

House Study Bill 150 - Introduced

HOUSE FILE _____

BY (PROPOSED COMMITTEE ON
LABOR AND WORKFORCE BILL BY
CHAIRPERSON DEYOE)

A BILL FOR

1 An Act relating to boiler inspections.

2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 89.3, subsection 5, paragraph a,
2 subparagraph (4), subparagraph division (b), Code 2023, is
3 amended to read as follows:

4 (b) The object is ~~an unfired steam pressure vessel and is~~
5 part of or integral to the continuous operation of a process
6 covered by and compliant with the occupational safety and
7 health administration process safety management standard
8 contained in 29 C.F.R. §1910.119 and the owner demonstrates
9 such compliance to ~~a special inspector or the commissioner.~~
10 The ~~unfired steam pressure vessel~~ object must also be included
11 as process safety management process equipment in the ~~owner~~
12 ~~of the unfired steam pressure vessel's~~ owner's process safety
13 management program.

14 Sec. 2. Section 89.3, Code 2023, is amended by adding the
15 following new subsection:

16 NEW SUBSECTION. 5A. The owner of an object that meets all
17 of the criteria in subsection 5, paragraph "a", may request from
18 the commissioner an internal inspection time period of longer
19 than four years, but not to exceed seven years, if the object
20 is an integral part of a continuous operation of a process
21 that is covered by and compliant with the occupational safety
22 and health administration process safety management standard
23 contained in 29 C.F.R. §1910.119 and has a planned outage
24 schedule that is longer than four years. The commissioner
25 may grant the longer inspection interval if the owner is
26 able to demonstrate to the commissioner that the object is
27 in compliance with the process safety management standard
28 contained in 29 C.F.R. §1910.119 and that the object is
29 included as process safety management process equipment in the
30 owner's process safety management program. If the commissioner
31 intends to deny the request, the commissioner shall contact
32 the owner prior to the denial and provide an opportunity for
33 the owner to address the reasons for the intended denial. The
34 owner of the object that is granted the longer inspection
35 interval shall comply with the requirements contained in

1 subsection 5, paragraph `b`.

2

EXPLANATION

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The inclusion of this explanation does not constitute agreement with
4 the explanation's substance by the members of the general assembly.

4

5 This bill relates to boiler inspections.

6 The bill modifies one of the criteria necessary for a boiler
7 or pressure vessel to be inspected at least once each year
8 externally while under pressure and at least once every four
9 years internally while not under pressure, unless the labor
10 commissioner determines an earlier inspection is warranted.
11 Under current law, one of the criteria for an unfired steam
12 pressure vessel to be eligible for such an inspection schedule
13 is that the vessel is part of or integral to the continuous
14 operation of a process covered by and compliant with a
15 specified occupational safety and health administration
16 process safety management standard, and the owner demonstrates
17 such compliance to a special inspector or the commissioner.
18 Additionally, the vessel must also be included as process
19 safety management process equipment in the owner of the unfired
20 steam pressure vessel's process safety management program. The
21 bill provides that this criterion is not limited to unfired
22 steam pressure vessels, but includes any boiler or pressure
23 vessel. The bill also strikes the reference to a special
24 inspector.

25 The bill also authorizes the owner of a boiler or pressure
26 vessel meeting certain criteria as specified in the bill to
27 request from the commissioner an internal inspection time
28 period of longer than four years, but not to exceed seven
29 years, if the boiler or vessel is an integral part of a
30 continuous operation of a process that is covered by and
31 compliant with a specified occupational safety and health
32 administration process safety management standard and has a
33 planned outage schedule that is longer than four years. The
34 commissioner may grant the longer inspection interval if the
35 owner is able to demonstrate to the commissioner that the

1 object is in compliance with the process safety management
2 standard and that the object is included as process safety
3 management process equipment in the owner's process safety
4 management program. If the commissioner intends to deny the
5 request, the bill requires the commissioner to contact the
6 owner prior to the denial and provide an opportunity for the
7 owner to address the reasons for the intended denial. The bill
8 requires the owner of the object that is granted the longer
9 inspection interval to comply with additional inspections and
10 recordkeeping requirements as specified in the bill.