

LABOR SERVICES DIVISION[875]

Adopted and Filed

Rule making related to inspections of boilers and pressure vessels

The Boiler and Pressure Vessel Board hereby amends Chapter 90, “Administration of the Boiler and Pressure Vessel Program,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code section 89.14.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code chapter 89.

Purpose and Summary

This rule making adopts new fees for visits by state boiler inspectors outside of the normal course of business and updates the phone numbers for reporting boiler explosions, injuries, and related incidents.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on July 31, 2019, as **ARC 4564C**. No public comments were received. No changes from the Notice have been made.

Adoption of Rule Making

This rule making was adopted by the Board on September 26, 2019.

Fiscal Impact

Since requests for inspections outside the normal schedule are not common, any impact on the Boiler and Pressure Vessel Safety Fund should be minimal.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Board for a waiver of the discretionary provisions, if any, pursuant to 875—Chapter 81.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on November 27, 2019.

The following rule-making actions are adopted:

ITEM 1. Rescind paragraph **90.7(3)“e”** and adopt the following **new** paragraph in lieu thereof:

e. An additional fee will be charged if, upon the request of an owner or user, the labor commissioner agrees to any non-routine schedule for an inspection outside of normal business hours, a special inspection, or a site visit. The additional fee will be calculated at a rate of \$200 per hour, including travel time, with a minimum charge of \$400.

ITEM 2. Rescind paragraph **90.7(3)“f.”**

ITEM 3. Reletter paragraph **90.7(3)“g”** as **90.7(3)“f.”**

ITEM 4. Amend paragraph **90.11(3)“c”** as follows:

c. Incident reports shall be made by calling ~~(515)281-3647~~ (515)725-5609 or ~~(515)281-6533~~ (515)725-5610. If the incident occurs during normal division operating hours, notification shall occur before close of business on that day. If the incident occurs when the division office is closed, the notification shall occur no later than close of business on the next division business day. Division hours are 8 a.m. to 4:30 p.m., Monday through Friday, except state holidays.

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EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 10/23/19.