code, 2003 Edition*)
- B. Include the specific code section for which the variance is being requested. (*For example, Section 1005.2.3*)
- C. Describe why the variance is needed (*what conditions exist that constitute a violation*).
- D. Indicate whether similar variances have been approved in the past and, if so, provide the variance number.

8. Demonstration that Public Health, Safety, and Welfare Will Be Protected: The application must include sufficient facts and evidence to demonstrate one of the following:

- A. The applicant must submit facts demonstrating that noncompliance with the rule will not be adverse to the public health, safety, or welfare; or
- B. The applicant must propose one or more alternative actions that the applicant will undertake in lieu of compliance with the rule and submit facts demonstrating that compliance with this alternative action would not be adverse to the public health, safety, or welfare. Explain why alternative actions would be adequate (*be specific*).

9. Demonstration of Undue Hardship: The applicant must submit sufficient facts and evidence to demonstrate that compliance with the rule will impose an undue hardship (*unusual difficulty*) upon the applicant.

10. Provide Your Local Official Information: Pursuant to IC 22-13-2-11, the local building official and local fire official are required to receive notice of your variance request. Provide the name of both the local building and the local fire department, and the e-mail addresses of both the local building official and the local fire official. To determine the contact information of your local officials, please see the list of contact on the IDHS website: <http://www.in.gov/dhs/4290.htm>

11. Statement of Accuracy: The applicant, or the person submitting the application on behalf of the applicant, must certify under penalty of perjury that the information contained in the application is accurate.

12. Statement of Awareness: If the application is submitted on the applicant's behalf, the applicant must certify under penalty of perjury that he or she is aware of the variance request and that it is made on his or her behalf.

B. OTHER IMPORTANT INFORMATION

- 1. An electronic copy of the variance application and these instructions can be found at <http://www.in.gov/dhs/4290.htm>
- 2. Please ensure all information you would like to be considered as part of your variance request is included in your initial application. You may only submit additional information in limited circumstances.
- 3. Action on a variance is final, subject to the administrative review process under Indiana Code 4-21.5-3-7.
- 4. The applicant will receive official notice of the decision, including administrative review rights.
- 5. Telephone inquiries about this process can be made to 317-232-1402, or you may submit questions by e-mail at variances@dhs.in.gov. The completed variance application, fee and accompanying information should be submitted to: Indiana Department of Homeland Security, Code Services Section, 302 West Washington Street, Room W246, Indianapolis, Indiana 46204-2739.