**Section 120.1100 Procedure for the Issuance of a State Special Permit**

a) The Board of Boiler and Pressure Vessel Safety may issue special permits for boilers and pressure vessels which for some reason were not or cannot be constructed in accordance with an applicable ASME Code.

b) Individuals, corporations, partnerships, joint ventures, and other entities may petition the Board at least 30 days prior to the next meeting of the Board for a permit for the installation of an object not constructed in accordance with the applicable ASME Code.

c) The Board may grant a special installation permit upon consideration of the following information that must be submitted by the petitioner:

1) A statement of relief sought with all specific information as to why a State Special is requested. This statement must be signed by:

A) An attorney licensed to practice law in the State of Illinois, including the attorney's license number;

B) An officer of the corporation, indicating the office, if the entity seeking the State Special is a corporation; or

C) The owner or partner, if the entity seeking the State Special is a sole proprietorship or a partnership, respectively.

2) Full details of design and construction showing equivalency to the ASME Code.

3) All data pertaining to the physical and chemical properties of all material used in construction.

4) All calculations showing in detail how the maximum allowable working pressure was derived.

5) A report showing in detail the purposes for which the object is to be used.

6) Any other information the Board may deem necessary to make a decision.

d) The Board may, by regulation, issue special installation permits to a class of objects meeting the above criteria when it deems that the public interest would be best served by application of the class of objects rather than individual case-by-case determination.

e) The Board may, as a condition to issuance of a special permit, require the installation of additional safety features or prescribe certain operating procedures to be followed or require that additional maintenance and/or inspections be performed in addition to the requirements contained in this Part. The Board will use relevant safety data in determining the need for additional safety features or special operating procedures or additional maintenance and/or inspections. The owner shall provide the Division copies of special maintenance reports and/or inspections at time intervals identified with the issuance of the special permit.

f) All information requested by the Board shall be sent to the Division of Boiler and Pressure Vessel Safety with 10 copies provided.

g) In addition to the other requirements of this Section, the petitioner will be required to provide a certified stenographic reporter at the hearing at the petitioner's expense and one copy of the original transcript of the proceedings shall be sent to the Board. If a special meeting is necessary, the petitioner must agree to pay all travel and costs associated with the special meeting.

(Source: Amended at 35 Ill. Reg. 9028, effective July 1, 2011)