AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]

Regulatory Analysis

Notice of Intended Action to be published: Iowa Administrative Code rule 21—85.20(214A,208A)
"Motor Fuel and Antifreeze Tests and Standards"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 214A.1A
State or federal law(s) implemented by the rulemaking: Iowa Code section 214A.2

Public Hearing

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

October 10, 2024 11:30 a.m.	Conference Room 2N Wallace State Office Building Des Moines, Iowa

Public Comment

Any interested person may submit written or oral comments concerning this Regulatory Analysis. Written or oral comments in response to this Regulatory Analysis must be received by the Department of Agriculture and Land Stewardship no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

Colin Tadlock
Iowa Department of Agriculture and Land Stewardship
Wallace State Office Building
502 East 9th Street
Des Moines, Iowa 50319
Phone: 515.281.7808
Email: colin.tadlock@iowaagriculture.gov

Purpose and Summary

This proposed rulemaking updates the Department's fuel standards and specifications with the latest ASTM International standards, which are adopted by reference.

Analysis of Impact

1. Persons affected by the proposed rulemaking:

- Classes of persons that will bear the costs of the proposed rulemaking:

None.

- Classes of persons that will benefit from the proposed rulemaking:

Fuel producers and consumers 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:

By adopting ASTM International's latest standards, fuel producers are able to more efficiently produce fuel that results in lower costs to consumers.

- Qualitative description of impact:

By adopting ASTM International's latest standards, fuel producers are able to more efficiently produce fuel that results in lower costs to consumers.

3. Costs to the State:

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

None.

- Anticipated effect on state revenues:

None.

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

The intent of ASTM International standards is to provide uniform and consistent standards agreed upon by regulators and industry to maximize efficiency.

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

None.

6. Alternative methods considered by the agency:

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

None.

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

Not applicable.

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?

None.

Text of Proposed Rulemaking

ITEM 1. Amend rule 21—85.20(214A,208A) as follows:

21—85.20(214A,208A) Motor fuel and antifreeze tests and standards.

85.20(1) In the interest of uniformity, the tests and standards for motor fuel, including but not limited to renewable fuels such as ethanol blended gasoline, biodiesel, and biodiesel blended fuel, and components such as an oxygenate, raffinate natural gasoline and motor vehicle antifreeze shall be those established by ASTM International in effect on ~~June 30, 2023~~ July 9, 2024, with the following exceptions:

a. and *b.* No change.

85.20(2) and **85.20(3)** No change.

This rule is intended to implement Iowa Code sections 208A.5, 208A.6, 214A.2, and 215.18.