



Oregon

Kate Brown, Governor

Department of Consumer and Business Services

Building Codes Division

1535 Edgewater Street NW

P.O. Box 14470

Salem, OR 97309-0404

503-378-4133

Fax: 503-378-2322

Oregon.gov/bcd

Board of Boiler Rules

Meeting agenda

Tuesday, September 13, 2016, at 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 7, 2016](#), draft board meeting minutes

E. Date of the next regularly scheduled meeting: December 6, 2016

F. Welcome returning member: Greg Moyer, insurance inspector (*Carried forward from last meeting*)

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

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 7, 2016**

- Members present:** Blake Alexander, chair, boiler installation and repair
Eric Anderson, vice-chair, mechanical engineer
Thomas Engstrom, boiler maker
Roger Hendrix, mfr/owner of boilers or pressure vessels
Kenneth Hill, owner/operator pressure vessel
Jon Hooker, owner/operator pressure vessel
Greg Itoh, public member
Patrick Lamb, practical steam operating engineer
Mark Stenberg, steamfitter
- Members absent:** Gregory Moyer, insurance inspector
- Staff present:** Katharine M. Lozano, assistant attorney general
Brett Salmon, manager, Policy and Technical Services
Andrea Simmons, manager, Enforcement Services
Jeff Starkey, assistant manager, Statewide Services
Kevin Perdue, boiler program chief, Statewide Services
Alana Cox, senior policy advisor, Policy and Technical Services
Adam Blechman, enforcement policy analyst, Enforcement Services
Todd Smith, 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:** Clay Rhodes, OBPVA
Don Von Tungeln, Hartford Steam Boiler (HSB)
Bruce Lewis, OBPVA
Robert Graham, ARISE

I. Board business

A. Call to order

Chairman Blake Alexander called the Board of Boiler Rules board meeting of June 7, 2016, to order at 9:35 a.m. The meeting was held at the Building Codes Division in Conference Room A, 1535 Edgewater Street NW, Salem, Oregon.

B. Roll call

Greg Itoh arrived at 9:55 a.m. New member Gregory Moyer was excused.

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

The meeting agenda was amended removing Item I.F. to include it on the next scheduled meeting agenda. Agenda Item III. was heard following Item IV.

Chair Alexander **RULED** the amended board meeting agenda of June 7, 2016, approved.

D. Approval of the draft meeting minutes

Chair Alexander **RULED** the draft meeting minutes of February 16, 2016, final.

E. Date of the next regularly scheduled meeting: September 13, 2016. Holiday schedule.

(Item removed to be included on the next scheduled meeting agenda)

F. Welcome returning member: Gregory Moyer, insurance inspector

Because of an unavoidable personal appointment, Mr. Moyer was unable to attend.

II. Public comment - None

(Item IV.A. and B. were both heard before Item III.)

IV. Reports

A. Building Codes Division report

Brett Salmon, manager, Policy and Technical Services, introduced Alana Cox, senior policy advisor.

B. Program update

Kevin Perdue, boiler program chief, State Inspection Services, said boiler overdues have declined to 7-percent for unfired and 10-percent for boilers. He said this is the lowest reporting of overdues since 2006.

Jeff Starkey, assistant manager, Statewide Services, addressed a number of questions emailed from the board chair:

1. Update on the jurisdiction online (JOL) project with the state's IT department. *JOL users asked the data upload the state sends to them to provide information on the last uncompleted inspection. The state has completed the upload modification and provided it to JOL users for testing. The division is waiting to hear back from them.*

2. How many red tags and yellow tags are issued each month and how are they tracked?

The "yellow tag" is the term describing the issuance of a minor code deficiency and is not an immediate hazard to health or safety. Division inspectors are issuing an average of 12 per month and agency inspectors are issuing an average of 3 per month.

Tracking is overseen by the chief boiler inspector who receives green carbon copies of all the yellow tag boilers.

The “red tag” is the term describing the issuance of a major code deficiency, which is an immediate hazard to health or safety. Further use of the vessel is prohibited until the deficiency is corrected. Inspectors are required to immediately report issuance of red tag boilers to the chief boiler inspector. No current tracking system exists because the amount issued is so few for both division inspectors and agency inspectors.

3. What is the total vessel count in the state and what is the average of new vessels registered on a monthly basis.

Currently, there are 44,165 vessels in the Oregon and an average of 192 new vessels are registered monthly. In spite of the new registrations, the total vessel count over the last six years has remained relatively unchanged due to vessels removed from service.

4. How many compliance cases are investigated monthly?

An average of one case every other month.

5. What is the number of outstanding installations?

There were 3,079 permits issued over the last 18 months. Roughly 2,200 have been completed, which leaves a total of 880 or 29 percent that have not been installed. The numbers and their relationship to one another are dynamic, not static.

6. What is the requirement to reactivate the energy management workgroup?

Mr. Starkey briefly updated the board on the issue. At the May 22, 2014, Electrical and Elevator Board (EE) meeting, Anthony Barsotti, chair of the Board of Boiler Rules, asked the board to consider a proposal that would require all energy management system installations that tie into operational boilers to be tested. The EE Board denied the request, but suggested the possibility of additional training included in the required continuing education for electricians. Since that meeting, additional training on boiler controls have been implemented into the required continuing education courses and no boiler incidents have been reported.

Mr. Starkey said that if the Board of Boiler Rules thinks further work on the issue is required, because both boards were involved, the division recommends the two boards work together on a consensus proposal.

(Gregory Itoh arrived at 9:55 am.)

Chairman Alexander read a script to announce the start of outside of public meeting. The audience was asked to leave the room. No votes will be taken during this time. Outside public meeting began at 9:57 a.m.

(This Agenda Item was heard out-of-order)

III. Outside of public meeting

Board deliberations on a contested case hearing for Robert Brodmerkle, dba R.H. Brodmerkle Enterprises outside of public meeting under [ORS 192.690\(1\)](#)

Chairman Alexander read a script to announce the conclusion of outside of public meeting while the audience was brought back in the room. No votes were taken during this time. Outside public meeting ended at 10:28 a.m. and public meeting began.

(Continued; Agenda Item III.)

Board review and provide a recommendation for Robert Brodmerkle, dba R.H. Brodmerkle Enterprises

Motion by Chair Alexander to adopt the amended proposed order revisions provided by counsel and authorized the division to issue a final order adopting the amended proposed order after the exceptions period has run.

Motion carried unanimously

V. Communications - None

VI. Appeals – None

VII. Unfinished business – None

VIII. New business

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

Richard Baumann, policy analyst, reviewed the new course and instructor applications the committee recommended for approval or denial, and those that were pending.

Before the vote, Mr. Baumann reminded the board that at the last meeting one of the courses on the continuing education course outline was taught by board member Hendrix and that because the board had only six members present at the time, the board voted to delay vote for his courses until the next scheduled meeting.

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

(Board member Hendrix abstained because his courses were included on the matrix for board vote)

Motion carried

To view continuing education rules, click on the blue underlined link: Oregon Administrative Rules (OAR) 918-035-0000, [Division 35](#).

VIII. Announcements – None

IX. Adjournment

Chair Alexander adjourned the meeting at 10:32 a.m.

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

State of Oregon

Board memo

Building Codes Division

September 13, 2016

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 August 2, 2016, to review CE course and instructor applications. The committee reviewed 7 applications from 2 organizations:

- 1 course was recommended for approval.
- No courses were recommended for denial.
- No instructors were recommended for approval.
- No instructors were recommended for denial.
- 6 applications are pending waiting for additional information from the providers.

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
9/13/16

Courses

	Applicant	Course Name	Committee Recommendation	Board Action
1	Curt Lundine Consulting	Inspection of Pressure Retaining Items (8 hours CR)	Approve	

Applications Pending

	Applicant	Name	Committee Recommendation
1	Plumbers & Steamfitters Local 44 JATC	Basic Life Support/1 st Aid	Course does not meet OAR requirements. No course content submitted for review.
2	Plumbers & Steamfitters Local 44 JATC	Oregon Boiler and Pressure Vessel Law	Course does not meet OAR requirements. No course content submitted for review. Materials referenced in the course outlines do not identify the most current edition of Oregon statute or rule, specific edition of a code that is being taught.
3	Plumbers & Steamfitters Local 44 JATC	ASME Section B31.1, B31.3, B31.5, B31.9	Course does not meet OAR requirements. No course content submitted for review. Materials referenced in the course outlines do not identify the most current edition code that is being taught.
4	Plumbers & Steamfitters Local 44 JATC	ASME Section I, IV, IX and Safety	Course does not meet OAR requirements. No course content submitted for review. Materials referenced in the course outlines do not identify the most current edition code that is being taught.
5	Joseph Van Troba Plumbers & Steamfitters Local 44 JATC	Instructor	Instructor application lacking sufficient information regarding the individual's qualifications for the committee to consider. Instructor applications must include proof of the

			applicant's qualifications – appropriate license, relevant degree, or other experience.
6	Zachary Juhl Plumbers & Steamfitters Local 44 JATC	Instructor	Instructor application lacking sufficient information regarding the individual's qualifications for the committee to consider. Instructor applications must include proof of the applicant's qualifications – appropriate license, relevant degree, or other experience.