

FULL NOTICE OF INTENT TO AMEND ADMINISTRATIVE RULES  
RELATING TO BOILER INSPECTION

TAKE NOTICE that the North Dakota Department of Environmental Quality ("Department") will hold a public hearing to address proposed amendments to North Dakota Administrative Code ch. 33.1-14-01 at the following time and location:

2nd Floor Conference Room  
North Dakota Department of Environmental Quality  
4201 Normandy St, Bismarck, ND 58503-1324  
November 29, 2023  
11:00 am CST

The purpose of the proposed amendment is to update definitions with referenced code editions in N.D. Admin. Code ch. 33.1-14-01 regarding the biennial updates to the American Society of Mechanical Engineers Code and National Board Inspection Code.

The proposed amendment is not expected to have an impact on the regulated community in excess of \$50,000.

The proposed rules may be reviewed at the Department's office located at 4201 Normandy St, Bismarck, ND 58503-1324 or on the Department's website at: <https://deq.nd.gov/PublicNotice.aspx>. A copy of the proposed rules amendment and/or regulatory analysis may be requested by writing the Boiler Inspection Program at the above address, emailing [tsseime@nd.gov](mailto:tsseime@nd.gov), or calling (701) 328-5150. Written or oral comments on the proposed rule amendments sent to the above mailing address, email address, or telephone number and received by December 11, 2023 will be fully considered.

If you plan to attend the public hearing and will need special facilities or assistance relating to a disability or need language interpretation for limited English proficiency, please contact the Department at the above address or telephone number at least two days prior to the public hearing.

There will be real time public streaming of the public hearing through a Microsoft Teams meeting. No testimony will be accepted through the Microsoft Teams meeting. Information concerning listening access by telephone or through Microsoft Teams can be obtained by calling (701) 328-5150 or can be found on the Department's website at: <https://deq.nd.gov/PublicNotice.aspx>.

Dated this 25th day of September, 2023.



L. David Glatt, P. E.  
Director  
Department of Environmental Quality

## Boiler Inspection Administrative Rules – Public Hearing Information:

2nd Floor Conference Room  
North Dakota Department of Environmental Quality  
4201 Normandy St, Bismarck, ND 58503-1324  
November 29, 2023  
11:00 am CST

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[+1 701-328-0950,,904385366#](#) United States, Fargo

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NORTH DAKOTA DEPARTMENT OF ENVIRONMENTAL QUALITY  
NORTH DAKOTA BOILER RULES

Certain sections of N.D. Admin. Code § 33.1-14-01-01 are being amended as follows:

**CHAPTER 33.1-14-01  
DEFINITIONS**

Section

33.1-14-01-01 Definitions

**33.1-14-01-01. Definitions.**

As used in this article:

4. "A.S.M.E. code" means the boiler and pressure vessel construction code of the American Society of Mechanical Engineers of which sections I, II, IV, V, VIII (divisions 1, 2 and 3), IX, and X, ~~2021~~2023 edition, are hereby adopted by the director and incorporated by reference as a part of this article. A copy of the American Society of Mechanical Engineers Code is on file at the office of the boiler inspection program. The American Society of Mechanical Engineers Code may be obtained from the American Society of Mechanical Engineers headquarters at 2 Park Avenue, New York, New York 10016-5990 or from [www.asme.org](http://www.asme.org).
  
23. "National Board Inspection Code" means the manual for boiler and pressure vessel inspectors supplied by the national board. The National Board Inspection Code, ~~2021~~2023 edition, is hereby adopted by the director and incorporated by reference as a part of this article. Copies of this code may be obtained from the national board at 1055 Crupper Avenue, Columbus, Ohio 43229.

**History:** Effective July 1, 2020, amended effective January 1, 2022

**General Authority:** NDCC 23.1-16-01

**Law Implemented:** NDCC 23.1-16-01