

**Final
Minutes
State of Oregon**

BOARD OF BOILER RULES

**Regular Meeting Minutes
September 13, 2005**

MEMBERS PRESENT: Dale McLouth, Chairman
John Endicott, Vice-Chairman
Mike Bradley
Dennis Coplin
Robert Cowling
William Fernelius
Thomas Perritt
John Pyle
Monty Redfearn
Fred Widman
Russell Williams

MEMBERS ABSENT: None

STAFF PRESENT: Mark Long, Administrator of Building Codes Division
Andrea Simmons, Manager of Policy and Technical Services
Mike Graham, Interim Chief Boiler Inspector & Board Secretary
Terry Swisher, Boiler Program Manager, Chief Plumbing
Inspector
Jim Denno, Statewide Services Manager
Roseanne Nelson, Senior Enforcement Officer
Brent Griffiths, Enforcement Officer
Heath Lawson, Enforcement Officer
Debi Barnes-Woods, Division Boards Coordinator

GUESTS PRESENT: Bruce Lewis, NW Natural
F. Ray Andrus, Saint Paul Travelers Ins.
Curt Lundine, Curt Lundine Consulting
Jay Bushard, Southern Oregon Inspections
Greg English, Proctor Sales
Rodger Vignery, A&V Code Consulting, Inc.
Thomas Lindberg, A&V Code Consulting, Inc.
Jonathan Graves, ITU
Bob Hosman, Pressure Piping Inspectors Association of Oregon

I. BOARD BUSINESS

I.A. Call to Order

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

I.B. Roll Call

All members were present.

I.C. Approval of Agenda and Order of Business.

Chairman McLouth **RULED** the agenda approved as submitted.

I.D. Approval of the regular board meeting minutes of June 7, 2005.

Chairman McLouth **RULED** the regular meeting minutes of June 7, 2005 approved as mailed.

I.E. Date of the Next Regularly Scheduled Meeting.

December 6, 2005.

II. PUBLIC COMMENT

Rodger Vignery, A&V Code Consulting, Inc., introduced himself as one of the Governmental Affairs Representatives of a newly established non-profit organization in Oregon, Pressure Piping Inspectors Association of Oregon (PPIO).

Robert Hosman, President of NPI, and treasurer for PPIO. The PPIO was established to foster a co-operative effort between owners/contractors and the State of Oregon for installation and inspection of ASME Pressure Piping in accordance with the Oregon Revised Statutes and Oregon Administrative Rules. Mr. Hosman reviewed the policy set for the new organization. *Exhibit "A."*

A web-site and formal classroom facilities will be available to the public for a charge. The intent is to provide initial training and continuing education for owners, inspectors, contractors and jurisdictional officials who require knowledge of process and pressure piping code requirements. Consistency in inspection is the goal.

Due to the newness of the company, the educational class schedule will not be distributed until January of 2006. At this point, continuing education is not a state requirement for process piping.

Jay Bushard, Southern Oregon Inspections. Mr. Bushard expressed his continued concerns with not having a state inspector assigned to the Southern Oregon region.

It was suggested that inspection fees for the state be reviewed. The state is charging less than private inspections. Administrator Long said that the state provides inspections of last resort. Dennis Coplin suggested the state use contract laborers for inspections.

Curt Lundine Consulting, distributed a handout concerning continuing education and asked that it be referred to the Continuing Education Committee for review. He asked that the committee answer the last question on the handout. *Exhibit "B."*

III. REPORTS

(Item B. was heard before Item A.)

- B. Summary of enforcement actions previously taken by the division for cases 1 through 9, outlined on the enforcement board report. (No board action required)**
No discussion.

A. Building Codes Division Administrator's report.

Mark Long, Administrator of Building Codes Division, gave a brief report on the current legislative session. *Exhibit "C."*

HB 2181. This bill allows for the administrative processes, such as the terms and renewal provisions for licensing, be taken out of statute and placed in the administrative rules to implement consistent processes across all programs.

HB 3273. This bill, like HB 2181, allows the division to provide consistency across all programs with enforcement, such as revoking a license for up to five years.

SB 421. The bill creates regions throughout the state to create consistency in the administration of the state building code including the amount of surcharge collected.

BCD's Budget. *Exhibit "D,"* was distributed. The 03/05 projections were discussed. The revenue comes from three sources, permits, surcharges, and license fees. The 2005 biennium will be ending in the negative. Four of the six programs were in a deficit when the current administrator came on board, now only two of the programs need focus.

Board Appointment. September 15 is the deadline to receive names for board positions. If the governor receives names for the expired appointments, senate confirmation is scheduled October 21, 2005.

C. Program update.

Division audit. Jim Denno, Manager of Statewide Services, updated the board on the audit performed by an independent agency for the division. The quality of the data, and management information drawn from the division's system is part of the final report from the agency. Comparative workloads, work assignments, staff productivity, and funding sources were also topics of the report.

The data was compared with seven other states. A full report should be available at the December meeting.

Examination/Validation task force. Terry Swisher reported that the exam committee has completed a review of the exam pool verifying whether the questions were up-to-date with the current code standards. The committee recommends the following: Change the passing score of 75 percent to 70 percent on all exams, two-hour time limit for all exams, all exams are to have a review sheet to record inaccuracies, and all exams are to be closed book. The committee further recommended that the process piping inspector's exam follow the process listed above to include pulling 30 questions for the ASME B31.3, ten administrative questions, five material questions, and five safety questions. The last two recommendations were to combine the Class 5a and the Class 5b licenses to a Class 5 license, and to post all test questions as study material.

The administrator said that having tests pulled from an exam pool creates a higher standard, and the questions can be validated the same day of the exam.

Mr. Swisher recommended that a special task force be formed to develop the test questions for the special inspector's examinations.

Vice-Chairman John Endicott suggested that the recommendations be presented to the board in a memo for action at the December meeting. The board should also review what other disciplines are doing with testing within BCD. All members agreed.

Chairman McLouth suggested that the division draft the recommendations prior to the meeting for a proper board review. He also said that combining the Class 5a and the Class 5b to the Class 5 license is something that the board would not support.

Overdue Inspection. Mr. Swisher distributed the vessel responsibility versus overdues by entity, *Exhibit "E"* as requested at the last board meeting.

Alternate continuing education program. Mr. Swisher reported that he recently approved an alternate continuing education program for Mr. Jack Martin. Although Mr. Martin suffered a head trauma injury, he was able to complete the continuing education prior to the Class 5 license expiration date.

Publications. Mr. Swisher said that staff is working on publications of ongoing Codelink articles related to the boiler program.

IV. COMMUNICATIONS

New employees at BCD.

- Tony Guidone, former Navy Internal Investigator, has accepted the position as enforcement investigator for BCD.

Approved, pending and disapproved continuing education courses and instructors.

Casey Hoyer, Policy Analyst, distributed a revised copy of approved continuing education classes.

Vice-Chairman John Endicott, shared his concerns with the language in OAR 918-225-0310. He said that the intent was that a Class 5b license was required for refrigerant piping of 2 or more inches due to the volume of the refrigerant was enough to cause harm to the public by displacing the oxygen in the room. If the piping was under 2-inches, the local jurisdiction would handle the issue. The language needs to be reviewed.

Manager Simmons said that since the Mechanical Board is now in place, coordination would need to occur between the two boards. Manager Simmons will research the issue and get back to the board through an e-mail.

V. APPEALS - None

VI. UNFINISHED BUSINESS

Board review proposed course and instructor from Industrial Training Unlimited for online courses.

Andrea Simmons, Manager of Policy and Technical Services, gave a brief overview of Industrial Training Unlimited's history before the board. All courses and instructors are up for review on an annual basis. The board made a specific motion in a past meeting for the on-line course to come before the board before approval or denial by the Continuing Education Committee.

Jonathan Graves, Industrial Training Unlimited, addressed the board. The on-line training course is ready for board members to take the test as requested before the committee completes its review. Chairman McLouth asked that John Endicott, Rodger Vignery, Ray Andrus and himself, members of the Continuing Education Committee, take the on-line course within the next 30-days. Board members agreed to allow the Continuing Education Committee to approve or deny the course after the review of the test and forward the decision to the next scheduled board meeting. The remaining board members will be provided a password to take the test as well.

VII. NEW BUSINESS - None

IX. ADJOURNMENT

Chairman Dale McLouth adjourned the meeting at 1:10 p.m.

Respectfully submitted,

Debi Barnes-Woods
Division Boards Coordinator/Recorder

Exhibits:

- A. Pressure Piping Inspectors Association of Oregon (PPIO) policy and procedures,

- Agenda Item II.***
- B. A handout from Curt Lundine to be referred to the Continuing Education Committee for review, ***Agenda Item II.***
 - C. Legislative summary, ***Agenda Item III.A.***
 - D. BCD's budget document, ***Agenda Item III.A.***
 - E. Overdue inspection document, ***Agenda Item III.C.***

**TO OBTAIN COPIES OF EXHIBITS, A PUBLIC RECORD REQUEST MUST BE COMPLETED
BY CLICKING ON THE LINK PROVIDED.**

<http://www.cbs.state.or.us/external/bcd/pdf/2568.pdf>