

**Final minutes
State of Oregon**

Board of Boiler Rules

**Regular meeting minutes
June 5, 2007**

Members present: John Endicott, Chairman
Anthony Barsotti
Dennis Coplin
Robert Cowling
Bruce Fellows
Vince Leedy
Thomas Perritt

Members absent: Mike Bradley, Vice-chairman
John Pyle

Staff present: Andrea Simmons, policy and technical services manager
Twyla Knowles, policy and technical services assistant manager
Mike Graham, chief boiler inspector, and board secretary
Jim Denno, statewide services manager
Martin Pittioni, enforcement/licensing manager
Philip Johnson, enforcement officer
Casey Hoyer, policy analyst
Crystal Bachsler, manager's assistant
Debi Barnes-Woods, boards coordinator

Guests present: Tom Lindberg, A&V Code Consulting, Inc.
Rodger Vignery, Temp Control Mechanical Corp.,
A&V Code Consulting, Inc.
Dale McLouth, past board chairman
Ed Pitzrick, Chubb Insurance

I. Board business

A. Call to order

Chairman John Endicott called the Board of Boiler Rules meeting to order at 9:30 a.m. The meeting was held at the Building Codes Division, Conference Room A, 1535 Edgewater Street NW, Salem, Oregon.

B. Roll call

Vice-chair Mike Bradley was absent excused. John Pyle was absent unexcused.

C. Approval of Agenda and order of business

Chairman Endicott **RULED** the Agenda approved.

D. Approval of the regular board meeting minutes of March 6, 2007

Chairman Endicott **RULED** the regular meeting minutes of March 6, 2007 approved.

E. Date of the next regularly scheduled meeting

September 11, 2007

F. Formal farewell to board member John Pyle

John Pyle was not present to accept his letter and plaque, which will be mailed. Chairman Endicott publicly thanked Mr. Pyle for all his time served on the board.

II. Public comment

No individuals registered to speak.

III. Reports

(Agenda Items III.C and D were taken out-of-order, heard before III.A and B)

C. Summary of enforcement actions previously resolved by the division for cases 1 and 2, outlined on the enforcement board report (No board action required)

Phil Johnson, enforcement officer, reported that, Hydro-Temp Mechanical Inc., has contacted him. This is the last case on the enforcement summary report and is being taken off the report until the next scheduled board meeting.

Mr. Johnson was available for questions.

Chairman Endicott asked that the enforcement section present enforcement change information at the next board meeting. He also noted that the visible licensing rules were not being enforced. Chairman Endicott said that the division should “put some consequences” to visible license violations.

Manager Simmons said that by the next board meeting the division intends on having Final Orders posted on the Internet beginning with orders in 2007.

D. Program update

Boiler Exam Validation Committee: Casey Hoyer, policy analyst, indicated that the division met with the Boiler Exam Validation Committee to review questions in the boiler and pressure vessel license tests. The division recently contracted with A&V Consultants to develop a Boiler Safety Program Study Guide to improve test scores. A draft of the study guide will be presented to the committee for validation prior to publication and availability.

Continuing Education Committee: Chairman Endicott said that he would like to reactivate the Boiler Continuing Education Committee to review courses now that a license renewal cycle is completed.

Boiler renewals: Twyla Knowles, policy and technical services assistant manager, and acting manager for enforcement and licensing reported that in May renewal notices were sent to the following licenses:

- 400 boiler businesses,
- 287 Class 1,
- 95 Class 2,
- 226 Class 3,
- 177 Class 4,
- 1 Class 5A,
- 4 Class 4B,
- 1,958 Class 5, and
- 499 Class 6.

Renewal reminders will be sent by mail and by e-mail for those who have not renewed by July.

Overdues: Chairman Endicott asked that an overdue report be given at the September 11 board meeting.

A. Building Codes Division administrator's report

This item was discussed under Agenda Item III.B.

B Legislative update

["Construction Industry Bill Tracking"](#): Manager Simmons briefly discussed some of the bills tracked by the division, and explained that most of the legislative committees are shutting down for the end of session. The Ways and Means, Rules, and the Judicial Committees will remain open until the end of the process. Highlighted bills were discussed:

HB 2219: This bill continues HB 2181 (2005) efforts toward consistent administrative provisions for most BCD licensing programs. This bill allows all boards to establish specific requirements for continuing education through rulemaking activities instead of statute.

SB 192: The original the bill would allow the division to suspend a license without hearing. The division, in consultation with stakeholders, is amending the bill, and replacing the original language with language providing division authority for enforcement to consider actions taken by certain in- and out-of-state governmental entities.

SB 193: The bill will clarify the roles of state inspectors and insurance inspectors performing boiler and pressure vessel inspections. This bill will also allow the board to determine, by rulemaking, the level of regulation of a specific boiler or pressure vessel.

HB 2405: This bill would expand the current e-permitting pilot program to allow local governments to offer a comprehensive range of building department services, including permitting, inspection tracking and plan review through one Internet site hosted by the state. A 4 % permit surcharge fee is scheduled to go into effect January 1, 2008.

HB 2654: This bill came out of the Construction Claims Task Force, a group that was created by the governor to deal with water intrusion issues.

IV. Communications

New employees were introduced:

- Patrick Allen, interim deputy administrator

[2007 Oregon Boiler & Pressure Vessel Specialty Code addenda rule](#)

Mr. Hoyer reviewed the adoption process for the Oregon Boiler and Pressure Vessel Specialty Code: The code is adopted approximately every three years, and addenda are generally adopted midway into a code cycle. Mr. Hoyer said that a rulemaking hearing was held for the boiler addenda rule adoption on May 22, 2007.

The proposed draft rule adopting the addenda will be effective June 15, 2007.

V. Appeals – None

VI. Unfinished business - None

VII. New business

Board review [beverage service pressure vessel inspection frequency rule, OAR 918-225-0570](#)

Mr. Hoyer reported that these rules adjust the inspection frequencies of certain beverage service CO² and hydropneumatic pressure vessels. Effective September 1, 2007 certain pressure vessels containing air will be inspected externally every six years, instead of every five years. A rulemaking hearing is scheduled for June 19, 2007, Conference Room A, at the division office in Salem.

Motion by Dennis Coplin to approve the proposed rules for rulemaking and subsequent adoption effective September 1, 2007.

Motion carried unanimously

VIII. Announcements - None

IX. Adjournment

Chairman Endicott adjourned the meeting at 11:15 a.m.

Respectfully submitted,

Debi Barnes-Woods
Boards Coordinator/Recorder