Petition for Waiver or Variance from a Boiler or Pressure Vessel Rule

Notice: A waiver may not suspend the requirements of the statute. A waiver suspends the requirements of a rule for the specific circumstances if an identified person. If you seek blanket authorization to install objects in unidentified locations, please file a petition for rulemaking instead of this form.

You may wish to consult an attorney before completing this document. For more information, please read the boiler board's rules on waivers and variances at 875 Iowa Administrative Code Chapter 81.

Your name: _____

Your title: _____

Name of the organization you represent, if applicable: _____

Your phone number: _____

Your e-mail address: _____

Your address: _____

_____

State ID No. of boiler or pressure vessel: _____

Are the requirements you wish to have waived specifically mandated by statute? If yes, the board does not have authority to waive the requirements.

☐ Yes ☐ No

Does this petition relate to a pending contested case or other legal proceeding? If so, the petition must be filed in that proceeding.

☐ Yes ☐ No

Please indicate whether this is a request for a temporary waiver or a permanent waiver.

☐ Temporary ☐ Permanent

If this is a request for a temporary waiver, please give the desired end date for the waiver.

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If this is a request for a permanent waiver, do you believe a temporary waiver would be infeasible?

☐ Yes ☐ No

If yes, please describe why you believe a temporary waiver would be impracticable.

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Describe and cite to the rule or rules you wish the board to waive.

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Describe the exact waiver or variance desired, including scope.

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Describe how complying with the rule would impact the building.

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Describe how complying with the rule would impact your activities in the building.

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Describe how complying with the rule would impact your business or other organization.

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Provide any additional facts, data and arguments that you believe show complying with the rule would create an undue hardship.

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Will substantially equal protection of the public health, safety, and welfare be provided if the waiver is granted.

☐ Yes ☐ No

If you marked yes, please describe exactly how the protection will be provided.

Do you believe a waiver would prejudice the substantial legal rights of any person.

☐ Yes ☐ No

If you marked no, please describe why not.

Describe previous contacts with the Iowa Division of Labor or any other governmental agency regarding the boiler or pressure vessel at issue.

Provide any information you have regarding how the board has handled similar requests in the past.

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Provide the name, address and telephone number of any person, entity, public agency or governmental body that might be affected by this waiver.

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Provide the name, address, and telephone number of anyone with relevant knowledge regarding the variance or waiver request.

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If an attorney is handling this variance request for you, provide the attorney's name, address and telephone number.

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Mail this form with copies of any supporting documents you want the board to consider to:

Boiler and Pressure Vessel Board
Iowa Division of Labor
1000 East Grand Avenue
Des Moines, Iowa 50319-0209

The information provided in this petition is true and accurate to the best of my knowledge. I hereby authorize persons with information relevant to this variance request to release information to the board.

_____
Your signature

_____
Date