



Oregon

Kate Brown, Governor

Department of Consumer and Business Services

Building Codes Division

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Board of Boiler Rules

Regular meeting agenda

Tuesday, September 1, 2015, 9:30 a.m.

Conference Room A

Board meetings are broadcast live via the Internet

Click on "View live meetings"

I. Board business

A. Call to order

B. Roll call

C. Approval of agenda and order of business

D. Approval of the June 2, 2015, board meeting minutes

E. Date of the next regularly scheduled meeting: December 1, 2015

II. Public comment

*This time is available for individuals wanting to address the board on **non-agenda items only**. The board will not take action on non-agenda items raised under public comment at this meeting. Testimony on agenda items will be heard when the item is called. (See "Issues to remember when addressing the board" at the end of this agenda).*

III. Reports

A. Building Codes Division report

B. Program update

IV. Communications - None

V. Appeals - None

VI. Unfinished business - None

VII. New business

Board review and approve committee's recommendations on new continuing education courses and instructors

VIII. Announcements - None

IX. Adjournment

Issues to remember when addressing the board:

- All public participation is subject to the discretion of the board Chair for order of testimony, length and relevance.
- Speakers are generally limited to five minutes.
- Please register on the attendance registration form and on the public testimony registration form, listing the appropriate agenda item.
- The board Chair will call you to the front testimony table.
- Please state your name and the organization you represent (if any).
- Always address your comments through the Chair.
- If written material is included, please provide 20 three-hole-punched copies of all information to the boards coordinator prior to the start of the meeting and, when possible, staff respectfully requests an electronic copy of materials 24 hours prior to the meeting.

Interpreter services or auxiliary aids for persons with disabilities are available upon advance request. Persons making presentations including the use of video, DVD, PowerPoint, or overhead projection equipment are asked to contact boards coordinator 24 hours prior to the meeting. For assistance, please contact Debi Barnes-Woods at (503) 378-6787.

Please do not park vehicles with "E" plates in "customer only" spaces.

Note: For information regarding re-appointments or board vacancies, please visit the Governor's website.

**Board of Boiler Rules
Meeting minutes
June 2, 2015**

Members present: Eric Anderson, Vice-chair, mechanical engineer
Blake Alexander, boiler installation and repair
Thomas Engstrom, boiler maker
Roger Hendrix, mfr/owner of boilers or pressure vessels
Jon Hooker, owner/user high pressure boiler
Greg Itoh, public member
Patrick Lamb, practical steam operating engineer
Edward Pitzrick, insurance inspector
Mark Stenberg, steamfitter

Members absent: Kenneth Hill, owner/operator pressure vessel

Staff present: Brett Salmon, manager, Policy and Technical Services
Andrea Simmons, manager, Enforcement and Training Services
Kevin Perdue, boiler program chief, State Inspection Services
Judith Moore, enforcement policy analyst, Enforcement Services
Tyler Larson, policy analyst, Policy and Technical Services
Richard Baumann, policy analyst, Policy and Technical Services
Debi Barnes-Woods, boards administrator/coordinator, Policy and Technical Services

Guests present: Curt Lundine, Curt Lundine Consulting
Ken Adams, Hartford Steam Boiler (HSB)
Jeff Barnes, HSB
Don Von Tungeln, HSB
Larry Hixson, STERIS

I. Board business

A. Call to order

Acting Chair, Vice-chair Eric Anderson, called the Board of Boiler Rules board meeting of June 2, 2015, to order at 9:30 a.m. The meeting was held at the Building Codes Division in Conference Room A, 1535 Edgewater Street NW, Salem, Oregon.

B. Roll call

Kenneth Hill was absent excused. Greg Itoh arrived at 9:40 a.m.

This board has one vacant position: Owner/user or representative and employee of owner/user of low pressure boiler.

C. Approval of the agenda and order of business

Acting Chair Anderson **RULED** the agenda of June 2, 2015, approved.

D. Approval of the meeting minutes

Acting Chair Anderson **RULED** the meeting minutes of [March 3, 2015](#), approved.

Although the minutes were ruled approved by the Acting Chair, Edward Pitzrick made a motion to link the videos of the meetings to the minutes from this point forward. All members agreed.

E. Date of the next regularly scheduled meeting: September 1, 2015.

F. Board vote on Chair and Vice-chair positions

Brett Salmon, manager, Policy and Technical Services, explained the process and facilitated opening the nominations for Chair of the Board of Boiler Rules.

Mark Stenberg nominated Eric Anderson for the Chair position. Mr. Anderson did not accept the nomination but said he would be interested in the Vice-chair position.

Mark Stenberg nominated Blake Alexander for Chair. Mr. Alexander accepted the nomination.

There were no other nominations so the nominations were closed. Roll call vote was taken for Blake Alexander to become Chair of the Board of Boiler Rules.

Yea: Anderson, Alexander, Engstrom, Hendrix, Hooker, Itoh, Lamb, Pitzrick, and Stenberg.

Nay: None.

The vote was unanimous.

Nominations were then opened for Vice-chair. Edward Pitzrick nominated Eric Anderson. Mr. Anderson accepted the nomination. There were no other nominations so the nominations were closed and roll call vote was taken.

Yea: Anderson, Alexander, Engstrom, Hendrix, Hooker, Itoh, Lamb, Pitzrick, and Stenberg.

Nay: None.

The vote was unanimous.

(The board took a 5-minute break to arrange for Chair Alexander to take control of the remainder of meeting. All board members returned from the break at 9:50 a.m.)

II. Public comment

Curt Lundine, Curt Lundine Consulting, discussed continuing education and said there were clear guidelines before House Bill 2899, 2001 Legislative Session, for the boiler program's continuing education course outline. A [handout](#) was distributed. Mr. Lundine asked the board to develop clear content guidelines for boiler continuing education.

Jeff Barnes, Hartford Steam Boiler, cited [ORS 480.530\(2\)](#); The Department of Consumer and Business Services may keep a complete record of the types, dimensions, maximum allowable working pressures, age, location and date of the last recorded inspection of all boilers and pressure vessels to which ORS 480.510 to 480.670 apply. Mr. Barnes went on to say that any rule adopted by the board has to be approved by the Director of the Department of Consumer and Business Services. Mr. Barnes reminded the board that at its last meeting, a motion was made to form a committee to review the possibilities of rulemaking to align operating permits with inspections. He said that if this committee involving stakeholders, board members, and the division does not take place, then nothing will move forward.

III. Reports

A. Building Codes Division report

Brett Salmon, manager, Policy and Technical Services, finalized the discussion on two bills the division tracked that passed during the 2015 Legislation Session.

- [Senate Bill 133](#)
- [House Bill 2843](#)

B. Program update

Kevin Perdue, boiler program chief, State Inspection Services, introduced the new boiler inspector Tom Clark, who is assigned to Hood River, Gillam, Sherman and Wasco areas.

Chief Perdue also discussed overdue inspections noting that there are a number of boilers that are inactive.

Vice-chair Anderson asked that the inactive boilers be made part of the overdue report so the board has a more accurate account of overdues.

Edward Pitzrick said not to trust the division tracking system because of its inaccuracies.

IV. Communications - None

VI. Unfinished business - None

VII. New business

Board review and approve committee's recommendations on new continuing education course and instructors

Richard Baumann, policy analyst, distributed a handout of [Division 35](#), which is the continuing education provider rule. Mr. Baumann discussed the history of the rule explaining when and how the consistent process among all division boards landed in Division 35. The relocation of the rule was voted on by a group made up of all board Chairs and Vice-chairs from each licensing board, which has proven to be beneficial to all boards.

Mr. Baumann said that he has been working with the continuing education committee for a year now. He said Curt Lundine, Curt Lundine Consultants, has come to the division for assistance from not only Mr. Baumann and the Chief, but also the continuing education specialist who has offered his assistance and has been very accommodating. Mr. Lundine has had the process explained to him and has been shown how to get to Oregon Administrative Rules (OAR) 918-035-0000, Division 35. <http://www.cbs.state.or.us/external/bcd/rules/035.pdf>

Mr. Baumann added that the only real change, besides moving the rules to one location for all licensing boards, is that all the licensing boards takes final action on the approval or denial of courses and/or instructors.

Mr. Baumann reviewed the new courses and instructor applications the committee approved/denied or has pending.

Motion by Blake Alexander to approve the committee's recommendations for approval or denial of courses or instructors.

Motion carried unanimously

Edward Pitzrick said that a committee was formed at the last meeting to discuss aligning the operating permits with inspections. Mr. Pitzrick now wanted division involvement.

Manager Salmon reminded the board of the outstanding issues:

- Difficulty with facilitating
- Resource issue that most likely will take legislation to solve

Manager Salmon did say, however, the division will help the board with setting up the meeting, but may not be able to facilitate due to workload.

The board is directing the division to send out an email for stakeholder involvement and for this group to meet.

Bob Graham offered to be a member of the group to represent the insurance industry.

VIII. Announcements – None

IX. Adjournment

Chair Alexander adjourned the meeting at 10:20 a.m.

Respectfully submitted by Debi Barnes-Woods,
Boards Administrator/Coordinator

State of Oregon

Board memo

Building Codes Division

September 1, 2015

To: Board of Boiler Rules

From: Richard Baumann, policy analyst, Policy and Technical Services

Subject: Continuing Education Course Approval Process

Action requested:

Board of Boiler Rules consideration of the Continuing Education Committee's recommendations regarding continuing education courses and instructors.

Background:

The Board of Boiler Rules establishes continuing education (CE) requirements for boiler and pressure vessel licensees in order to ensure licensees possess up-to-date knowledge of the code. They set standards for approval of courses and providers in order to have a sufficient number and variety of CE courses available to licensees. The board's continuing education committee evaluates courses and instructors on the board's behalf. The committee met on July 21, 2015, to review CE course and instructor applications. The committee reviewed 19 applications from 5 organizations:

- 4 courses were recommended for approval.
- 6 courses were recommended for denial.
- 1 course is pending waiting for additional information from the provider.
- 1 instructor was recommended for approval.
- 3 instructors were recommended for denial.

See attached summary for more information.

The committee is also using the following criteria when reviewing applications:

- For correspondence courses – provider must submit complete course.
- For online courses – provider must submit a log-on or screen shots of course content.
- OSHA courses are eligible for a maximum of eight hours code-related credit.
- First Aid/CPR courses are eligible for a maximum of eight hours code-related credit.

Options:

- Approve the committee's recommendations for approval or denial of courses or instructors.
- Amend and approve the committee's recommendations for approval or denial of courses or instructors.
- Disapprove the committee's recommendations for approval or denial of courses or instructors.

Board of Boiler Rules
Committee on Continuing Education Course and Instructor Review
9/1/15

Courses

	Applicant	Course Name	Committee Recommendation	Board Action
1	Taco Inc.	DD=MR, Formula for Hydronic Success (8 hours CR)	Approve	
2	Quality Sales/Rinnai	Residential/Light Commercial – Boiler 101 (6 hours CR)	Approve	
3	UA Local 598 JATC	Oregon Regulatory System (8 hours CR)	Approve	
4	UA Local 598 JATC	Understanding Boilers and Safety Practices (8 hours CR)	Approve	
5	Emerson Process Management	Magmeter Product Training #2340 (8 hours CR)	Deny – not code related.	
6	Emerson Process Management	Instrumentation – Coriolis Meter Training #2358 (8 hours CR)	Deny – not code related.	
7	Emerson Process Management	Instrumentation – Vortex Meter Training #2341 (8 hours CR)	Deny – not code related.	
8	Always Available Education	Knowing Your Materials – Water (2 hours CR)	Deny – not code related.	
9	Always Available Education	History of Steam Machines (3 hours CR)	Deny – not code related.	
10	Always Available Education	Alternative to Copper Plumbing – PEX Tubing (1 hour CR)	Deny – not code related.	

Instructors

	Applicant	Course Name	Committee Recommendation	Board Action
1	Richard (Rick) Mayo Taco Inc.	Instructor	Approve	
2	Kishore Kapadia Emerson Process Management	Instructor	Deny – insufficient information to determine if instructor qualifies. Courses submitted for this instructor was not recommended for approval by the committee. Instructor may resubmit application for consideration with another course.	

3	Ken Espinoza Emerson Process Management	Instructor	Deny – insufficient information to determine if instructor qualifies. Courses submitted for this instructor was not recommended for approval by the committee. Instructor may resubmit application for consideration with another course.	
4	Dennis Lobato Emerson Process Management	Instructor	Deny – insufficient information to determine if instructor qualifies. Courses submitted for this instructor was not recommended for approval by the committee. Instructor may resubmit application for consideration with another course.	

Applications Pending

	Applicant	Course Name	Committee Recommendation
1	Always Available Education	1 st Aid Refresher (4 hours CR)	Pending – As per board guidance, First Aid, CPR, and AED courses must be “live” courses. Provider may resubmit course as being offered “live.”
2	Mark Parkinson Always Available Education	Instructor	Pending – insufficient information to determine if instructor qualifies. Applicant must provide qualifications as specified on the application.
3	Laura Pyne Always Available Education	Instructor	Pending – insufficient information to determine if instructor qualifies. Applicant must provide qualifications as specified on the application.
4	Allan Kelsy Always Available Education	Instructor	Pending – insufficient information to determine if instructor qualifies. Applicant must provide qualifications as specified on the application.
5	Barbara L. Baird Always Available Education	Instructor	Pending – insufficient information to determine if instructor qualifies. Applicant must provide qualifications as specified on the application.

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Board of Boiler Rules
02 June 2015

Subject: ORS 480.630 (8); Continuing Education

History:

1. House Bill 2899, 2001 Legislative Session
2. OAR 918-035-0040 and ORS 918-035-0055 (attached)

Gentlemen; Reference 1 gave authority for determination of Continuing Education Course content to the appropriate State oversight Boards. Reference 2 describes requirements for Continuing Education courses and the responsibilities of oversight Boards. Specifically, 918-035-0040 (2) (a) requires each Board to define required course content.

Subsequent to the statutory changes brought by Reference 1 in 2001, Continuing Education providers have had no codified guidelines for course content. Traditionally, when a new or revised Rule were required, the Boiler Program Chief would generate draft Rules for review by the Board; final Rule language would be developed by the Division with approval of the Board. Such Rules have yet to be developed for guidance of the user.

The recent implementation of the Boiler Board review committee brings this situation to the forefront . Immediate attention is required if Continuing Education providers are to comply with Board requirements for course content. If Continuing Education courses are to be meaningful and applicable to the needs of Tradesmen, providers must have codified guidelines to use to prevent delays in approval and use of new courses. I call on the Board to take action to fulfill it's obligation under 918-035-0400 (2) (a).

Thank you for your attention today.

Curt Lundine

**ASME CONSTRUCTION CODES, NATIONAL BOARD INSPECTION CODE,
AND JURISDICTIONAL LAWS**

**DIVISION 35
CONTINUING EDUCATION PROVIDERS**

918-035-0020

Timeline for Approval; Term of Approval

(1) Application for course or instructor approval may be made at any time during the code cycle.

(2) Application for code-change course approval prior to code adoption as defined in OAR chapter 918, division 008 may be made at any time after the public notice of the 45-day comment period for the code adoption process.

(3) Courses and instructors are approved for the duration of the code-cycle and courses may be taught prior to the effective date of that code.

Stat. Auth.: ORS 455.117

Stat. Implemented: ORS 455.117

Hist.: BCD 10-2006(Temp), f. 6-30-06, cert. ef. 7-1-06 thru 12-28-06; BCD 13-2006, f. 9-29-06, cert. ef. 10-01-06; BCD 9-2012, f. 9-27-12, cert. ef. 10-1-12

918-035-0040

Minimum Requirements for Continuing Education Course Approval

(1) Except as provided in Section (2) of this rule, all continuing education courses must meet the following minimum requirements:

(a) Course instructors must be approved by the appropriate board or the division pursuant to these rules;

(b) The minimum course length is two hours or the equivalent for online or correspondence courses;

(c) The application for course or instructor approval must designate whether the course is for general continuing education credit, code-change credit, or Oregon rule and law credit; and

(d) The course must comply with the policies and procedures established by the appropriate board or the division for ensuring the quality and effectiveness of the course.

(2) Notwithstanding section (1) of this rule, the appropriate board may recognize code-development bodies or national organizations as continuing education providers without requiring them to submit specific courses to the division for approval. In approving a provider, the board will specify:

(a) The scope of the courses taught by the provider; and

(b) The type of credit to be awarded for various courses

Stat. Auth.: ORS 455.117

Stat. Implemented: ORS 455.117

Hist.: BCD 10-2006(Temp), f. 6-30-06, cert. ef. 7-1-06 thru 12-28-06; BCD 13-2006, f. 9-29-06, cert. ef. 10-01-06; BCD 9-2012, f. 9-27-12, cert. ef. 10-1-12

918-035-0050

Code-Change Course Content

(1) Code-change courses must cover:

- (a) A national model code edition that is currently adopted in Oregon; or
 - (b) A national model code edition for which the division has given public notice of the 45-day comment period for proposed amendments that initiates the code adoption process.
- (2) If required by rule, a code-change course may contain material on Oregon rule and law as specified in OAR 918-035-0055.

Stat. Auth.: ORS 455.117

Stat. Implemented: ORS 455.117

Hist.: BCD 10-2006(Temp), f. 6-30-06, cert. ef. 7-1-06 thru 12-28-06; BCD 13-2006, f. 9-29-06, cert. ef. 10-01-06; BCD 9-2012, f. 9-27-12, cert. ef. 10-1-12

918-035-0055

Oregon Rule and Law Course Content

The appropriate advisory board or the division develops content requirements for Oregon rule and law courses. The content requirements must include but are not limited to the following:

- (1) Permit processes and requirements;
- (2) Instruction on the scope of work allowed under a given license; and
- (3) The Oregon amendments to the currently adopted edition of the appropriate national model code, or the proposed Oregon amendments that are included in the notice of proposed rulemaking hearing filed with the Secretary of State as part of the code adoption process, including alternate method rulings and interpretations.

Stat. Auth.: ORS 455.117

Stats. Implemented: ORS 455.117

Hist.: BCD 9-2012, f. 9-27-12, cert. ef. 10-1-12