

INSPECTIONS AND APPEALS DEPARTMENT[481]

Regulatory Analysis

Notice of Intended Action to be published: 481—Chapters 390 and 391
“Boiler and Pressure Vessel Board—Adoption by Reference”

Iowa Code section(s) or chapter(s) authorizing rulemaking: 89.14

State or federal law(s) implemented by the rulemaking: Iowa Code section 89.14

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

October 6, 2026
11 to 11:15 a.m.

Geode Conference Room
6200 Park Avenue, Suite 100
Des Moines, Iowa

Public Comment

Any interested person may submit written or oral comments concerning this Regulatory Analysis, which must be received by the Department of Inspections, Appeals, and Licensing no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

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Department of Inspections, Appeals, and Licensing
6200 Park Avenue, Suite 100
Des Moines, Iowa 50321-1270
Phone: 515.443.1051
Email: mitchell.mahan@dia.iowa.gov

Purpose and Summary

This proposed rulemaking updates the publication dates of codes adopted by reference. It also corrects rule citations.

Analysis of Impact

1. **Persons affected by the proposed rulemaking:**
 - **Classes of persons that will bear the costs of the proposed rulemaking:**
Owners of covered boilers and pressure vessels bear the cost of compliance with adopted codes.
 - **Classes of persons that will benefit from the proposed rulemaking:**
Owners of covered boilers and pressure vessels will benefit.
2. **Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:**
 - **Quantitative description of impact:**
There is no known quantitative impact.
 - **Qualitative description of impact:**
The boiler and pressure vessel industry expects enforcement under recent standards, which this rulemaking accomplishes.
3. **Costs to the State:**

- **Implementation and enforcement costs borne by the agency or any other agency:**

The agency has no additional costs associated with these updates.

- **Anticipated effect on State revenues:**

The rulemaking has no anticipated fiscal impact.

4. Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:

The benefits of safe boilers and pressure vessels outweigh any costs.

5. Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:

The Department has not identified any less costly or less intrusive methods.

6. Alternative methods considered by the agency:

- **Description of any alternative methods that were seriously considered by the agency:**

No alternative methods were seriously considered.

- **Reasons why alternative methods were rejected in favor of the proposed rulemaking:**

This rulemaking updates adopted codes of proven effectiveness.

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.
- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.
- Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.
- Establish performance standards to replace design or operational standards in the rulemaking for small business.
- Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

The updated rules do not have a substantial impact on small business.

Text of Proposed Rulemaking

ITEM 1. Amend subrule 390.5(1) as follows:

390.5(1) General. All boilers and unfired steam pressure vessels covered by Iowa Code chapter 89 are inspected according to the requirements of the National Board Inspection Code (~~2021~~ 2025), which is hereby adopted by reference. A department inspector or special inspector must perform the inspections.

ITEM 2. Amend rule 481—390.14(89) as follows:

481—390.14(89) Conversion of a power boiler to a low-pressure boiler. The following requirements apply to the conversion of a power boiler to a low-pressure boiler. The owner shall comply with the requirements of subrule ~~390.15(1)~~ 390.14(1) for each conversion. In addition, the owner shall comply with the requirements of subrule ~~390.15(2)~~ 390.14(2) if the converted object will be located outside of a place of public assembly or with the requirements of subrule ~~390.15(3)~~ 390.14(3) if the converted object will be located in a place of public assembly.

390.14(1) to 390.14(3) No change.

ITEM 3. Amend rule 481—391.1(89) as follows:

481—391.1(89) Codes and code cases adopted by reference.

391.1(1) *ASME boiler and pressure vessel codes adopted by reference.* The ASME Boiler and Pressure Vessel Code (~~2021~~ 2025), including Code Cases, is adopted by reference. Regulated objects shall be designed and constructed in accordance with the ASME Boiler and Pressure Vessel Code (~~2021~~ 2025) except for objects that meet one of the following criteria:

a. to d. No change.

391.1(2) *Inspection code adopted by reference.* The National Board Inspection Code (~~2021~~ 2025) is adopted by reference, and installations, alterations, and repairs after February 16, 2022, shall comply with it.

391.1(3) *Electric code adopted by reference.* The National Electrical Code, NFPA 70 (~~2020~~ 2026), is adopted by reference, and installations after April 15, 2020, shall comply with it.

391.1(4) *Piping codes adopted by reference.* The Power Piping Code, ASME B31.1 (~~2020~~ 2024), and the Building Services Piping Code, ASME B31.9 (~~2020~~ 2025), are adopted by reference, and installations after February 16, 2022, shall comply with them up to and including the first valve.

391.1(5) *Control and safety device code adopted by reference.* Controls and Safety Devices for Automatically Fired Boilers (CSD-1) (~~2021~~ 2024) is adopted by reference, and installations after December 1, 2022, shall comply with it. Reporting requirements concerning CSD-1 are set forth at rule 481—390.11(89).

391.1(6) *Mechanical code adopted by reference.* Excluding Section 701.1, Chapters 2 and 7 of the International Mechanical Code (IMC) (~~2021~~ 2024) are adopted by reference, and installations after February 16, 2022, shall comply with them.

391.1(7) *Oil burning equipment code adopted by reference.* National Fire Protection Association Standard for the Installation of Oil Burning Equipment, NFPA 31 (~~2020~~ 2024), is adopted by reference, and installations after February 16, 2022, shall comply with it.

391.1(8) *Fuel gas code adopted by reference.* National Fire Protection Association National Fuel Gas Code, NFPA 54 (~~2021~~ 2024), is adopted by reference, and installations after February 16, 2022, shall comply with it.

391.1(9) *Liquefied petroleum gas code adopted by reference.* National Fire Protection Association Liquefied Petroleum Gas Code, NFPA 58 (~~2020~~ 2024), is adopted by reference, and installations after April 15, 2020, shall comply with it.

391.1(10) *Boiler and combustion systems hazards code adopted by reference.* National Fire Protection Association Boiler and Combustion Systems Hazards Code, NFPA 85 (~~2019~~ 2023), is adopted by reference, and installations after April 15, 2020, shall comply with it.

ITEM 4. Amend subrule 391.10(3) as follows:

391.10(3) *National combustion air standards.*

a. Installations. Installations will comply with the edition of NFPA 31, NFPA 54, NFPA 58, NFPA 85, or IMC currently adopted at rule 481—391.1(89) or with the Iowa combustion air standard in subrule ~~391.13(4)~~ 391.10(4). However, compliance with one of the listed NFPA codes constitutes compliance with this rule only if the object burns the fuel covered by the NFPA.

b. Existing objects. An adequate supply of combustion air will be maintained for all objects while in operation. Compliance with the current edition of NFPA 31, NFPA 54, NFPA 58, NFPA 85, or IMC as adopted at rule 481—391.1(89) or with subrule ~~391.13(4)~~ 391.10(4) constitutes compliance with this rule. Compliance with an earlier edition of NFPA 31, NFPA 54, NFPA 58, NFPA 85, or IMC constitutes compliance with this rule. However, compliance with one of the listed NFPA codes constitutes compliance with this rule only if the object burns the fuel covered by the NFPA. Compliance with an earlier version of Iowa's combustion air rule constitutes compliance with this rule. Earlier versions of Iowa's combustion air rule are available from the board's staff upon request.