

**Draft minutes
State of Oregon**

**Agenda
Item
I.D.**

Board of Boiler Rules

**Regular meeting minutes
March 4, 2008**

- Members present:** Dennis Coplin, Chairman
Mike Bradley, Vice-chairman
Anthony Barsotti
Robert Cowling
Bruce Fellows
Jon Hooker
Vincent Leedy
Thomas Perritt
Edward Pitzrick
Mark Stenberg *(New member)*
- Members absent:** None
- Staff present:** Mark Long, administrator
Andrea Simmons, policy and technical services manager
Mike Graham, chief boiler inspector and board secretary
David Galati, regional services manager
Jim Denno, statewide inspection services manager
Twyla Knowles, policy and technical services assistant manager
Jon Hills, enforcement and licensing manager
Robert Salinas, enforcement and licensing assistant manager
Philip Johnson, enforcement officer
Chris Huntington, policy analyst
Celina Patterson, policy analyst
Matt Rodriguez, enforcement officer
Shauna Parker, rules coordinator
Debi Barnes-Woods, boards coordinator
- Guests present:** Sheldon Yamamoto, McKinstry Company
Tim Barker, FM Global
Gary Penkava, HSBCT
Jerry Lanz, Lanz Boiler
Ray Andrus, Travelers Insurance
Mark Stenberg, Local 290
Dale Mchouth, self
Michael McClenahen, HSBI & I Co.
Russ Burtlett, Travelers Insurance
David Bacon, FM Global
Curt Lundine, Curt Lundine Consultants
Rodger Vignery, A&V Code Consulting, Inc.
Bruce Linehan, Georgia Pacific
Dale McLouth, past Board of Boiler Rules Chairman

I. Board business

A. Call to order

Chairman Dennis Coplin 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

All members were present.

C. Approval of Agenda and order of business

Chairman Coplin **RULED** the agenda approved.

D. Approval of the regular board meeting minutes of December 4, 2007

Corrections to the minutes were as follows:

Page 4, paragraph 2, delete Mike Bradley, insert Mike Graham.

Chairman Coplin **RULED** the regular meeting minutes of December 4, 2007 approved as amended.

E. Date of the next regularly scheduled meeting

June 3, 2008

F. Formal farewell to John Endicott

Former Chairman John Endicott was unable to attend the Board of Boiler Rules Board meeting. His plaque of appreciation from the governor and a letter of recognition from the administrator will be sent to Mr. Endicott. Administrator of Building Codes Division Mark Long publicly recognized Mr. Endicott's dedication as a board member.

G. Welcome new board member Mark Stenberg

Administrator Long welcomed Mr. Stenberg to the board, representing the plumbers and steamfitters.

II. Public comment

Jerry Lanz, retired, Lanz Industrial Welding, discussed the Class 4 and the Class 5 classification for testing. Mr. Lanz said without an updated study guide, the passing rate is currently 13 to 15 percent.

Rodger Vignery, A&V Code Consulting, Inc., contracted by the division to complete the study guide, said the outline of the guide is complete. He needs guidance on aligning the test questions with the outline. Jim Denno, statewide inspection services manager, offered to assist Mr. Vignery in the completion of the study guide.

Mr. Lantz questioned whether the supervision of the restoration of an antique engine would fall under the preview of his Class 4 license. Mike Graham, chief boiler inspector noted that owner/users could supervise that type of work.

Tim Barker, FM Global, asked if the division has made progress on whether process piping inspectors can perform non-boiler external piping inspections.

Manager Denno noted that the issue would be discussed under program update.

III. Reports

A. Building Codes Division administrator's report

Administrator Long delivered an update to members and the audience reviewing the contents of the [BCD Update](#) packet:

Administrator Long first focused on the "[summary of rulemaking and other projects](#)" a document included in the BCD update. The electrical, residential and the plumbing specialty codes anticipated effective date is April of 2008. The review of the boiler and pressure vessel code will begin shortly with its anticipated effective date January of 2009.

Oregon [electronic permitting initiative](#) is the largest regulatory streamlining effort in the State of Oregon and is the biggest construction-based ePermitting system in the country. The division is in the process of contract negotiations. Once that piece is completed, the product development phase of the project will begin. The first testing phase of the product will be available to jurisdictions January of 2009.

The Quick Permits program, which allows mechanical, plumbing, and electrical permits to be purchased online, is up and running with 20 jurisdictions using the system.

Administrator Long noted the new video/streaming system is currently being used for all board and public meetings. Now that the new system is in place, training options are being reviewed.

Green building/sustainable practices: Administrator Long noted that from the state's perspective, there are three major areas that represent opportunities for "green" dialogue: code adoption, product approval and permitting. He noted that local fire districts want to require mandatory fire sprinkler systems in residential homes and that the process of working out a solution has involved discussions about statewide code and how it relates to local decision-making, ordinances, and code adoption. The division is participating in these discussions, as they anticipate upcoming proposals and potential statutory changes in either 2008 or 2009.

[Civil penalty revenue](#) was discussed specifically for the boiler program. Administrator Long noted the penalties assessed and the high rate of penalties collected.

[Senate Bill 10](#): Specific changes to the [Ethics and Conflict of Interest](#) rules with the recent passage of Senate Bill 10. The State Ethics Commission is currently working on a guideline booklet to help assist public officials.

Anthony Barsotti asked if there may be a workshop or specific training related to SB 10 and all the changes that affect government officials. Administrator Long noted that the State Ethics Commission has a [Web site](#) and information should be updated online. Once the guideline book is printed, the division will send the link electronically to board members.

[Board responsibilities matrix – general overview](#): Administrator Long briefed the board on the draft copy distributed at the meeting. This document gives general responsibilities/authorities for each state division board.

B. Legislative update

This agenda item was discussed under the division's update.

C. Enforcement update

Jon Hills, manager of enforcement and licensing, and Assistant Manager Robert Salinas delivered an update on enforcement activities such as ticket book training recently conducted in the southern Oregon area. Mr. Salinas noted that continuous communication within the industry is a priority.

Manager Hills said one of the newest members to enforcement, Tania Close, will be the dedicated contact enforcement officer for the Portland/Metro area. She will soon have an office in Portland, although she will also spend time in Salem.

New enforcement employee: Matt Rodriguez, enforcement officer.

D. Program update

Jim Denno, manager of statewide inspection services, reviewed issues related to the boiler program. He noted that the Inspection Frequency Committee met to discuss the two-year unfired pressure vessels for inspection timeframes. He noted that certain types of vessels were flagged to remain on a two-year inspection schedule and some vessels may need a longer inspection schedule. Draft rules are expected to be included in the next board packet.

Manager Denno noted that the piping task force met to discuss the issue raised by the insurance industry after passage of Senate Bill 193, which requires them to inspect piping that they do not insure. Oregon is one of the few states that regulate non-boiler external piping and this type of piping is included in the statutory definition of a boiler. The division will be reviewing statute and rule for options to try to resolve this issue.

[Overdues](#): Manager Denno said that the overdue report indicates the lowest number of overdue inspections in three years.

IV. Communications

Boilers with Canadian registration numbers

Celina Patterson, policy analyst, said that at a recent Board of Boiler Rules meeting, a question was raised as to whether boilers and pressure vessels stamped with an ASME stamp and a CRN stamp can be installed in Oregon. Ms. Patterson informed the board that the boilers and pressure vessels installed in Oregon bears two stamps; an ASME stamp indicating the boiler or pressure vessel has been built to ASME standards and a National Board stamp indicating the boiler or pressure vessel is registered with the National Board. [Oregon Administrative Rule 918-225-0450](#) requires that a newly installed boiler or pressure vessel in Oregon have a data report filed by the manufacturer. The boilers and pressure vessels manufactured in Canada bear the ASME stamp and a Canadian Registration Number (CRN), which indicates it is registered in Canada.

Because the Canadian standards are based on the ASME standards, as long as the manufacturer's data report is filed with the National Board, those stamped with a CRN stamp may be installed in Oregon.

A discussion took place regarding Oregon's recognition of international products, such as sustainability products. The division will review the issue and report back to the board.

V. Appeals – None

Unfinished business- None

VI. New business

Board determines appropriate continuing education hours for 3-year licensing cycle

Chairman Coplin announced that he would be abstaining from voting on this issue due to an actual conflict of interest; he is an instructor of continuing education.

Chairman Coplin turned the meeting over to the Vice-chairman Mike Bradley.

Ms. Patterson noted that all division-issued licenses are moving to a 3-year renewal cycle as part of the rules that created consistency through the 2005 (HB 2181) and the 2007 (HB 2219) legislature. The boiler licenses are scheduled to go to a 3-year renewal cycle July of 2008.

New board member Mark Stenberg noted that the rules should be left alone, and not to reduce the current requirements.

Rodger Vignery noted that the rule change for the Class 4 and Class 5 licenses are acceptable. He said it is important that the other Class licenses continue with the current requirement of 8 hours of continuing education, with the exception of the few active Class 5A and the Class 5B licenses in the state. Mr. Vignery said he would not like to see the level of training hours reduced.

Jerry Lanz noted that licensees receive 8 hours of continuing education each year for attending an annual boiler pressure/vessel inspector's association meeting. Because attending the meeting satisfies the continuing education requirement, Mr. Lanz did not feel the need for this discussion.

Peter Kelly, OHSU, agreed with Mr. Lanz and Mr. Stenberg.

Curt Lundine, Curt Lundine Consulting, noted that he currently is a provider of continuing education. He said the Class 2 license installs pressure vessels and requires very little continuing education. There is little valued information in the ASME code or the National Board code for Class 2 license continuing education.

Vice-chairman Bradley noted that if the change were to occur and the annual requirement were to be removed, then licensees would wait until the end of the cycle to try to complete the required continuing education.

Mr. Stenberg said it would be difficult to enforce the 8-hour a year requirement.

Anthony Barsotti agreed and added that it would be an administrative burden to enforce.

Mr. Stenberg noted that the electrical and the plumbing programs manage continuing education requirements similarly.

Motion by Anthony Barsotti to replace the proposed 16-hour continuing education requirement with 24 hours to be completed within the 3-year license cycle for the Class 3, 4, and 5 boiler licenses moving the requirement to 918-03-0120.

Motion carried

Chairman Coplin abstained from voting; he is an instructor of continuing education.

Motion by Anthony Barsotti to adopt the proposed rule language for the Class 2 boiler license in 918-030-0130 completing 8 hours of continuing education within the 3-year license cycle.

Motion carried

Chairman Coplin abstained from voting; he is an instructor of continuing education.

Jon Hooker suggested not reducing the number of required continuing education hours for refrigeration mechanics. He said that it is important for those licenses to be up-to-date on refrigeration and the hazardous materials that are used.

Motion by Anthony Barsotti to replace the proposed 4-hour continuing education requirement with 24 hours to be completed within the 3-year license cycle for the Class 5A process piping mechanic and the Class 5B refrigeration piping mechanic moving the requirement to 918-03-0120.

Motion carried

Chairman Coplin abstained from voting; he is an instructor of continuing education.

Administrator Long noted that the division will be communicating with licensees and contractors to let them know how the board voted prior to the rules going to public hearing. The board will have a final vote after the hearing at the June board meeting.

VIII. Announcements - None

IX. Adjournment

Chairman Coplin adjourned the meeting at 11:30 a.m.

Respectfully submitted,

Debi Barnes-Woods
Division Boards Coordinator