



Oregon

John A. Kitzhaber, MD, Governor

Department of Consumer and Business Services
Building Codes Division
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Electrical and Elevator Board

Late submission meeting agenda: **Item VII.C.**

Thursday, January 22, 2015, 9:30 a.m.

Conference Room A

Board meetings are broadcast live via the Internet at

<http://bcd.oregon.gov/>

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 November 20, 2014, board meeting minutes
- E. Date of the next regularly scheduled meeting: March 26, 2015
- F. Formal farewell to Bruce Freeman: Representative of industrial plants regularly employing licensed electricians

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 board" at the end of this agenda).*

III. Reports

- A. Building Codes Division report
- B. Enforcement: Consideration of Settlement Agreement in the matter of Blue Water, Inc. dba Columbia Housewarmers, Case No. C2014-0048
- C. Summary of enforcement actions previously taken by the division outlined on the enforcement board report (**No board action required**)
- D. License revocation for Charles W. Degraffenreed (**No board action required**)
- E. Electrical program update
- F. Elevator program update

IV. Communications - None

V. Appeals - None

VI. Unfinished business - None

VII. New business

- A. Review and approve committee's recommendations on new continuing education courses and instructors
- B. Board review and provide a recommendation for a request of retroactive approval of instructor Michael Leitzel who taught an Oregon approved National Electrical Code class offered by American Trainco on October 27, 2014, and October 28, 2014
- C. Board review request received from Andriy Okhrimenko to approve his general journeyman license application by finding that his work and training experience meets equivalency requirements

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.

Electrical and Elevator Board
Meeting minutes
November 20, 2014

Members present: Michael Weaver, electrical contractor, Vice-chair
James Fahey, commercial underwriter
Thomas Faires, elevator manufacturing
Scott Hall, electrical equipment supplier
Thomas Lindberg, public member
Heather Miller, journeyman electrician
Robert Pyne, journeyman elevator installer
Steven Trapp, electrical contractor
James Totten, owner/manager of a commercial office building

Members absent: Timothy Frew, journeyman electrician
Sherry Sherman, electrical equipment manufacturing rep
Vacant, building official
Vacant, electrical inspector
Vacant, industrial plant employing electricians
Vacant, power and light industry

Staff present: Brett Salmon, interim manager, Policy and Technical Services
Keith Anderson, electrical program chief, Policy and Technical Services
Shawn Haggin, electrical program assistant chief, Policy and Technical Services
Jeff Starkey, assistant manager, Statewide Inspection Services
Roseanne Nelson, assistant manager, Statewide Inspection Services, and co-manager of Enforcement Services
John Adams, contested case representative, Enforcement Services
Judith Moore, policy analyst, Enforcement Services
Tyler Larson, policy analyst, Policy and Technical Services
Richard Baumann, policy analyst, Policy and Technical Services
Aeron Teverbaugh, policy analyst, Policy and Technical Services
Debi Barnes-Woods, boards coordinator, Policy and Technical Services

Guests present: Nathan Philips, NECA
Randy Carmony, Local 23
Ghasson Al-Juboor, self

I. Board business

A. Call to order

Vice-chair, Acting Chair Michael Weaver called the meeting of November 20, 2014, to order at 9:33 a.m. The meeting was held at the Building Codes Division in Conference Room A, 1535 Edgewater Street NW, Salem, Oregon.

Before roll call, Brett Salmon, interim manager, Policy and Technical Services, introduced Keith Anderson, electrical program chief.

B. Roll call

Timothy Frew and Sherry were absent excused. Steven Trapp was connected by teleconference.

The Electrical and Elevator Board has the following four vacancies: Building official, electrical inspector, power and light industry, and industrial plant representative.

C. Approval of the agenda that includes [late submission Item VII.C.](#), and order of business

Acting Chair Weaver **RULED** the agenda, that includes late submission Item VII.C., and order of business approved.

D. Approval of the board meeting minutes of September 25, 2014

Acting Chair Weaver **RULED** the board meeting minutes of September 25, 2014, approved as written.

E. Date of the next regularly scheduled meeting: January 22, 2015

F. [2015](#) board meeting dates

II. Public comment - None

III. Reports

A. Division update

Brett Salmon, interim manager, Policy and Technical Services, updated members on staffing changes at the division:

- Brett Salmon – Interim manager, Policy and Technical Services
- Andrea Simmons – Manager, Enforcement and Training
- Roseanne Nelson – Assistant manager, Statewide Inspection Services, which includes sharing enforcement duties with Andrea Simmons

Before the enforcement cases were discussed, Rosanne Nelson introduced two new enforcement officers: Eric Risner and Russ Darling.

B. Enforcement final orders after hearing:

- 1. Consideration of final order in the matter of Rogue Valley Heating and Air Conditioning Co.**
- 2. Consideration of final order in the matter of Eric A. Armstrong**
- 3. Consideration of final order in the matter of James Halstead**
- 4. Consideration of final order in the matter of Christopher Hubbell**

John Adams, contested case representative, explained these cases are all related. Allegations were made against Christopher Hubbell and James Halstead, unlicensed employees of Rogue Valley Heating and Air Conditioning Co. licensed in Oregon as an electrical contractor. Hearings were requested for all four cases. At the hearing, the eye-witness failed to appear, but the respondent's witnesses did appear denying all allegations. The ALJ found that the division failed to meet its burden of proof with regard to all allegations.

Motion by Heather Miller to adopt the ALJ's proposed orders issuing final orders revoking the civil penalties for Case No. C2014-0034, C2014-0100, C2014-0101, and C2014-0102.

Motion carried unanimously

C. Summary of enforcement actions previously taken by the division outlined on the enforcement board report (*No board action required*)

Mr. Adams was available for discussion. Cases included in this report were informational.

D. License suspensions for Bruce M. Griffin and KA-CO Electric, LLC (*No board action required*)

The case included in this report was informational.

E. Electrical program update

Shawn Haggin, assistant electrical program chief, provided an update on code change classes taught for inspectors throughout the State of Oregon, the adoption of the new specialty code effective October 1, 2014, and briefly discussed the evaluation process of new continuing education courses and instructors.

F. Elevator program update

The accident summary report form was available to members for review. Because Chief Hartung was not available for questions, Jeff Starkey, assistant manager, Statewide Inspection Services, offered his assistance. There were no questions.

IV. Communications - None

V. Appeals - None

VI. Unfinished business - None

VII. New business

A. Review and approve continuing education courses and instructors

Richard Bauman, policy analyst, Policy and Technical Services, presented the committee's recommendation for continuing education classes and instructors to the board for approval. He also said a pilot was tested on the Plumbing Continuing Education Committee for electronic review of new applications for instructors and new course curriculum. Using the electronic pilot was timely and efficient.

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

Motion carried unanimously

B. Board review request received from Ghassan Aljuboori to approve his limited energy technician Class A license application by finding that his work and training experience meets equivalency requirements

Acting Chair Weaver said that without verifiable experience the application could not be approved. He suggested that the division help Mr. Aljuboori with the contact information for the local JATC training program. Mr. Weaver said that with his experience it would not take long for Mr. Aljuboori to go through the program and test out.

Motion by James Totten to deny the request from Mr. Aljuboori to his education and experience submitted as equivalent to Oregon's requirements to test for a limited energy technician Class A license because he has not demonstrated that he

meets the licensing requirements.

Motion carried unanimously

(Late submission Item C.)

C. Board review and provide a recommendation for a request of retroactive continuing education credit for Health Care Facilities class taught by NECA IBEW on November 4, 2014, and November 6, 2014

Motion by Tom Lindberg to approve the retroactive request for CE credits for classes taught by NECA IBEW on November 4, 2014, and November 6, 2014.

Motion carried unanimously

IX. Announcements - None

X. Adjournment

Acting Chair Weaver adjourned the meeting at 11:05 a.m.

Respectfully submitted by Debi Barnes-Woods, boards administrator/coordinator

State of Oregon

Board memo

Building Codes Division

January 22, 2015

To: Electrical and Elevator Board

From: Judith I. Moore, policy analyst, Enforcement Services

Subject: Settlement Agreement for Blue Water, Inc. dba Columbia Housewarmers, Case No. C2014-0048

Action requested:

Board to provide guidance to the division on settlement terms after reviewing proposed settlement options and conditions for compliance case.

Background:

The case before the Electrical and Elevator Board (board) involves Blue Water, Inc., dba Columbia Housewarmers (Respondent), CCB license 254397. Respondent is a company that installs furnaces, stoves, fireplaces and inserts, heat pumps and boilers. Respondent is a second time violator, and is asking the board to consider a settlement offer. Respondent’s previous violation was for violating the boiler licensing requirements. On May 18, 2012, Respondent signed a consent order (settlement agreement) for not possessing a boiler contractor license and failing to obtain an installation permit prior to conducting the boiler work. The consent order for Case No. 2011-0248 was executed on May 24, 2012, and the board, through the division, stayed \$3,000 of the \$4,000 penalty as long as Respondent does not commit any further violations within five years of the executed settlement agreement.

The notice issued on October 7, 2014, for Case No. C2014-0048 proposed the following penalties:

Board	Penalty	Amount
Electrical and Elevator Board	No electrical contractor license	\$4,000
	No electrical permit	\$2,000
	Allowing unlicensed person perform electrical work	\$2,500
State Plumbing Board	No plumbing contractor license	\$4,000
	No plumbing permit	\$2,000
	Permitting unlicensed person perform plumbing	\$2,500
		Total = \$17,000

Because the Respondent’s previous violations occurred less than five years ago, the stayed portion of Case No. 2011-0248 penalties is now due and payable. The total civil penalty for Case No. C2014-0048 is \$20,000, which includes the stayed penalty.

Respondent has requested a hearing but is asking the Board of Boiler Rules, the Electrical and Elevator Board, and the State Plumbing Board to consider settlement options to resolve the matter. At the Board of Boiler Rules' December 2, 2014 meeting, the Board of Boiler Rules decided to not suspend any of the assessed penalties from Case No. 2011-0248. At the State Plumbing Board's December 18, 2014 meeting, the State Plumbing Board decided to suspend \$3,250 of the \$8,500 assessed penalties. Thus, Respondent is required to pay the \$3,000 that the Board of Boiler Rules previously suspended; and \$5,250 of the \$8,500 penalty assessed by the State Plumbing Board. The State Plumbing Board also required Respondent to provide monthly reports for one year showing permit activities, employees on each job, and invoiced jobs. The State Plumbing Board based the \$5,250 on the minimum amount payable indicated for each offense on the Advisory Board Penalty Matrix under the 2nd offense column. A copy of the matrix is attached to this memorandum.

Respondent provided the attached proposed settlement that describes what it would like to offer as settlement. In the proposed settlement, Respondent explains how the alleged violations occurred, a revision to its business plan and changes in its business operations to ensure compliance with all specialty codes in the future.

The following table reflects Respondent's proposed settlement, the penalty assessed by each board, and the penalty decision for the Board of Boiler Rules and the State Plumbing Board.

Board	Assessed Penalty	Respondent's Proposal	Board's Payment Decision
Board of Boiler Rules	(suspended) \$3,000	\$0*	\$3,000
Electrical and Elevator Board	\$8,500	\$3,000	----
State Plumbing Board	\$8,500	\$3,000	\$5,250
Totals:	\$20,000	\$6,000	tbd

*Respondent paid \$2,000 - \$1,000 for each case from 2011: 2011-0248 (Columbia Housewarmers) and 2011-0249 (Peter Schauer mann).

Recommendation:

The division requests the Electrical and Elevator Board consider Respondent's proposal and provide the division guidance on how the board would like the division to proceed with the stayed penalty - by accepting Respondent's proposal or by directing the division to follow the board's decision made at today's meeting.

1 **BEFORE THE ELECTRICAL AND ELEVATOR BOARD OF THE STATE OF OREGON**

2 **BEFORE THE STATE PLUMBING BOARD OF THE STATE OF OREGON**

3 **BEFORE THE BOARD OF BOILER RULES OF THE STATE OF OREGON**

4 **IN THE MATTER OF:**

5 **BLUE WATER, INC., DBA COLUMBIA**
6 **HOUSEWARMERS, AN OREGON**
7 **CORPORATION**

8 **RESPONDENT**

)
) **AMENDED NOTICE OF PROPOSED**
) **ASSESSMENT OF A CIVIL PENALTY**
) **AND FINAL ORDER ON DEFAULT**
) **CASE NO. C2014-0048**
)
)
)
)

9 Under Oregon Revised Statutes (ORS) 455.895(1)(a) and (1)(b), and Oregon
10 Administrative Rules (OAR) 918-001-0036, the Oregon Electrical and Elevator Board and the State
11 Plumbing Board (Boards) propose assessing civil penalties against Respondent totaling \$17,000
12 because Respondent violated Building Codes Division statutes and rules as follows. In addition to
13 the \$17,000 of proposed civil penalties, the Board of Boiler Rules of the State of Oregon shall
14 collect the \$3,000 stayed penalty pursuant to a Consent Order executed in Building Codes Division
15 (BCD) case number 2011-0248.

16 **FINDINGS OF FACT**

- 17 1. During or about the period March 5, 2013, at 1365 Franklin Avenue, Astoria, Oregon,
18 Respondent allowed employee Ryan Hash, an unlicensed individual, to install a gas wall
19 furnace without appropriate electrical licenses and permits, for the account of another.
- 20 2. At no relevant time was Respondent licensed as an electrical contractor in the State of
21 Oregon.
- 22 3. Respondent did not obtain an electrical permit prior to making electrical installations at 1365
23 Franklin Avenue, Astoria, Oregon.
- 24 4. An electrical contractor has obtained an electrical permit for the above-mentioned
25 installation and the installation is now in compliance.
5. During or about the period December 19, 2013, through January 2, 2014, at 91976 George
Hill Road, Astoria, Oregon, Respondent allowed employee Steve Lilly, an unlicensed
individual, to install a gas water heater without appropriate plumbing licenses and permits,
for the account of another.
6. At no relevant time was Respondent licensed as a plumbing contractor in the State of
Oregon.

- 1 7. Respondent did not obtain a plumbing permit prior to making a plumbing installation at
2 91976 George Hill Road, Astoria, Oregon.
- 3 8. On May 24, 2012, in BCD case number 2011-0248, a Consent Order was executed between
4 Respondent and the Board of Boiler Rules in which Respondent was assessed a \$4,000 civil
5 penalty for violation of ORS 480.630(1) and ORS 480.630(5). The Board of Boiler Rules
6 stayed collection of \$3,000 of the civil penalty for a period of five years from the date of the
7 execution of the Consent Order provided Respondent did not, during that time, violate any
8 provision of Oregon Building Codes statutes, administrative rules, specialty codes, or any
9 order issued by a BCD advisory board.

7 **APPLICABLE LAW**

- 8 1. ORS 479.530(10) defines an electrical installation as the construction or installation of
9 electrical wiring and the permanent attachment or installation of electrical products.
- 10 2. ORS 479.620(1) requires a person to have an electrical contractor's license to engage in the
11 business¹ of making electrical installations, including advertising or otherwise purporting to
12 be a business that makes electrical installations.
- 13 3. ORS 479.550(1) states no person shall work on any new electrical installation for which a
14 permit has not been issued.
- 15 4. OAR 918-282-0120(1) states that no person or entity shall allow any individual to perform
16 electrical work for which the individual is not properly registered or licensed.
- 17 5. Under ORS 447.010(6) plumbing is defined as the art of installing, altering or repairing in or
18 adjacent to or serving buildings including pipes, fixtures, and other apparatus for bringing in
19 the water supply and removing liquid and water-carried waste, including the water supply
20 distributing pipes; fixtures and fixture traps; soil, waste and vent pipes; and storm water
21 drainage, with their devices, appurtenances and connections.
- 22 6. ORS 447.040(1) prohibits a person from engaging in the business of working as a plumbing
23 contractor or advertising or purporting to be a plumbing contractor without a plumbing
24 contractor license.
- 25 7. OAR 918-785-0200(1)(a) states no person shall conduct plumbing work without first
obtaining a plumbing permit or minor label.
8. ORS 693.030(2)(a) states that a licensed plumbing contractor or a person required to be
licensed as a plumbing contractor may not permit or suffer any person to work as a
journeyman plumber who does not hold a valid journeyman plumber license.

23 ///

24 _____
25 ¹ OAR 918-030-0010(8) states that for purposes of ORS 447.040, 479.620, 480.630 and any other license regulated by
ORS chapter 455, "engaging in the business" means to advertise or solicit, contract or agree to perform, or to perform,
work for which a license or permit is required under Oregon law, including but not limited to a single instance.

CONCLUSIONS OF LAW

1. Installing a gas wall furnace is an electrical installation as defined in ORS 479.530(10).
2. By engaging in the business of electrical contracting without an Oregon electrical contractor's license, Respondent violated ORS 479.620(1).
3. By allowing an employee to make electrical installations without first obtaining a valid electrical permit, Respondent violated ORS 479.550(1).
4. By allowing Ryan Hash to perform electrical work for which Mr. Hash is not properly registered or licensed, Respondent violated OAR 918-282-0120(1).
5. Installing a gas water heater is a plumbing installation, as defined in ORS 447.010(6).
6. By engaging in the business of plumbing contracting without an Oregon plumbing contractor's license, Respondent violated ORS 447.040(1).
7. By allowing an employee to make a plumbing installation without first obtaining a valid plumbing permit, Respondent violated OAR 918-785-0200(1)(a).
8. By permitting or suffering Steve Lilly to work as a journeyman plumber when Mr. Lilly does not hold a valid journeyman plumber license, Respondent violated ORS 693.030(2)(a).
9. When Respondent violated ORS 479.620(1), 479.550(1), 447.040(1), and 693.030(2)(a), along with OAR 918-282-0120(1) and 918-785-0200(1)(a), Respondent failed to comply with the terms of the Stipulated Agreement section of the Consent Order in BCD case 2011-0248 within five years from the May 24, 2012, effective date of that Final Order.
10. By breaching the Stipulated Agreement of the Consent Order in case 2011-0248, the entire penalty amount in that case, including the \$3,000 of previously-suspended penalties, may now be collected.

ORDER

The Boards hereby order the follow penalties:

1. \$8,000 for violating ORS 479.620(1) and ORS 447.040(1),
2. \$4,000 for violating ORS 479.550(1) and OAR 918-785-0200(1)(a),
3. \$5,000 for violating OAR 918-282-0120(1) and ORS 693.030(2)(a),
4. By failing to comply with the terms of the Consent Order in BCD case number 2011-0248, the \$3,000 of previously-suspended civil penalties is due and payable.

The total civil penalty is \$20,000.

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NOTICE OF FINAL ORDER

If Respondent does not timely request a hearing, withdraw a hearing request, notify the Board or the administrative law judge that Respondent will not appear, or fail to appear at a scheduled hearing, the Board will issue a Final Order by Default. If the Board issues a Final Order by Default, it designates the file, including any materials submitted by Respondent that relates to this matter, as the record for purpose of proving a prima facie case.

Respondent is entitled to judicial review of this final order. Judicial review may be obtained by filing a petition for review with the Oregon Court of Appeals within 60 days after the final order is served upon Respondent. See ORS 183.482. If the order was served on Respondent in person, the date of service is the date Respondent received the order. If the order was served through the mail, the date of service is the day the order was mailed, not the day it was received by the Respondent. If Respondent does not file a petition for judicial review within the 60 day time period, Respondent will lose the right to appeal. The phone number for the Oregon Court of Appeals is 503-986-5555.

FOR THE ELECTRICAL AND ELEVATOR BOARD

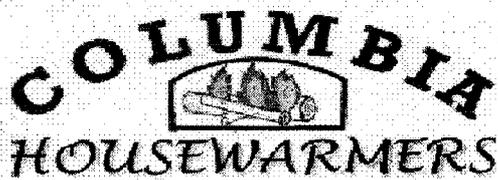
  for Date: 10/7/14, 2014
Chair
Electrical and Elevator Board
State of Oregon

FOR THE STATE PLUMBING BOARD

  for Date: 10/7/14, 2014
Chair
State Plumbing Board
State of Oregon

FOR THE BOARD OF BOILER RULES

  for Date: 10/7/14, 2014
Chair
Board of Boiler Rules
State of Oregon



35418 HWY 101 ASTORIA, OREGON
503-325-5656 Office 503-325-5481 Fax
OR: CCB#154397 www.columbiahousewarmers.com WA: COLUMH*971MC

November 12, 2014

State of Oregon Building Codes Division
Enforcement Section
PO Box 14470
Salem, OR 97309

To: The Board of Boiler Rules of the State of Oregon
The Electrical and Elevator Board of the State of Oregon
The State Plumbing Board of the State of Oregon

From: Blue Water Inc., dba Columbia Housewarmers

Subject: Case No. C2014-0048
Board Consideration of Proposed Settlement

Dear Members of the Oregon Building Code Board:

Columbia Housewarmers is a small business started in 2003 in Astoria Oregon. The business is staffed by 3 technicians/installers, a part time helper, and 3+ office/store staff. Our mission is to offer a quality service to our customers and quality products, upholding the lawful regulations that are in place by local and state agencies, and having a safe work environment for our employees. Please understand that the violations that are assessed were unfortunate mistakes and not intentional violations. Both violations were not bidded into the job and had no monetary gain for Columbia Housewarmers. Both violations were corrected by hiring a licensed electrician or plumber as needed per the job, by Columbia Housewarmers, and paid for by Columbia Housewarmer, not billed to the customer.

1. Regarding: 2011 Boiler case and signed agreement. We had believed to have kept the agreement of committing no further violations of Building Codes Divisions statutes of rules regarding boilers or against the Board of Boiler Rules of the State of Oregon. We have been very conscientious in this area.
2. Regarding: ORS 479.620(1) and ORS 479.550(1) Electrical violations. A permit was obtained by customer to remove existing wall furnace and install a new wall furnace in its place. The employee who did the work did not understand that he was not allowed to reconnect electrical. Inspection was called for and no electrical permit was noted by the inspector. Columbia Housewarmers then realized the mistake. Hired an electrician, who obtained electrical permit, licensed electrician made correction. Columbia Housewarmers had a staff meeting to go over rules pertaining to electrical regulations and obtaining licensed electricians when required.

3. Regarding: ORS 477.040(1) and OAR 918-785-0200(1)(a) and ORS. 693.030(2)(a)
Columbia Housewarmers obtained a permit with local agency to install new gas fireplace and install venting and gas line for customers new gas water heater customer had purchased from a local store. An employee who has been with the company since 2003 performed the work on this job. Columbia Housewarmers very rarely does set ups for water heaters. This employee did not know that he could not connect the existing water flexes back to the top of the new water heater for the customer. He had recently set one up in his own house where he had done the work himself. Again, this mistake was caught when the inspection was done for the other work performed. At which time Columbia Housewarmers got a local licensed plumber to obtain a plumbing permit and reconnect the water heater to the water flexes. Another staff meeting was held and plumbing rules and regulations were stressed to all staff members.

Columbia Housewarmers has reinforced its business plan and stressed with all staff members the importance of only performing work within the scope of which we are licensed for. We have gone over this with all staff and will continue to inform them. We obtain permits for work performed within our scope of work; and for work outside of that we will obtain licensed professionals for the work requiring such.

Consideration Settlement offers for penalties:

1. Regarding case 2011-0248: Columbia Housewarmers requests that this penalty be dropped with respect to not violating against the Board of Boiler Rules specifically. We have been very conscientious of this agreement and not to have a boiler violation. Also please take into consideration, upon looking back into our records the penalty payment made in a timely manner for this violation on June 6, 2012 was a payment totaling \$2,000. It was \$1,000. over the agreement amount.
2. ORS 479.620(1) and ORS 447.040(1) We ask for \$2,000 pay/ \$4,000 stay
3. ORS 479.550(1) and OAR 918-785-0200(1)(a) We ask for \$500 pay/ \$1,500 stay
4. OAR 918-282-0120(1) and ORS 693.030(2)(a) We ask for \$500 pay/ \$3,500 stay.

Thank you for your consideration in this matter.

Peter Schaueremann, President
Blue Water Inc., dba Columbia Housewarmers

1 **BEFORE THE BOARD OF BOILER RULES OF THE STATE OF OREGON**

2
3 **IN THE MATTER OF:**

4 **BLUE WATER, INC., DBA COLUMBIA**
5 **HOUSEWARMERS, AN OREGON**
6 **CORPORATION**

7 **RESPONDENT**

)
) **CONSENT ORDER**
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)
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)
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) **CASE NO. 2011-0248**
)
)
)

2012 MAY 22 A 10:03

RECEIVED
BUILDING CODES

8
9 The Board of Boiler Rules (Board) of the State of Oregon has conducted an investigation and
10 determined Respondent violated certain provisions of the Oregon Building Codes statutes,
11 administrative rules, and specialty codes.

12 The parties wish to settle this matter informally. Respondent agrees to conduct all future business in
13 compliance with the applicable statutes, administrative rules, and specialty codes. As evidenced by
14 the authorized signatures on this Order, Respondent hereby consents to the entry of this Order and its
15 following terms.

16 **FINDINGS OF FACT and CONCLUSIONS OF LAW**

17 (1) On or about September 5, 2011, at 3127 Bayview Terrace, Seaside, Oregon,
18 Respondent engaged in the business of installing a Carrier gas boiler (Serial #3910V02910), for the
19 account of another, without an Oregon boiler contractor's license, in violation of ORS 480.630(1).

20 (2) On or about September 5, 2011, at 3127 Bayview Terrace, Seaside, Oregon,
21 Respondent installed a Carrier gas boiler (Serial #3910V02910), for the account of another, without
22 first obtaining a valid installation permit, in violation of ORS 480.630(5).

23 (3) On or about September 5, 2011, at 3127 Bayview Terrace, Seaside, Oregon,
24 Respondent owner, Peter Schauermaun, installed the Carrier gas boiler (Serial #3910V02910). At
25 the time Peter Schauermaun did not hold an employee or agent license issued by the Department of
Consumer and Business Services (DCBS) as required by ORS 480.630(2).

(4) The Carrier gas boiler, as described above, is a boiler as defined in ORS 480.515(3).

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1 **WHAT THE LAW SAYS**

2 (1) Under ORS 480.630(1), a person engaging in the business of installing, repairing or
3 altering boilers or pressure vessels must possess a boiler contractor license issued by DCBS.¹

4 (2) Under ORS 480.630(5), a person required to be licensed under this section may not
5 install, alter or repair a boiler or pressure vessel unless an installation permit is first secured from
6 the DCBS.

6 **ORDER**

7 Under ORS 455.895(1)(c) and OAR 918-001-0036, the Board assesses the following
8 sanctions:

- 9 (1) a \$3,000 civil penalty for violating ORS 480.630(1)
10 (2) a \$1,000 civil penalty for violating ORS 480.630(5)

11 The assessed penalties total \$4,000

11 **STIPULATED AGREEMENT**

12 Respondent and the Board agree to resolve this matter without hearing according to the
13 following terms:

14 (1) Respondent admits to committing the violations as alleged in the Findings of Fact and
15 Conclusions of Law and agrees the Board will issue an order imposing the proposed civil penalties
16 for such violations in order to resolve this matter.

17 (2) The Board agrees to suspend \$2,500 of the \$4,000 in civil penalties for a period of five
18 years under the following terms:

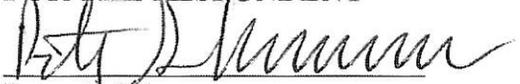
- 19 (a) Respondent agrees not to commit further violations of Building Codes Division's
20 statutes or rules.
21 (b) Respondent agrees to pay the remaining \$1,500 of the civil penalty.
22 (c) If Respondent is able to submit a full payment of \$1,000 by the invoice due date,
23 an additional \$500 will be suspended. The invoice will be included with your
24 copy of the Final Order after it is signed by the Board.
25 //

¹ OAR 918-030-0010(8) states that for purposes of ORS 447.040, 479.620, 480.630 and any other license regulated by ORS chapter 455, "engaging in the business" means to advertise or solicit, contract or agree to perform, or to perform, work for which a license or permit is required under Oregon law, including but not limited to a single instance.

- (d) If Respondent makes payment arrangements but fails to make a payment within the time period stated on any final demand notice, collection of the entire civil penalties, including any suspended amount will be initiated.
- (e) Respondent understands and agree any violation of the terms of this Settlement Agreement and Consent Order will result in further enforcement action.
- (f) Respondent understands and agree that any violations of Building Code Division's statutes or rules not alleged in the Findings of Fact above, whether committed before or after the execution of this Settlement Agreement and Consent Order, shall be the basis for further enforcement action.
- (g) Respondent understands the suspended civil penalty will be waived five years after the execution of this Settlement Agreement and Consent Order, provided you comply with its terms and have not committed any further violations of Building Codes Division's statutes or rules.
- (h) Respondent has read and fully understand the terms of this Consent Order, freely and voluntarily consent to the entry of this Order without further hearing, without any force or duress, and expressly waives all rights to hearing or appeal in this matter.
- (i) Respondent understands that, upon signature of all parties, this Settlement Agreement and Consent Order will be a FINAL ORDER.
- (j) Respondent understands once this Settlement Agreement and Consent Order becomes a FINAL ORDER it becomes a public document.
- (k) Respondent further agrees by signing this Settlement Agreement and Consent Order that they are the respondent and/or authorized representative for the respondent in this matter.

It is so stipulated.

FOR THE RESPONDENT



Date: 5-18-12

Peter A. Schauer
President, Blue Water Inc.

FOR THE BOARD

 for

Date: 5/24/12

Chairman
Board of Boiler Rules
State of Oregon

1 **BEFORE THE ELECTRICAL AND ELEVATOR BOARD OF THE STATE OF OREGON**

2 **BEFORE THE STATE PLUMBING BOARD OF THE STATE OF OREGON**

3 **BEFORE THE BOARD OF BOILER RULES OF THE STATE OF OREGON**

4 **IN THE MATTER OF:**

5 **BLUE WATER, INC., DBA COLUMBIA**
6 **HOUSEWARMERS, AN OREGON**
7 **CORPORATION**

8 **RESPONDENT**

)
) **AMENDED NOTICE OF PROPOSED**
) **ASSESSMENT OF A CIVIL PENALTY**
) **AND FINAL ORDER ON DEFAULT**
) **CASE NO. C2014-0048**
)
)
)
)

9 Under Oregon Revised Statutes (ORS) 455.895(1)(a) and (1)(b), and Oregon
10 Administrative Rules (OAR) 918-001-0036, the Oregon Electrical and Elevator Board and the State
11 Plumbing Board (Boards) propose assessing civil penalties against Respondent totaling \$17,000
12 because Respondent violated Building Codes Division statutes and rules as follows. In addition to
13 the \$17,000 of proposed civil penalties, the Board of Boiler Rules of the State of Oregon shall
14 collect the \$3,000 stayed penalty pursuant to a Consent Order executed in Building Codes Division
15 (BCD) case number 2011-0248.

16 **FINDINGS OF FACT**

- 17 1. During or about the period March 5, 2013, at 1365 Franklin Avenue, Astoria, Oregon,
18 Respondent allowed employee Ryan Hash, an unlicensed individual, to install a gas wall
19 furnace without appropriate electrical licenses and permits, for the account of another.
- 20 2. At no relevant time was Respondent licensed as an electrical contractor in the State of
21 Oregon.
- 22 3. Respondent did not obtain an electrical permit prior to making electrical installations at 1365
23 Franklin Avenue, Astoria, Oregon.
- 24 4. An electrical contractor has obtained an electrical permit for the above-mentioned
25 installation and the installation is now in compliance.
1. During or about the period December 19, 2013, through January 2, 2014, at 91976 George
Hill Road, Astoria, Oregon, Respondent allowed employee Steve Lilly, an unlicensed
individual, to install a gas water heater without appropriate plumbing licenses and permits,
for the account of another.
- At no relevant time was Respondent licensed as a plumbing contractor in the State of
Oregon.

- 1 7. Respondent did not obtain a plumbing permit prior to making a plumbing installation at
2 91976 George Hill Road, Astoria, Oregon.
- 3 8. On May 24, 2012, in BCD case number 2011-0248, a Consent Order was executed between
4 Respondent and the Board of Boiler Rules in which Respondent was assessed a \$4,000 civil
5 penalty for violation of ORS 480.630(1) and ORS 480.630(5). The Board of Boiler Rules
6 stayed collection of \$3,000 of the civil penalty for a period of five years from the date of the
7 execution of the Consent Order provided Respondent did not, during that time, violate any
8 provision of Oregon Building Codes statutes, administrative rules, specialty codes, or any
9 order issued by a BCD advisory board.

10 **APPLICABLE LAW**

- 11 1. ORS 479.530(10) defines an electrical installation as the construction or installation of
12 electrical wiring and the permanent attachment or installation of electrical products.
- 13 2. ORS 479.620(1) requires a person to have an electrical contractor's license to engage in the
14 business¹ of making electrical installations, including advertising or otherwise purporting to
15 be a business that makes electrical installations.
- 16 3. ORS 479.550(1) states no person shall work on any new electrical installation for which a
17 permit has not been issued.
- 18 4. OAR 918-282-0120(1) states that no person or entity shall allow any individual to perform
19 electrical work for which the individual is not properly registered or licensed.
- 20 5. Under ORS 447.010(6) plumbing is defined as the art of installing, altering or repairing in or
21 adjacent to or serving buildings including pipes, fixtures, and other apparatus for bringing in
22 the water supply and removing liquid and water-carried waste, including the water supply
23 distributing pipes; fixtures and fixture traps; soil, waste and vent pipes; and storm water
24 drainage, with their devices, appurtenances and connections.
- 25 6. ORS 447.040(1) prohibits a person from engaging in the business of working as a plumbing
contractor or advertising or purporting to be a plumbing contractor without a plumbing
contractor license.
7. OAR 918-785-0200(1)(a) states no person shall conduct plumbing work without first
obtaining a plumbing permit or minor label.
8. ORS 693.030(2)(a) states that a licensed plumbing contractor or a person required to be
licensed as a plumbing contractor may not permit or suffer any person to work as a
journeyman plumber who does not hold a valid journeyman plumber license.

///

¹ OAR 918-030-0010(8) states that for purposes of ORS 447.040, 479.620, 480.630 and any other license regulated by ORS chapter 455, "engaging in the business" means to advertise or solicit, contract or agree to perform, or to perform, work for which a license or permit is required under Oregon law, including but not limited to a single instance.

CONCLUSIONS OF LAW

1. Installing a gas wall furnace is an electrical installation as defined in ORS 479.530(10).
2. By engaging in the business of electrical contracting without an Oregon electrical contractor's license, Respondent violated ORS 479.620(1).
3. By allowing an employee to make electrical installations without first obtaining a valid electrical permit, Respondent violated ORS 479.550(1).
4. By allowing Ryan Hash to perform electrical work for which Mr. Hash is not properly registered or licensed, Respondent violated OAR 918-282-0120(1).
5. Installing a gas water heater is a plumbing installation, as defined in ORS 447.010(6).
6. By engaging in the business of plumbing contracting without an Oregon plumbing contractor's license, Respondent violated ORS 447.040(1).
7. By allowing an employee to make a plumbing installation without first obtaining a valid plumbing permit, Respondent violated OAR 918-785-0200(1)(a).
8. By permitting or suffering Steve Lilly to work as a journeyman plumber when Mr. Lilly does not hold a valid journeyman plumber license, Respondent violated ORS 693.030(2)(a).
9. When Respondent violated ORS 479.620(1), 479.550(1), 447.040(1), and 693.030(2)(a), along with OAR 918-282-0120(1) and 918-785-0200(1)(a), Respondent failed to comply with the terms of the Stipulated Agreement section of the Consent Order in BCD case 2011-0248 within five years from the May 24, 2012, effective date of that Final Order.
10. By breaching the Stipulated Agreement of the Consent Order in case 2011-0248, the entire penalty amount in that case, including the \$3,000 of previously-suspended penalties, may now be collected.

ORDER

The Boards hereby order the follow penalties:

1. \$8,000 for violating ORS 479.620(1) and ORS 447.040(1),
2. \$4,000 for violating ORS 479.550(1) and OAR 918-785-0200(1)(a),
3. \$5,000 for violating OAR 918-282-0120(1) and ORS 693.030(2)(a),
4. By failing to comply with the terms of the Consent Order in BCD case number 2011-0248, the \$3,000 of previously-suspended civil penalties is due and payable.

The total civil penalty is \$20,000.

///

NOTICE OF FINAL ORDER

If Respondent does not timely request a hearing, withdraw a hearing request, notify the Board or the administrative law judge that Respondent will not appear, or fail to appear at a scheduled hearing, the Board will issue a Final Order by Default. If the Board issues a Final Order by Default, it designates the file, including any materials submitted by Respondent that relates to this matter, as the record for purpose of proving a prima facie case.

Respondent is entitled to judicial review of this final order. Judicial review may be obtained by filing a petition for review with the Oregon Court of Appeals within 60 days after the final order is served upon Respondent. See ORS 183.482. If the order was served on Respondent in person, the date of service is the date Respondent received the order. If the order was served through the mail, the date of service is the day the order was mailed, not the day it was received by the Respondent. If Respondent does not file a petition for judicial review within the 60 day time period, Respondent will lose the right to appeal. The phone number for the Oregon Court of Appeals is 503-986-5555.

FOR THE ELECTRICAL AND ELEVATOR BOARD

  for Date: 10/7/14, 2014
Chair
Electrical and Elevator Board
State of Oregon

FOR THE STATE PLUMBING BOARD

  for Date: 10/7/14, 2014
Chair
State Plumbing Board
State of Oregon

FOR THE BOARD OF BOILER RULES

  for Date: 10/7/14, 2014
Chair
Board of Boiler Rules
State of Oregon

ADVISORY BOARD PENALTY MATRIX
June, 2010

Pursuant to OAR 918-001-0036, this penalty matrix applies to the following trade specialty codes: boiler, electrical, elevator, manufactured dwelling/installer, plumbing, and mechanical.

Absent an accompanying license violation, permit violations are handled by the issuing authority.

The entire penalty is imposed in all cases. A violator will not automatically receive the minimum amount due for the penalty. A stay of some portion of a penalty is within the sole discretion of the board or the division acting on the board's behalf for purposes of settling cases prior to hearing. In determining whether a portion of the penalty should be stayed the Division considers aggravating and mitigating factors including but not limited to risk to the public and the cooperation of the violator.

Violation Type	1st	2nd	3rd	Length of Time
Permit Violation	Penalty Assessed: \$1000 Max. Amt. Stayed: \$750 Min. Amt. Due/payable: \$250	Penalty Assessed: \$ 2000 Max. Amt. Stayed: \$1250 Min. Amt. Due/payable: \$750	Penalty Assessed: \$3000 Max. Amt. Stayed: \$1000 Min. Amt. Due/payable: \$2000	5 years from last violation
Above section applies to violations of permit requirements				
Volunteer Who Has Violated Licensing Laws	Penalty Assessed: \$1000 Max. Amt. Stayed: \$1000 Min. Amt. Due/payable: \$0	Penalty Assessed \$2000 Max. Amt. Stayed: \$1000 Min. Amt. Due/payable: \$1000	Penalty Assessed: \$5000 Max. Amt. Stayed: \$1000 Min. Amt. Due/payable: \$4000	5 years from last violation
Above section applies to individuals not licensed in one of the specialty trades listed above, who make an installation that requires a license for no remuneration or other benefit				
Unlicensed Activities	Penalty Assessed: \$2000 Max. Amt. Stayed: \$1750 Min. Amt. Due/payable: \$250	Penalty Assessed: \$2500 With Max Stay: \$1000 Min. Amt. Due/payable: \$1500	Penalty Assessed: \$5000 Max. Amt. Stayed: \$1000 Min. Amt. Due/payable: \$4000 Condition/deny/suspend/revoke/injunction	5 years from last violation
Above section applies to individuals or companies and includes working without a license and allowing an unlicensed individual to perform specialty work.				
Scope of License Violations	Penalty Assessed: \$2000 Max. Amt. Stayed: \$1750 Min. Amt. Due/payable: \$250 (Apprentices: max. amt. stayed: \$2000/ min. due: \$0)	Penalty Assessed: \$3000 Max. Amt. Stayed: \$1000 Min. Amt. Due/payable: \$2000	Penalty Assessed: \$5000 Max. Amt. Stayed: \$1000 Min. Amt. Due/payable: \$4000 and/or condition/denial/suspension/revocation	5 years from last violation
Above section applies to individuals or companies in one of the specialty trades working outside the scope of their license. This also includes apprentices.				

Violation Type	1st	2nd	3rd	Length of Time
Supervisor	Penalty Assessed: \$3000 Max. Amt. Stayed: \$2750 Min. Amt. Due/payable: \$250	Penalty Assessed: \$4000 Max. Amt. Stayed: \$2000 Min. Amt. Due/payable: \$2000	Penalty Assessed: \$5000 Max. Amt. Stayed: \$1000 Min. Amt. Due/payable: \$4000 and/or condition/denial/suspension/revocation	5 years from last violation
Above section applies to supervising electricians not performing the duties of a supervisor, as listed in OAR 918-282-0140.				
Business	Penalty Assessed: \$3000 Max. Amt. Stayed: \$2750 Min. Amt. Due/payable: \$250	Penalty Assessed: \$4000 Max. Amt. Stayed: \$1000 Min. Amt. Due/payable: \$3000	Penalty Assessed: \$5000 Max. Amt. Stay: \$1000 Min. Amt. Due/payable: \$4000 and/or condition/denial/suspension/revocation	5 years from last violation
Above section applies to individuals engaging in the business or of a contractor working in a trade that requires a specialty license.				
Unsafe Installations/Health and Safety Hazard/Failure to Comply with Directive	Penalty Assessed: \$3000 Max. Amt. Stayed: \$2500 Min. Amt. Due/payable: \$500	Penalty Assessed: \$5000 Max. Amt. Stayed: \$3000 Min. Amt. Due/payable: \$2000 and/or condition/denial/suspension/revocation		5 years from last violation
Above section applies to individuals or companies that have made an unsafe installation causing immediate danger to the public.				
Failure to Comply with Order of Corrective Action	Up to \$1000 per day and/or suspension/ revocation			5 years from last violation
Above section applies to orders to correct an installation.				
Failure to Comply with Directive & Aggravating Factors	Penalty Assessed: \$4500 Max. Amt. Stayed: \$1500 Min. Amt. Due/payable: \$3000	Penalty Assessed: \$5000 Max. Amt. Stayed: \$1000 Min. Amt. Due/payable: \$4000 and/or condition/denial/suspension/revocation		5 years from last violation
Above section applies to directives given to anyone failing to comply with the Oregon specialty codes listed above. This includes jurisdictions.				

Electrical and Elevator Board Enforcement Report for January 22, 2015

**Agenda
Item
III.C.**

Summary Report - Cases Previously Resolved by Division

Case #	Name	Violation	Location of Violation	Date of Violation	Penalty Assessed	Penalty to Pay	Other Comments
C2014-0175† Tom	Comfort Center, Inc., dba Comfort Center Heating & Air	Removal of a double pole, 20-amp breaker and installation of a single pole, 20-amp breaker • No electrical contractor's license • Allowed an unlicensed individual to make an electrical installation • No valid electrical permit	Klamath Falls	July 2014	\$6,000	\$2,000	Consent Order. Complaint submitted by field licensing inspector. In October 2014, the homeowner obtained an electrical permit and the installation was inspected and approved. Related to case C2014-0176.
C2014-0176† Tom	Jimmie R. Underwood, Jr.	Removed a double pole, 20-amp breaker and installed a single pole, 20-amp breaker • No supervising or journeyman electrician's license	Klamath Falls	July 2014	\$2,000	\$750	Consent Order. Complaint submitted by field licensing inspector. Related to case C2014-0175.
2013-0131 Tania	Charles W. Degraffenreed	Multiple electrical installations • No valid journeyman electrician's license	Numerous locations	October 2012 through August 2013	\$10,000	\$10,000	Final Order after Hearing (Director's authority) Complaint submitted by City of Gresham. See also License Suspensions and Revocations report.
C2014-0165† Tom	Maxwell Anthony Pacific, Inc.	Removal, repair, and replacement of electrical wire within an RV electrical hookup box • Allowed an unlicensed individual to make an electrical installation	Reedsport	June 2014	\$2,000	\$250	Consent Order. Complaint submitted by field licensing inspector. Related to case C2014-0126.
C2014-0126† Tom	Albert Rodriguez	Removed, repaired, and replaced electrical wire within an RV electrical hookup box • No supervising or journeyman electrician's license	Reedsport	June 2014	\$2,000	\$250	Consent Order. Complaint submitted by field licensing inspector. Related to case C2014-0165.

* Total penalties assessed for violations in more than one program

† With use of new database, all new cases now begin with "C" (Complaint)

Electrical and Elevator Board Enforcement Report for January 22, 2015

**Agenda
Item
III.D.**

License Suspensions and Revocations (Director Action)			
Case #	Name	Suspension/Revocation Information	Other Comments
2013-0131	Charles W. Degraffenreed	Journeyman electrician's license was revoked on December 17, 2014.	Final Order after Hearing (Director's authority) See Summary report.

State of Oregon

Board memo

Building Codes Division

January 22, 2015

To: The Electrical and Elevator Board

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

Subject: Continuing Education Course Approval Process

Action requested:

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

Background:

The Electrical and Elevator Board establishes continuing education (CE) requirements for all electrical licensees in order to ensure licensees possess up-to-date knowledge of the code and administrative requirements. The board sets standards for approval of courses and instructors in order to have a sufficient number and variety of CE courses available to licensees. The board's continuing education committee has been meeting to evaluate courses and instructors on the board's behalf. The committee met on December 9, 2014, to review CE course and instructor applications. The committee reviewed 124 applications from 13 organizations:

- 60 courses were recommended for approval.
- 17 courses were recommended for denial.
- 3 courses are pending, waiting for additional information from the provider.
- 45 instructors were recommended for approval.

See attached summary for more information.

In addition to the Oregon Rule and Law criteria, the committee is using the following when reviewing applications:

- NFPA 70E courses are eligible for a maximum of eight hours code-related credits.
- OSHA 10 courses are eligible for a maximum of four hours code-related credits.
- OSHA 30 courses are eligible for a maximum of sixteen hours code-related credits.
- First Aid/CPR courses are eligible for a maximum of four hours code-related credits (two hours for each course).
- For correspondence courses - Provider must submit complete course.

- For online courses - Provider must submit a log-on or screen shots of course content.

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.

Electrical and Elevator Board
Committee on Continuing Education Course and Instructor Review
1/22/15

Courses

	Applicant	Course Name	Committee Recommendation	Board Action
1	SAFE consulting service Corp. dba ElectricalCEU.com	NFPA 70E-Electrical Safety in the Workplace-4 Hours (4 hours CR)	Approve	
2	SAFE consulting service Corp. dba ElectricalCEU.com	NFPA 72-2013-Fire Alarm-4 Hours (4 hours CR)	Approve	
3	SAFE consulting service Corp. dba ElectricalCEU.com	NEC 2014 Code Update-8 Hours (8 hours CC)	Approve	
4	SAFE consulting service Corp. dba ElectricalCEU.com	NEC 2014 Grounding & Bonding-4 Hours (4 hours CR)	Approve	
5	SAFE consulting service Corp. dba ElectricalCEU.com	NEC 2014 Code Update-16 Hours (16 hours CC)	Approve	
6	SAFE consulting service Corp. dba ElectricalCEU.com	Oregon Amendments to the 2014 NEC-4 Hours (4 hours ORL)	Approve	
7	SAFE consulting service Corp. dba ElectricalCEU.com	NEC 2014 Limited Renewable Energy Technician (LRT)-4 Hour (4 hours CC)	Approve	
8	SAFE consulting service Corp. dba ElectricalCEU.com	NEC 2014 Limited Journeyman Sign Electrician (SIG)-4 Hour (4 hours CC)	Approve	
9	SAFE consulting service Corp. dba ElectricalCEU.com	NEC 2014 Limited Energy Technician Class "A" (LEA)-8 Hour (8 hours CC)	Approve	
10	SAFE consulting service Corp. dba ElectricalCEU.com	NEC 2014 Limited Energy Technician Class "B" (LEB)-8 Hour (8 hours CC)	Approve	
11	SAFE consulting service Corp. dba ElectricalCEU.com	NEC 2014 Limited Maintenance Electrician (LME)-8 Hour (8 hours CC)	Approve	
12	SAFE consulting service Corp. dba ElectricalCEU.com	NEC 2014 & Oregon Rule & Law for Limited Residential Electrician (LR)-16 Hour (16 hours CC/OESC)	Approve	
13	SAFE consulting service Corp.	NEC 2014 Plant Electrician (PJ)-16 Hour (16 hours CC)	Approve	

	dba ElectricalCEU.com			
14	SAFE consulting service Corp. dba ElectricalCEU.com	NEC 2014 & Oregon Rule & Law for General Journeyman Electrician (J)-24 Hour (24 hours CC/OESC)	Approve	
15	SAFE consulting service Corp. dba ElectricalCEU.com	NEC 2014 & Oregon Rule & Law for Limited Supervising Electrician (PS)-24 Hour (24 hours CC/OESC)	Approve	
16	SAFE consulting service Corp. dba ElectricalCEU.com	NEC 2014 & Oregon Rule & Law for General Supervising Electrician(S)-24 Hour (24 hours CC/OESC)	Approve	
17	Mike Holt Enterprise, Inc.	Alternating Current, Motors, Generators, and Transformers (8 hours CR)	Deny – Course was previously denied by the board as being suited for apprentice level instruction. Provider amended course and resubmitted it for review. Committee reviewed the course and determined that it still does not meet the minimum requirements to be recommended for approval.	
18	Mike Holt Enterprise, Inc.	Electrical Fundamental and Basic Electricity (8 hours CR)	Deny – Course was previously denied by the board as being suited for apprentice level instruction. Provider amended course and resubmitted it for review. Committee reviewed the course and determined that it still does not meet the minimum requirements to be recommended for approval.	
19	Mike Holt Enterprise, Inc.	Electrical Circuits, Systems, and Protection (8 hours CR)	Deny – Course was previously denied by the board as being suited for apprentice level instruction. Provider amended course and resubmitted it for review. Committee reviewed the course and determined that it still does not meet the minimum requirements to be recommended for approval.	
20	Cochran, Inc.	CPR, AED and First Aid for Adults (4 hours CR)	Approve – hours reduced to 4 from 5.	
21	Cochran, Inc.	Bloodborne Pathogens in the Workplace (2 hours CR)	Deny – Not code related. Course content typically included in first aid courses.	
22	Electrical Education Services, LLC	Conductor Installation (4 hours CR)	Approve	
23	Electrical Education Services, LLC	Soares Book on Grounding & Bonding: Part 1 (4 hours CR)	Approve	
24	Electrical Education Services, LLC	Soares Book on Grounding and Bonding: Part 2 (4 hours CR)	Approve	

25	Electrical Education Services, LLC	Soares Book on Grounding and Bonding: Part 3 (4 hours CR)	Approve	
26	Electrical Education Services, LLC	Soares Book on Grounding and Bonding: Part 4 (4 hours CR)	Approve	
27	@Home Prep	Oregon Electrical Laws (4 hours) (4 hours ORL)	Approve	
28	Energy Transfer Technology Inc.	2015 NFPA 70E: Electrical Safety in the Workplace (8 hours CR)	Approve – hours reduced to 8 from 16.	
29	JADE Learning	OESC and Administrative Rule (4 hours ORL)	Approve	
30	Olsson Industrial Electric	NFPA 70E-Arch Flash Awareness (4 hours CR)	Approve	
31	Olsson Industrial Electric	First Aid/CPR/AED Refresher (4 hours CR)	Approve	
32	Oregon Air Reps	Variable Speed Drives, #108 (8 hours CR)	Deny – Course does not contain sufficient code content (references) for the course to be considered for code related credit.	
33	UA Local 290, Plumbers & Steamfitters	OSHA 10 (4 hours CR)	Approve – hours reduced to 4 from 10.	
34	UA Local 290, Plumbers & Steamfitters	OSHA 30 (16 hours CR)	Approve – hours increased to 16 from 10.	
35	UA Local 290, Plumbers & Steamfitters	Basic Life Support/First Aid (4 hours CR)	Approve – hours reduced to 4 from 8.	
36	NW WA Electrical JATC	Basic Electrical Theory 1 (8 hours CR)	Deny – Course is suited for apprentice level instruction.	
37	NW WA Electrical JATC	Basic Electrical Theory 2 (8 hours CR)	Deny – Course is suited for apprentice level instruction.	
38	NW WA Electrical JATC	Conductor Installations (4 hours CR)	Approve	
39	NW WA Electrical JATC	Data & Communications Cabling (8 hours CR)	Deny – Not code related.	
40	NW WA Electrical JATC	Electrical Safety Related Work Practices (8 hours CR)	Approve	
41	NW WA Electrical JATC	Electrical Vehicle Industry Training Program (EVITP) (12 hours CR)	Approve	
42	NW WA Electrical JATC	Electrical Grounding (8 hours CR)	Approve	
43	NW WA Electrical JATC	Electrical Systems 1 (8 hours CR)	Approve	
44	NW WA Electrical JATC	Energy Management Control Systems (16 hours CR)	Deny – Not code related.	
45	NW WA Electrical JATC	Fault Current Calculations (4 hours CR)	Approve	
46	NW WA Electrical JATC	Fiber Optic Termination Testing (8 hours CR)	Deny – Not code related.	
47	NW WA Electrical JATC	First Aid/CPR (4 hours CR)	Approve – hours reduced to 4 from 6.	
48	NW WA Electrical JATC	Fundamentals of Instrumentation (16 hours CR)	Deny – Not code related.	

49	NW WA Electrical JATC	Hazardous Locations (4 hours CR)	Approve	
50	NW WA Electrical JATC	Heat Trace Cable Installation (4 hours CR)	Approve	
51	NW WA Electrical JATC	Intermediate PLCs (16 hours CR)	Deny – Not code related.	
52	NW WA Electrical JATC	Introduction to Electric Vehicles (4 hours CR)	Approve	
53	NW WA Electrical JATC	Introduction to Fiber Optics (8 hours CR)	Deny – Course does not contain sufficient code content (references) for the course to be considered for code related credit.	
54	NW WA Electrical JATC	Introduction to Grounding and Bonding (8 hours CR)	Approve	
55	NW WA Electrical JATC	Introduction to Photovoltaic Systems (8 hours CR)	Deny – Course does not contain sufficient code content (references) for the course to be considered for code related credit.	
56	NW WA Electrical JATC	Introduction to Programmable Logic Controllers (16 hours CR)	Deny – Not code related.	
57	NW WA Electrical JATC	Motor Controls (8 hours CR)	Approved – Committee recommended approving this course as submitted for 8 of code related credit because course did not contain sufficient information to be approved for 16 hours code related credit. However, provider may resubmit the course for future consideration for 16 hours of code related credit with additional information (code content and code reference).	
58	NW WA Electrical JATC	NEC Codeology 1 (8 hours CR)	Approve	
59	NW WA Electrical JATC	OSHA 10 Safety Training (4 hours CR)	Approve	
60	NW WA Electrical JATC	Photovoltaic System Designs (16 hours CR)	Deny – Course does not contain sufficient code content (references) for the course to be considered for code related credit.	
61	NW WA Electrical JATC	Photovoltaic Systems Installation (16 hours CR)	Approve	
62	NW WA Electrical JATC	Test Instruments (8 hours CR)	Deny – Course does not contain sufficient code content (references) for the course to be considered for code related credit.	
63	NW WA Electrical JATC	Transformers (8 hours CR)	Approve	

			Note: Provider to correct code reference in course content to 2014 NEC.	
64	Independent Electrical Contractors of Oregon	Oregon Rule and Law (4 hours ORL)	Approve	
65	Independent Electrical Contractors of Oregon	Grounding and Bonding (4 hours CR)	Approve	
66	Independent Electrical Contractors of Oregon	Motor Controls (4 hours CR)	Approve	
67	SW WA Electrical JATC	Elevators, Escalators (4 hours CR)	Approve	
68	SW WA Electrical JATC	Health Care Systems (8 hours CR)	Approve	
69	SW WA Electrical JATC	Electrical Grounding (12 hours CR)	Approve	
70	SW WA Electrical JATC	Oregon Rule & Law (4 hours ORL)	Approve	
71	NECA-IBEW Electrical Training Trust	HVAC Basics (8 hours CR)	Approve	
72	NECA-IBEW Electrical Training Trust	NEC Article 230, Services (8 hours CR)	Approve	
73	NECA-IBEW Electrical Training Trust	NEC Code Calc's (8 hours CR)	Approve	
74	IBEW Local 46	2014 NEC for Limited Energy (8 hours CR)	Approve	
75	IBEW Local 46	Transformer Installations (8 hours CR)	Approve	
76	Central Oregon Safety & Health Association (OSHA)	Mid-Oregon Construction Safety Summit (2 hours CR)	Approve – Committee determined that it would approve 2 hours of code related credit for attendance to this safety summit.	
77	North Idaho College Workforce Training Center	2014 NEC Update (16 hours CE – 8 hours CC & 8 hours CR)	Approve	

Instructors

	Applicant	Committee Recommendation	Board Action
1	Adrian M. Steik SAFE consulting service Corp. dba ElectricalCEU.com	Approve	
2	Mike Holt Mike Holt Enterprise, Inc.	Approve	
3	Cody Adams Cochran, Inc.	Approve	
4	Jim Davis Electrical Education Services, LLC	Approve	
5	Bill Dutton NECA-IBEW Local 48	Approve	
6	William Coury NECA-IBEW Local 48	Approve	
7	Tom Dorsey Sr. @Home Prep	Approve	
8	Tom Dorsey Jr. @Home Prep	Approve	
9	John Goodman Energy Transfer Technology Inc.	Approve	
10	Dennis Hall Energy Transfer Technology Inc.	Approve	
11	Mark Ode Energy Transfer Technology Inc.	Approve	
12	David Burt JADE Learning	Approve	
13	Marty Stoddard Olsson Industrial Electric	Approve	
14	Bob Fassiotto Oregon Air Reps	Approve	

15	Eric Gossman Oregon Air Reps	Approve	
16	Soloman Apodaca UA Local 290	Approve	
17	Levi Knapp UA Local 290	Approve	
18	Jon Glass UA Local 290	Approve	
19	Joe Tavares UA Local 290	Approve	
20	Brian Lake UA Local 290	Approve	
21	Nate Hembree UA Local 290	Approve	
22	Lisa Stuurmans NW WA Electrical JATC	Approve	
23	Eric Blatz NW WA Electrical JATC	Approve	
24	Donna Buehler NW WA Electrical JATC	Approve	
25	Chad Saxton NW WA Electrical JATC	Approve	
26	Frank Fagundes NW WA Electrical JATC	Approve	
27	Douglas Simpson NW WA Electrical JATC	Approve	
28	Michael McGhee NW WA Electrical JATC	Approve	
29	Pete Peters NW WA Electrical JATC	Approve	
30	Edward Loughney NW WA Electrical JATC	Approve	

31	Ryan Bradt NW WA Electrical JATC	Approve	
32	Justin Gau NW WA Electrical JATC	Approve	
33	Earl Lathrop NW WA Electrical JATC	Approve	
34	Lorin Lathrop NW WA Electrical JATC	Approve	
35	Robert Gaddis NW WA Electrical JATC	Approve	
36	Stacy Bosman NW WA Electrical JATC	Approve	
37	Ken Filips Independent Electrical Contractors of Oregon	Approve	
38	Ray Lince SW WA Electrical JATC	Approve	
39	Paul Fisher SW WA Electrical JATC	Approve	
40	Mark James SW WA Electrical JATC	Approve	
41	Barry Blackburn SW WA Electrical JATC	Approve	
42	Brad Link SW WA Electrical JATC	Approve	
43	Tyrome Walker SW WA Electrical JATC	Approve	
44	Tony Lewis SW WA Electrical JATC	Approve	
45	Steve Harper SW WA Electrical JATC	Approve	

Applications Pending

	Applicant	Course Name	Information Requested by Committee
1	NW WA Electrical JATC	Advanced Lighting Controls (16 hours CR)	Pending – Course does not contain sufficient content as submitted for 16 hours of credit. Course does not contain a detailed outline including code references. If provider resubmits course with sufficient information, the committee would consider approving course for 8 hours code related credit.
2	NW WA Electrical JATC	Advanced Motor Controls (16 hours CR)	Pending – Course does not contain sufficient content as submitted for 16 hours of credit. Course does not contain a detailed outline including code references. If provider resubmits course with sufficient information, the committee would consider approving course for 8 hours code related credit.
3	NW WA Electrical JATC	Conduit Bending (16 hours CR)	Pending – Course does not contain sufficient content as submitted for 16 hours of credit. Course does not contain a detailed outline including code references. If provider resubmits course with sufficient information, the committee would consider approving course for 4 hours code related credit.



American Trainco, Inc.
PO Box 3397
Englewood, CO 80155
P: 303-531-4560
F: 303-531-4565
www.AmericanTrainco.com

Real World Training...for Real World Needs

**Agenda
Item
VII.B.**

December 17, 2014

Department of Consumer & Business Services
Building Codes Division
PO Box 14470
Salem, OR 97309-0404

Members of the Board,

Mr. Charles Leighton (OR License #1088PS) attended a 2014 National Electrical Code class offered by American Trainco on 10/27/14-10/28/14 in Portland. Our 2014 National Electrical Code class is approved by the board, but the instructor (Michael Leitzel) who taught that specific date and location was not. Mr. Leitzel resides in Pennsylvania and only teaches classes on the West Coast in emergency situations. In this particular situation, all of the OR approved instructors for that class had scheduling conflicts, so we were scrambling to fill the spot. We would have alerted the students that the class was being taught by an unapproved instructor, but we were unaware that there were any OR licensees in attendance. Mr. Leighton contacted us for the first time in December to request CEUs from the class.

Michael Leitzel is approved to teach for 14 state licenses on the East Coast and is one of our most competent instructors. The class was taught in accordance with the submitted and approved schedule. I will be submitting the remainder of our East Coast instructors to the board for approval in March so that this situation can be avoided in the future.

Please let me know if there is anything else I can do to get Mr. Leighton his hours.

Thank you,

A handwritten signature in cursive script, appearing to read 'Naomi Yencich'.

Naomi Yencich
Testing and Continuing Education
303-867-9378
naomiy@americantrainco.com



Continuing Education Instructor Approval Application

Department of Consumer & Business Services
Building Codes Division • 1535 Edgewater St. NW, Salem, Oregon
Phone: (503) 373-1268 • Fax: (503) 378-2322 • TTY: (503) 373-1358
Web: bcd.oregon.gov

Date received by BCD: _____

Courses and instructors are approved for the duration of a code cycle.

INSTRUCTIONS

1. Print clearly.
2. Include all requested information.

An incomplete application may delay evaluation of your qualifications.

INSTRUCTOR INFORMATION

Instructor name: Michael Leitzel

Address: PO Box 3397

City: Englewood State: CO ZIP: 80112

Phone: (303) 867-3530 Fax: (303) 531-4565 E-mail: testing@americantrainco.com

Course/program title: 2014 National Electrical Code, Electrical Troubleshooting & Preventative Maintenance, and Arc Flash Electrical Safety NFPA 70E

QUALIFICATIONS

Please attach the following information:

- List of courses or subject matter you intend to teach
- Proof of your qualifications to teach the courses or subject matter you listed. Qualifications may include:
 - Appropriate license
 - Relevant degree
 - Other expertise

DEPARTMENT USE ONLY

Courses or subject matter: _____

Approved Signature: _____ Date: _____

Courses or subject matter: _____

Denied Signature: _____ Date: _____

Comments: _____

This form may be photocopied



Michael Litzel
Training Specialist

Certificates/Licenses

- Journeyman Inside Wireman IBEW
- Certified residential building inspector
- International Code Council Commercial Electrical Inspector (5208890-E2)
- PA Dept of L&I Certification (#004284)
- OSHA-approved 10- and 30-hours construction outreach course instructor

Education/Training

IBEW Apprenticeship

5 years - 8000 hours

Technical Experience

Journeyman Inside Wireman/Electrician Foreman IBEW Local #143 1995—present

All levels of electrical construction (e.g. EMT, IMC, RMC, FMC, RNC) as journeyman wireman and as foreman in charge of various sizes of crews; single-phase, three-phase, low-voltage, high-voltage; CAT III, CAT V, fiber-optic installation and terminations; residential, commercial, industrial installations; raised cellular floor systems, UPS systems, automatic transfer switches and generators, building automation, energy management systems; hospitals, schools, computer labs, government and military facilities; served as OSHA-approved training instructors for outreach program; represent Local #143 on Vocational School Advisory Committee.

Instructional Experience

American Trainco

2010—present

Instructor for electrical troubleshooting, industrial electricity, and National Electrical Code®

Harrisburg Area Community College

2008—present

Adjunct faculty for 6 to 12 credit hours in electrical theory, motor controls, National Electrical Code®, blueprint reading, and safety in the workplace; develop course syllabi, lab sessions and lesson plans in accordance with school curriculum; lead students in development and design of motor control circuits; supervise, critique, and grade students on construction of circuits, proper operation and wiring techniques.

Thompson Institute, Electrician Program

2004—2006

Program director for 80 day/evening students; interview, advise, and support fellow instructors on classroom techniques, methods, and theory; develop class and program curriculum; lead instructor for classes in AC/DC theory, commercial and industrial wiring techniques, motor controls, residential and commercial services and transformers, circuit and service sizing and installation techniques, hazard awareness, electrical safety, and National Electrical Code®.

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF LABOR AND INDUSTRY
UNIFORM CONSTRUCTION CODE
CERTIFICATION CARD**

The individual named below is certified for the following category(ies).

These certification(s) shall expire January 11, 2011 unless revoked or suspended by the Department.

Name MICHAEL W LEITZEL
Certification # 004284
Certification Category 10 11 19



LABOR & INDUSTRY
DEPARTMENT OF

- | | |
|---------------------------|-----------------------|
| 10=Res Bldg Insp | 24=Bldg Plans Exam |
| 11=Res Elec Insp | 25=Elec Plans Exam |
| 12=Res Mech Insp | 26=Mech Plans Exam |
| 13=Res Plumb Insp | 27=Plumb Plans Exam |
| 14=Res Energy Insp | 28=Energy Plans Exam |
| 15=Bldg Inspector | 29=Bldg Code Official |
| 18=Fire Inspector | 30=Elev Inspector |
| 19=Elec Inspector | 31=Pass Ropeway Insp |
| 20=Mech Inspector | |
| 21=Plumb Inspector | |
| 22=Energy Inspector | |
| 23=Access Insp/Plans Exam | |

INTERNATIONAL CODE COUNCIL

MICHAEL W LEITZEL

The International Code Council attests that the individual named on this certificate has satisfactorily demonstrated knowledge as required by the International Code Council by successfully completing the prescribed written examination(s) based on codes and standards then in effect, and is hereby issued this certification as:

COMMERCIAL ELECTRICAL INSPECTOR

given this day of September 20, 2003

5208890-E2

Certificate Number



Anne R. vonWeller

Anne R. vonWeller
President, ICC Board of Directors

James L. Witt

James L. Witt
ICC Chief Executive Officer

State of Oregon

Board memo

Building Codes Division

January 22, 2015

To: The Electrical and Elevator Board
From: Shawn Haggin, electrical program assistant chief
Subject: Andriy Okhrimenko, request to consider license equivalency

Action requested:

Evaluate and approve or deny Andriy Okhrimenko’s application to sit for the general journeyman license examination.

Background:

The division received an application from Andriy Okhrimenko for a general journeyman electrician’s license. Mr. Okhrimenko submitted documentation that he has been working in Oregon without a license as an electrician since April of 2013. Prior to that Mr. Okhrimenko worked for eight years in Ukraine and Italy as an electrician. He also submitted documentation showing receipt of a diploma in electrical engineering from the Ukrainian State Maritime Technical University, which an independent evaluation found to be the U.S. equivalent of a Bachelor’s and Master’s degree in Marine Engineering. The application materials describe the nature of Mr. Okhrimenko’s work, experience, and education.

Under Oregon Revised Statutes ([ORS](#)) [479.630\(4\)](#), an applicant for a general journeyman electrician’s license must pass a written examination prepared by the board and administered by the department, and submit proof satisfactory to the board that:

- (A) The person has had at least four years of general experience as an apprentice or its equivalent, as determined by the board in rule, in installing, maintaining, and repairing electrical wires and equipment, including but not fewer than 1,000 hours in wiring on a single or multifamily dwelling units; or
- (B) If the person is licensed as a limited residential electrician..., subsequent to receiving that license, the person has worked for at least two years as a limited residential electrical and subsequent to those two years has completed an additional two years’ experience as an apprentice or its equivalent, as determined by the board by rule, for that period of apprenticeship time worked exclusively in installing, maintaining and repairing electrical wires and equipment in the commercial and industrial branches of the electrical trade under the supervision of a licensed electrical contractor.

Oregon Administrative Rules ([OAR](#) 918-282-0170(3)) requires individuals applying for acceptance under equivalent requirements to demonstrate the following:

- Total work experience of at least 8,000 hours, including the minimum in each of the categories below, with no more than 300 percent coming from any one category:
 - 100 hours of stock room and material handling;
 - 1,000 hours of residential wiring;
 - 1,000 hours of commercial installations;
 - 1,000 hours of industrial installations;
 - 500 hours of intercommunication, signal and control systems;
 - 100 hours of underground construction;
 - 250 hours of trouble shooting and maintenance; and,
 - 50 hours of finishing and fixture hanging.
- Completion of training classes with grades of “C” or better in graded classes and a “pass” in non-graded classes in the following related electrical training classes:
 - Electrical mathematics;
 - Safety and accident prevention;
 - Care and use of hand and power tools;
 - Blueprint reading and electrical symbols;
 - Introduction to National Electrical Code;
 - Electrical fundamentals and basic theory, including AC and DC;
 - Electrical measuring devices;
 - Wiring methods;
 - Low voltage and limited energy circuits;
 - Residential, industrial and commercial calculations;
 - Motors, generators and transformers;
 - Practical circuit sketching;
 - Lighting circuits;
 - Fundamentals of electronics; and,
 - High voltage distribution and equipment.

The division is requesting that the board review the information provided and determine whether Mr. Okhrimenko demonstrates that he has met the requirements of ORS 479.630(4) and OAR 918-282-0170(3). The board should provide specific reasons for its determination.

Options:

- Approve the application based on a finding that the experience and education submitted by Mr. Okhrimenko is equivalent to an Oregon or other approved apprenticeship program;
- Approve the application based on finding that, as an alternative to an approved apprenticeship, Mr. Okhrimenko has demonstrated the equivalent of 8,000 hours of required work experience and passed the required training classes; OR
- Deny the application because Mr. Okhrimenko has not demonstrated that he meets the requirement of ORS 479.630(4) or OAR 918-282-0170(3).