

Committee members,

Thank you for allowing me to explain the concerns I have for the manner in which the current regulations define the difference between a “water Heater” and a “Boiler”.

This issue first came to our attention in 2017, when our original water heater needed replaced. Forward thinking, we decided that having an additional 15 to 20 gallons of hot water available for use by the guests staying in the hotel would be a good thing, so we decided to purchase a larger water heater with a 100 gallon capacity instead of the 80 gallon capacity that was being replaced. We contacted Henton Plumbing of Manhattan, Kansas and asked for an estimate. Subsequently, the water heaters were installed. Forward to August of 2018, the annual Fire Marshal’s inspection was performed and we were informed that because the size of the water heater was over 85 gallons that the fire marshal considered these to be boilers.

Because the term “Boilers” under the present definition by the statutes also includes large, high pressure steam producing vessels, they have a very different set of safety regulations than water heaters due to having the possibility of releasing that high pressure, high temperature steam under pressure with the possibility of causing someone injury.

This is not the case with water heaters. They are equipped with Temperature and Pressure relief valves which would simply release water from the heater should the temperature ever approach the boiling point, or the internal pressure ever exceed 150 psi, thus eliminating the possibility of steam in the exact same manner that your common household water heater does.

Why does it matter? Under the “Boiler” regulations:

1. A boiler is required to be hardwired into the electrical system. These water heaters are designed, engineered and built to be just plugged into any standard household electrical receptacle. Hard wiring them into the electrical system actually is more likely to cause problems than just being able to “pull the plug”.
2. The boiler regulations not only require this hard wiring, but because hardwiring would not allow just unplugging them, the regulations also require installation of a hardwired shut off by every entrance into the room where the water heater is located, and installation of lockable disconnects. This can and does run into several thousand dollars of what I believe are unnecessary costs to just add 15 gallons of hot water.
3. As further evidence of this unjust defining of a water heater, let me point out that you can have this exact same water heater in your house and would be exempt of these “Boiler” regulations.

Finally, let me add that these 100 gallon water heaters are extremely common in hotels, restaurants, and other types of businesses that use hot water. The present 85 gallon limit may actually be promoting unsafe cleaning in these types of businesses by keeping some businesses from installing the proper size heater for cleaning and sanitation because of the added expense and regulation.

I thank you for your time and consideration. Should you wish to contact me for any reason, please feel free to call me at 785-456-5185 or email me at tommydoper@gmail.com.

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