



Oregon

Tina Kotek, Governor



Building
Codes
Division

Department of Consumer
and Business Services

Board of Boiler Rules

meeting agenda

Meeting date: Tue., March 4, 2025

Time: 9:30 a.m.

Virtual connection only: View the live meeting or access the connection information for the Zoom meeting at: Oregon.gov/bcd/Pages/bcd-video.aspx

I. Board business

- A. Call to order
- B. Roll call
- C. Approval of agenda and order of business
- D. Approval of the draft board meeting minutes of [Dec. 3, 2024](#)
- E. Date of the next scheduled meeting: June 3, 2025

II. Public comment

The board will hear public testimony from individuals who have signed up in advance.

III. Reports and updates

Boiler program update

IV. Communications

This item is for the division to present advisory information. This is also for the board to review any letters or emails submitted by stakeholders.

V. Unfinished business

There is no unfinished business at this time.

VI. New business

- A. Request from Harder Mechanical for [exemption](#) from ORS 480.550, OAR 918-225-0430, and OAR 918-225-0445 for non-ASME pressure vessels
- B. Request from Intel to [stagger internal inspection](#) due dates for the 32 boilers at Ronler Acres and update the Oregon BCD Vessel database to reflect the staggered inspections rather than inspections based on zip codes



1535 Edgewater St. NW



503-378-4133

P.O. Box 14470

Salem, OR 97304



bcd.info@dcbs.oregon.gov



oregon.gov/bcd

- C. Request from Oregon Flowers Inc. for [immediate exemption](#) to OAR 918-225-0450(3), which requires a manufacturer's data report be submitted to the chief inspector prior to the installation of a used boiler
- D. Board review request received from Gary Ford, 4581CL1 and 5245CL3, [for hardship extension](#) under [OAR-918-030-0240](#)
- E. Board action as Rulemaking Advisory Committee then make a recommendation to the administrator for [approval of proposed rule language](#) that amends OAR 918-225-0590
- F. Review and approval of [chief boiler inspector's recommendations](#) for new continuing education courses and instructor applications

VII. Announcements

The Board Chair or any of the board members may make announcements during this time.

VIII. Adjournment

The Board Chair or Vice-chair will adjourn the meeting announcing a specific time of adjournment.



**State of Oregon
Board of Boiler Rules
Virtual meeting minutes
Dec. 3, 2024**

Members present: Chris Baier, steamfitter, Chair
Julie Rapp, owner/user pressure vessel, Vice-chair
Curt Beach, boilermaker
Kory Dunn, boiler installation and repair
Richard Engle, insurance inspector
Ryan Garvey, public member
Patrick Lamb, practical steam operating engineer
Paul Langley, owner/user high pressure boiler

Members absent: Jason Anderson, mechanical engineer registered in Oregon
Vacant, mfr/owner of boilers or pressure vessels
Vacant, owner/user low pressure boiler

Staff: Todd Smith, manager, Policy and Technical Services (PTS)
Richard Rogers, chief building official, PTS
Thomas Clark, chief boiler inspector, Statewide Services
Bob Graham, acting assistant chief boiler inspector
Graham Roney, manager, Licensing and Enforcement
Richard Donovan, senior policy advisor, PTS
Ian Paik, policy analyst, PTS
Pierre Sabagh, policy analyst, PTS
Andy Boulton, senior policy advisor, PTS
Brady Hickman, BCD
Laura Burns, support coordinator, PTS
Kaydi Milton, policy development coordinator, PTS
Debi Barnes-Woods, boards administrator/coordinator, PTS

Guests: Donald Von Tungeln, Hartford Steam Boiler (HSB)
Joel Wheeler, FM
Elizabeth Torske, self
Andrew Meskel, self

I. Board business

A. Call to order

The Hybrid Board of Boiler Rules board meeting of Dec. 3, 2024, was called to order at 9:30 a.m., by Chair Chris Baier.

B. Roll call

In-house: Chair Chris Baier; Vice-chair Julie Rapp; Curt Beach; Richard Engle; Ryan Garvey.

Virtual: Kory Dunn; Patrick Lamb; and Paul Langley.

Absent: Jason Anderson.

The Board of Boiler Rules is an eleven-member board. Six members make a quorum. Currently, there are two vacant positions.

If you are interested or know someone that would be a great fit in one of the vacant positions, please visit the Governor's [website](#).

New applicants may apply at: <https://oregon.wd5.myworkdayjobs.com/Boards>.

You will be instructed to create a Workday profile using an email and password. Once created, sign in, search for the Board or Commission you would like to apply to, and select the "Apply" button to submit your application.

C. Approval of the agenda and order of business

Chair Baier **ruled** the agenda and order of business approved as posted.

D. Approval of the draft meeting minutes

Chair Baier **ruled** the draft meeting minutes of Sept. 10, 2024, final.

E. Date of the next regularly scheduled meeting: March 4, 2025

F. Board review 2025 board meeting dates: March 4; June 3; Sept. 9; and Dec. 2, 2025

G. Welcome new member Curt Beach: Boilermaker

Chair Baier read a welcome letter announcing Curt's first four-year term appointment began October 1, 2024, and will end September 20, 2028.

Curt is the superintendent at CH Murphy//Clark Ullman Inc., for 12 years. He has been a boilermaker for all of his adult years.

II. Public comment

The board will hear public testimony from virtual attendance only.

Policy Analyst Ian Paik left time open for anyone wanting to discuss general public comment. There were no comments.

III. Reports and updates

Boiler program update

Thomas Clark, chief boiler inspector, Statewide Services, reported that the overdues have gone down for both state and insurance, the lowest it has been for some time.

Chief Clark mentioned that during several meetings ago, Dyno Nobel proposed a change to Oregon Administrative Rule 918-255-0590(1)(a) to allow for more than one extension up to a maximum of 36 months, which they were to bring additional information back to the board. Chief Clark said that while waiting for that information, the division filed rules correcting the language to be consistent allowing extensions up to 12 months instead of six months. The typo was corrected and permanent rules were filed with an expected effective date of January 1, 2025.

IV. Communications - None

V. Unfinished business - None

VI. New business

Board review and approval of boiler chief's recommendations for new continuing education course and instructor applications

Analyst Paik reviewed Chief Clark's recommendations for new course and instructor applications. He said that one organization submitting three applications were reviewed. Analyst Paik said that two courses were being recommended for approval and one instructor was recommended for approval.

Motion by Member Richard Engle to approve the chief's recommendations for approval of courses and instructor applications.

Roll call vote taken:

Yea – Paul Langley; Patrick Lamb; Richard Engle; Ryan Garvey; Kory Dunn; Curt Beach; Vice-chair Julie Rapp; and Chair Chris Baier.

Nay – None.

Motion carried unanimously.

VII. Announcements - None

VIII. Adjournment

Chair Chris Baier adjourned the meeting at 9:40 a.m.

Respectfully submitted by Debi Woods, boards administrator/coordinator.

Agenda
Item
VI.A.



Request for Variance



Oregon Board of Boiler Rules

March 2025 Board Meeting





JSR Micro Oregon BCD Meeting

- History
 - State rules
 - How we got to this point
 - State involvement
- System overview
 - Drawings
 - Pictures
- Engineering assessment
 - Design information
- Controls
 - Electrical
 - Mechanical
- Process Fluid
 - MSDS
- Testing
 - 3rd Party evaluation (API 653)
- Manufacturer
 - ASME Section X
- Closing Statements
 - Harder Mechanical
 - Perlo Construction
 - JSR Micro
- Questions and Answers



We are here today to request an exception to the Oregon Administrative Rules-2023, Chapter 918, Division 225 and Oregon Revised Statutes-2017 Edition, Chapter 280.

In early 2020 Harder Mechanical requested that the BCD Inspector perform a joint walkdown of the JSR Micro campus in Hillsboro, Oregon. The reason for this request was due to the multitude and complexity of the processing equipment. A BCD Inspector was dispatched to the facility, and on more than one occasion. In the end, Harder Mechanical applied for 31 BPV installation permits, all of which were approved for installation.

JSR Micro is a manufacturer of semiconductor grade cleaning solutions used throughout the semiconductor industry. JSR Micro basically receives appropriate chemicals in bulk, filters and blends them extensively, then ships them to users.

Recently, JSR Micro performed a self-audit in preparation for the implementation of an internal process safety management (PSM) program. During this audit it was revealed that only five (5) operating permits had been issued by the state (4 package boilers & 1 of 2 air compressor tanks).

Regarding where the disconnect was, it was realized that when the State performed their walkdown they determined that the deionizing, blending, and filtering process was exempt due to the low operating pressures, lack of pressure retention capability, and benign fluids being processed. Therefore, the State did not process the installation permits.

Harder was not aware of this because the contractors are out-of-the-loop once the installation permits are inspected. JSR was not aware of the issue because they are out-of-the-loop until they receive the operating permits.

Once Harder Mechanical became aware of the issue and contacted Tom, BCD inspector Doug Dentel was dispatched to the JSR campus and a 100% reevaluation/walkdown was performed. It was determined that several of the installation permits were not required and several vessels not requested do, in fact, require permitting. Most of the latter category are fine as-is, some will require minor work or permit editing, and some will be difficult to bring into compliance without severe disruption to JSR (e.g. downtime, contamination, etc.).

We are requesting an exemption for the process equipment initially exempted by the State 4-years ago. We appreciate the opportunity to present our request today.



Boiler/Pressure Vessel Installation, Alteration, or Repair Permit

Department of Consumer and Business Services
Building Codes Division * Boiler Section
1535 Edgewater St. NW, Salem, OR
Mailing address: P.O. Box 14470, Salem, OR 97309-0404
503-373-7538, Fax 503-378-4101
www.bcd.oregon.gov

Any installations, alterations, or repairs must be done according to the Oregon Boiler Specialty Code. The authorized inspector must sign this permit and return it to the Building Codes Division (BCD) with inspection results.

YOU MUST CONTACT YOUR AUTHORIZED INSPECTOR BEFORE STARTING WORK. OAR 918-225-0600(8)

PERMIT INFORMATION					
Permit no.:	20 - 71827	Issue date:	4/9/2020	Job start:	6/1/2020
Issued to:	Harder Mechanical Contractors, Inc			B99-2272/R-2188	
Applicant name		Contractor license number			
Applicant phone no.:		(503) 281-1112		Applicant fax/email: 503-287-5284	
For	JSR Micro				(503) 849-6574
Site name		Site number		Phone	
5950 NE Starr Blve		Hillsboro		97124	
Site address		City		Zip	
Class 1 through 6 mechanics performing work on this project (attach additional sheet, if necessary):					
Name		License number			
Jason Cordle		E99-7170 CL5			
Authorized inspector: Steve Mustola - 503-302-9234					
INSTALLATION, ALTERATION, OR REPAIR INFORMATION					
Description of vessel:		CDA Dryer		NB state no.: 712296	
Size and length of piping:					
Nature of work: Install					
INSPECTION RESULTS					
<input type="checkbox"/> Satisfactory					
<input type="checkbox"/> Failed. Reinspection required. Violations:					
Sample					
Inspector's name (print)					
Inspector's signature:					
Date:					



440-4853 (6/10/COM)

This Permit will expire 18 months from the date of issuance unless an extention has been granted.

Location	Type	JSR Tag/Device	Description	Rating	Year Mfg	NB#	Service	Rated Pressure	Volume	Installation Permit#	Operational permit#	Comments	PRV to be installed?	Party responsible for initial Inspection	Party responsible for operational Inspection	
P1	BT5	31301-TK-001	Blend Tank	U	2018	6314	C	15 psi	668 ft3	20-71836	NA			BCD	Exempt	
P1	BT3	31101-TK-001	Blend Tank	U	2018	6315	C	15 psi	668 ft3	20-71837	NA			BCD	Exempt	
P1	BT1	30901-TK-001	Blend Tank	U	2018	6316	C	15 psi	668 ft3	20-71838	NA			BCD	Exempt	
P1	BT2	31001-TK-001	Blend Tank	U	2017	6311	C	15 psi	668 ft3	20-71839	NA			BCD	Exempt	
P1	BT4	31201-TK-001	Blend Tank	U	2018	6312	C	15 psi	668 ft3	20-71840	NA			BCD	Exempt	
P1	IEX1	30220-TK-001	Ion Exchange tank	TBD	NA	NA	C	150 psi	50 ft3					BCD	SOMPO	
P1	IEX2	30220-TK-002	Ion Exchange tank	TBD	NA	NA	C	150 psi	50 ft3					BCD	SOMPO	
P1	IEX3	30420-TK-001	Ion Exchange tank	TBD	NA	NA	C	150 psi	50 ft3					BCD	SOMPO	
P1	IEX4	30420-TK-002	Ion Exchange tank	TBD	NA	NA	C	150 psi	50 ft3					BCD	SOMPO	
P1	PG IEX	30220-FL-001	Filter Housing	UM	2021	NA	C	150 psi	4.3 ft3					Exempt	Exempt	
P1	RUFF	30301-F-001	Bulk Filter Housing	UM	2020	NA	C	150 psi	4.3 ft3					Exempt	Exempt	
P1	ANURA-1	30101-F-001	Bulk Filter Housing	UM	2020	NA	C	150 psi	4.3 ft3					Exempt	Exempt	
P1	DEGBE 1-1	30401-F-001	Bulk Filter Housing	UM	2020	NA	C	150 psi	4.3 ft3					Exempt	Exempt	
P1	DEGBE 2-1	30403-F-001	Bulk Filter Housing	UM	2020	NA	C	150 psi	4.3 ft3					Exempt	Exempt	
P1	ANURA-2	30102-F-001	Bulk Filter Housing	UM	2020	NA	C	150 psi	4.3 ft3					Exempt	Exempt	
P1	PG	30201-F-002	Bulk Filter Housing	UM	2020	NA	C	150 psi	4.3 ft3					Exempt	Exempt	
P1	BT1	30901-F-001	Blend Filter Housing	U	2020	8066	C	150 psi	16.12 ft3					Yes	BCD	SOMPO
P1	BT1	30901-F-002	Blend Filter Housing	U	2020	8067	C	150 psi	16.12 ft3					Yes	BCD	SOMPO
P1	BT2	31001-F-001	Blend Filter Housing	U	2020	8068	C	150 psi	16.12 ft3					Yes	BCD	SOMPO
P1	BT2	31001-F-002	Blend Filter Housing	U	2020	8069	C	150 psi	16.12 ft3					Yes	BCD	SOMPO
P1	BT3	31101-F-001	Blend Filter Housing	U	2020	8070	C	150 psi	16.12 ft3					Yes	BCD	SOMPO
P1	BT3	31101-F-002	Blend Filter Housing	U	2020	8071	C	150 psi	16.12 ft3					Yes	BCD	SOMPO
P1	BT4	31201-F-001	Blend Filter Housing	U	2020	8072	C	150 psi	16.12 ft3					Yes	BCD	SOMPO
P1	BT4	31201-F-002	Blend Filter Housing	U	2020	8073	C	150 psi	16.12 ft3					Yes	BCD	SOMPO
P1	BT5	31301-F-001	Blend Filter Housing	U	2020	8074	C	150 psi	16.12 ft3					Yes	BCD	SOMPO
P1	BT5	31301-F-002	Blend Filter Housing	U	2020	8075	C	150 psi	16.12 ft3					Yes	BCD	SOMPO
P1	PT1	30701-F-001	Premix Filter Housing	UM	2020	NA	C	150 psi	4.3 ft3					Exempt	Exempt	
P1	PT2	30702-F-001	Premix Filter Housing	UM	2020	NA	C	150 psi	4.3 ft3					Exempt	Exempt	
P2	PS1	30805-TK-002	Agitator seal liquid Housing	Under Sticker	2020	NA	C	400 psi	0.535 ft3					Yes	Exempt	Exempt
P2	PS2	30806-TK-002	Agitator seal liquid Housing	Under Sticker	2020	NA	C	400 psi	0.535 ft3					Yes	Exempt	Exempt
P2	PS3	30807-TK-002	Agitator seal liquid Housing	Under Sticker	2020	NA	C	400 psi	0.535 ft3					Yes	Exempt	Exempt
P2	PS4	30808-TK-002	Agitator seal liquid Housing	Under Sticker	2020	NA	C	400 psi	0.535 ft3					Yes	Exempt	Exempt
P2	PT1	30703-TK-003	Agitator seal liquid Housing	Under Sticker	2018	NA	C	400 psi	0.535 ft3					Yes	Exempt	Exempt
P2	PT2	30704-TK-003	Agitator seal liquid Housing	Under Sticker	2018	NA	C	400 psi	0.535 ft3					Yes	Exempt	Exempt
P2	BT1	30902-TK-002	Agitator seal liquid Housing	Under Sticker	2018	NA	C	400 psi	0.535 ft3					Yes	Exempt	Exempt
P2	BT2	31002-TK-002	Agitator seal liquid Housing	Under Sticker	2018	NA	C	400 psi	0.535 ft3					Yes	Exempt	Exempt
P2	BT3	31102-TK-002	Agitator seal liquid Housing	Under Sticker	2020	NA	C	400 psi	0.535 ft3					Yes	Exempt	Exempt
P2	BT4	31202-TK-002	Agitator seal liquid Housing	Under Sticker	2018	NA	C	400 psi	0.535 ft3					Yes	Exempt	Exempt
P2	BT5	31302-TK-002	Agitator seal liquid Housing	Under Sticker	2020	NA	C	400 psi	0.535 ft3					Yes	Exempt	Exempt
P2	PS1	30801-TK-002	Premix Skid tank	Under Sticker	2020	NA	C	ATM psi	26 ft3					Exempt	Exempt	
P2	PS2	30802-TK-002	Premix Skid tank	Under Sticker	2020	NA	C	ATM psi	26 ft3					Exempt	Exempt	
P2	PS3	30803-TK-002	Premix Skid tank	Under Sticker	2020	NA	C	ATM psi	26 ft3					Exempt	Exempt	
P2	PS4	30804-TK-002	Premix Skid tank	Under Sticker	2020	NA	C	ATM psi	26 ft3					Exempt	Exempt	
P2	PT1	30701-TK-003	Premix Tank	Under Sticker	2020	NA	C	ATM psi	334 ft3					Exempt	Exempt	
P2	PT2	30702-TK-003	Premix Tank	Under Sticker	2020	NA	C	ATM psi	334 ft3					Exempt	Exempt	
P2	PS1	30801-F-001	Premix Filter Housing	UM	2020	NA	C	150 psi	0.7 ft3					Exempt	Exempt	
P2	PS1	30801-F-002	Premix Filter Housing	UM	2020	NA	C	150 psi	1 ft3					Exempt	Exempt	
P2	PS2	30802-F-001	Premix Filter Housing	UM	2020	NA	C	150 psi	1 ft3					Exempt	Exempt	
P2	PS2	30802-F-002	Premix Filter Housing	UM	2020	NA	C	150 psi	1 ft3					Exempt	Exempt	
P2	PS3	30803-F-001	Premix Filter Housing	UM	2020	NA	C	150 psi	1 ft3					Exempt	Exempt	
P2	PS3	30803-F-002	Premix Filter Housing	UM	2020	NA	C	150 psi	1 ft3					Exempt	Exempt	
P2	PS4	30804-F-001	Premix Filter Housing	UM	2020	NA	C	150 psi	1 ft3					Exempt	Exempt	
P2	PS4	30804-F-002	Premix Filter Housing	UM	2020	NA	C	150 psi	1 ft3					Exempt	Exempt	

Location	Type	JSR Tag/Device	Description	Rating	Year Mfg	NB#	Service	Rated Pressure	Volume	Installation Permit#	Operational permit#	Comments	PRV to be installed?	Party responsible for initial Inspection	Party responsible for operational Inspection		
P2	TS	30600-F-001	Premix Filter Housing	UM	2020	NA	C	150	psi	1.2	ft3			Exempt	Exempt		
P2	TS	30600-F-002	Premix Filter Housing	UM	2020	NA	C	150	psi	1.2	ft3			Exempt	Exempt		
P2	TS	30650-F-001	Premix Filter Housing	UM	2020	NA	C	150	psi	1.2	ft3			Exempt	Exempt		
P2	TS	30650-F-002	Premix Filter Housing	UM	2020	NA	C	150	psi	1.2	ft3			Exempt	Exempt		
RF	CHW	AS-1	1000 GPM Air Separator	U		460087	A	125	psi	NA	ft3	20-71831	NA		BCD	Exempt	
RF	CHW	ET-1	79 gal CHW Expansion Tank-Roof	U		460620	W	125	psi	10.5	ft3	20-71830	NA	NB has "820" instead of "620" for installation permit		BCD	Exempt
RF	CHW	PF-1	Pot feeder - Roof	NA		NA	NA	200	psi	1.6	ft3				Exempt	Exempt	
TF	CHW	AS-3	Air Separator	U	2019	460086	A	125	psi	NA	ft3	20-71829	NA	Insulated		BCD	Exempt
TF	TW	AS-4	250 GPM Air Separator	U	2020	460893	A	125	psi	NA	ft3	20-71832	NA	Insulated		BCD	Exempt
TF	CHW	STA-3	Buffer tank CHW 850 gal-Process in yard	U	2019	460243	W	125	psi	100	ft3	20-72063	NA			BCD	Exempt
TF	TW	HHX2	Heat exchanger Plate and frame	U	2020	461050	W	125	psi	NA	ft3			Changed name from Heat Exchanger to HHX		Exempt	Exempt
TF	TW	HHX1	Heat exchanger Plate and frame	U	2020	461049	W	125	psi	NA	ft3			Changed name from Heat Exchanger to HHX		Exempt	Exempt
TF	TW	ET-4	37 Gal Expansion Tank-Process in yard	U	2019	460621	W	125	psi	NA	ft3	20-72062	NA			BCD	Exempt
TF	CHW	ET-3	23 Gal Expansion Tank-Process in yard	U	2019	460622	W	125	psi	NA	ft3					Exempt	Exempt
TF	RUFF	30301-TK-001	Bulk Tank	U	2020	6307	C	3	psi	2674	ft3			Need to Check permit NB vs Tank		Exempt	Exempt
TF	Waste-1	30401-TK-001	Waste Tank	U	2018	6309	C	3	psi	1604	ft3					Exempt	Exempt
TF	Waste-2	30402-TK-001	Waste Tank	U	2018	6310	C	3	psi	1604	ft3					Exempt	Exempt
TF	ANURA-1	30101-TK-001	Bulk Tank	U	2020	6306	C	3	psi	2674	ft3	20-71835	NA	V93435-1-1, need to correct it to 6306		BCD	Exempt
TF	ANURA-2	30102-TK-001	Bulk Tank	U	2020	6519	C	3	psi	2674	ft3	20-71834	NA	Wrong NB listed, serial number # mentioned as NB#, serial number incorrect - V99435 instead of V93435-3. Correct NB: 6519		BCD	Exempt
TF	ANURA-1	30101-HX-001	Heat exchanger	Under Wrap	Under Wrap	NA	C	150	psi	4.1	ft3					Exempt	Exempt
TF	ANURA-2	30102-HX-001	Heat exchanger	Under Wrap	Under Wrap	NA	C	150	psi	4.1	ft3					Exempt	Exempt
TF	DEGBE 1-1	30401-HX-001	Heat exchanger	Under Wrap	Under Wrap	NA	C	150	psi	4.1	ft3					Exempt	Exempt
TF	DEGBE 1-2	30402-HX-001	Heat exchanger	Under Wrap	Under Wrap	NA	C	150	psi	4.1	ft3					Exempt	Exempt
TF	DEGBE 2-1	30403-HX-001	Heat exchanger	Under Wrap	Under Wrap	NA	C	150	psi	4.1	ft3					Exempt	Exempt
TF	PG-1	30201-HX-001	Heat exchanger	Under Wrap	Under Wrap	NA	C	150	psi	4.1	ft3					Exempt	Exempt
TF	PG-2	30202-HX-001	Heat exchanger	Under Wrap	Under Wrap	NA	C	150	psi	4.1	ft3					Exempt	Exempt
TF	CHW	PF-3	Pot feeder -Yard	NA	NA	NA	NA	200	psi	0.66	ft3					Exempt	Exempt
TF	TW	PF-4	Pot feeder - Yard	NA	NA	NA	NA	200	psi	0.66	ft3					Exempt	Exempt
U1	Duplex	Vacuum	For 3M membrane Contractors	U	2017	429265	A	200	psi	16	ft3	20-71833	NA	Permit listed for wrong NB# 429285. Correct NB# 429265		BCD	Exempt
U1	City water	ET-C	14 Gal Expansion Tank-City water	U	2019	417878	W	150	psi	1.87	ft3	20-72064	NA			BCD	Exempt
U1	City water	DCW	Hot Water Heater	HLW	2020	264781	W	160	psi	15.9	ft3	20-73304				BCD	SOMPO
U1	DI supply	Heat Exchanger	City to DI supply HX	UM	2021	53582	W	150	psi	1	ft3					Exempt	Exempt
U1	Primary DI	44-GTM-102	3M Membrane contactors	NA	2018	NA	W	150	psi	2	ft3					Exempt	Exempt
U1	Primary DI	44-GTM-101	3M Membrane contactors	NA	2018	NA	W	150	psi	2	ft3					Exempt	Exempt
U1	Primary DI	70-UV-202	(JSR-11354) UV TOC reduction unit-DI pump	NA	2017	NA	W	150	psi	2	ft3			Changed from JSR-11354 to 70-UV-202		Exempt	Exempt
U1	Primary DI	AOP UV	AOP	NA	NA	NA	W	150	psi	3	ft3					Exempt	Exempt
U1	Primary DI	AOP UV	AOP	NA	NA	NA	W	150	psi	3	ft3					Exempt	Exempt
U1	Polish	53-CF-601	Filtration Mixed bed Cartridge-DI	TBD	2017	W	W	125	psi	10	ft3					Exempt	Exempt
U1	Polish	53-CF-602	Filtration Mixed bed Cartridge-DI	TBD	2017	W	W	125	psi	10	ft3					Exempt	Exempt

Location	Type	JSR Tag/Device	Description	Rating	Year Mfg	NB#	Service	Rated Pressure	Volume	Installation Permit#	Operational permit#	Comments	PRV to be installed?	Party responsible for initial Inspection	Party responsible for operational Inspection		
U1	Polish	44-GTM-202	3M Membrane contactors	NA	2018	NA	W	150	psi	2	ft3			Exempt	Exempt		
U1	Polish	44-GTM-201	3M Membrane contactors	NA	2018	NA	W	150	psi	2	ft3			Exempt	Exempt		
U1	Polish	70-UV-203	(JSR-11353) UV TOC reduction unit-Polish pump	NA	2017	NA	W	150	psi	5	ft3		Changed from JSR-11353 to 70-UV-203		Exempt	Exempt	
U1	Polish	70-UV-101	(JSR-11355) UV Disinfection unit-Mixed bed	NA	2017	NA	W	150	psi	3	ft3		Changed from JSR-11355 to 70-UV-101		Exempt	Exempt	
U1	Polish	53-CF-701	Filtration Mixed bed Cartridge	TBD	2012	W	W	125	psi	10	ft3			Exempt	Exempt		
U1	Polish	53-CF-702	Filtration Mixed bed Cartridge	TBD	2012	W	W	125	psi	10	ft3			Exempt	Exempt		
U1	Polish	Polish mixed bed	Demineralizer	U	2023	19527	W	150	psi	20	ft3			Exempt	Exempt		
U1	Polish	Polish mixed bed	Demineralizer	U	2019	17937	W	150	psi	20	ft3			Exempt	Exempt		
U1	Polish	Polish mixed bed	Demineralizer	U	NA	24462	W	150	psi	20	ft3			Exempt	Exempt		
U1	Polish	Polish mixed bed	Demineralizer	U	2000	1876	W	150	psi	20	ft3			Exempt	Exempt		
U2	CDA	DD2	CDA Dryer	U	2018	712296	A	165	psi	20	ft3	20-71827		BCD	SOMPO		
U2	CDA	RT2	Dry Receiver Tank	U	2018	873471	A	165	psi	251	ft3	20-71841		BCD	SOMPO		
U2	CDA	DD2	CDA Dryer	U	2018	723106	A	165	psi	20	ft3	20-71843		BCD	SOMPO		
U2	CDA	DD1	CDA Dryer	U	2018	719711	A	165	psi	20	ft3	20-71844		BCD	SOMPO		
U2	Boiler	Boiler 13886	2000 MBH Boiler	H	2020	NA	W	100	psi	11.36	ft3	20-72065	121999	BCD	SOMPO		
U2	Boiler	Boiler 13887	2000 MBH Boiler	H	2020	NA	W	100	psi	11.36	ft3	20-72066	122000	BCD	SOMPO		
U2	Boiler	Boiler 13888	2000 MBH Boiler	H	2020	NA	W	100	psi	11.36	ft3	20-72067	127136	BCD	SOMPO		
U2	Boiler	Boiler 13889	2000 MBH Boiler	H	2020	NA	W	100	psi	11.36	ft3	20-72068	122002	BCD	SOMPO		
U2	Boiler	ET-2	57 Gal Expansion Tank-Hot water system	U	2020	461209	W	125	psi	7	ft3	20-73302		BCD	SOMPO		
U2	Boiler	AS-2	Air separator	U	2018	460967	W	125	psi	5	ft3	20-73303		BCD	SOMPO		
U2	CDA	DD1	CDA Dryer	U	2018	712285	A	165	psi	20	ft3	20-71828	Wrong NB# in install permit 712265. Correct NB#: 712285.	BCD	SOMPO		
U2	CDA	VF/FF x 4	CDA output filter	TBD	NA	NA	A	232	psi	0.5	ft3			Exempt	Exempt		
U2	CDA	Filter-in line x 4	Dryer Filter	TBD	NA	NA	A	250	psi	0.5	ft3			Exempt	Exempt		
U2	CDA	RT1	Wet Receiver Tank	U	2018	871577	A	250	psi	251	ft3	20-71842	12003	Wrong NB# in install permit 871377. Correct NB#: 871577	BCD	SOMPO	
U2	Boiler	PF-2	Pot feeder - Boiler	NA	NA	NA	NA	200	psi	1.6	ft3			Exempt	Exempt		
WH	Nitrogen	Filter housing (BGF-1)		U	2020	12213	C	260	psi	3	ft3		NA	BGF-1 added to the tag	Yes	BCD	Exempt
WH	Nitrogen	Filter housing (BGF-2)		U	2020	12072	C	260	psi	3	ft3		NA	BGF-2 added to the tag	Yes	BCD	Exempt
U1	Polish	TK-00101	DIW	NA	2017	NA	W	ATM	psi	334.2	ft3			Vessel added to the list on 12/18, inspected on 12/17 (UPW cold water)		Exempt	Exempt
U1	Polish	TK-00102	UPW	NA	2017	NA	W	ATM	psi	802	ft3			Vessel added to the list on 12/18, inspected on 12/17 (UPW cold water)		Exempt	Exempt



Storage Tank Inspection Report



JSR Micro Hillsboro, OR



EQUIP DESC.: FRP Filter tank

EQ. NO.: 30222-1

ACUREN S.C. NO.: 200- J206764

P.O. NO.: OR174955

INSPECTION DATE: 2/5/25



Storage Tank Inspection Report



5950 NE Starr Blvd
Hillsboro, OR
97124

FACILITY: JSR Micro	UNIT: Filter Tank	PO: OR174955
EQUIPMENT: 30222-1	DESCRIPTION: External	
DESIGN CODE: FT&V 2007-1	MFG.SN : Pentair Water 33018137	P&ID #: UNK
TYPE OF INSPECTION	INSPECTOR(S)	INSPECTION DATE
<input checked="" type="checkbox"/> - EXTERNAL <input type="checkbox"/> - INTERNAL <input type="checkbox"/> - UT SURVEY	Troy Johnson	2-4-25

Access & Limitations:

Located inside the building on ground level.

Inspection Summary:

Acuren Inspection completed an external visual inspection on all accessible shell, nozzles, and heads. No relevant defects were noted.

The Data Plate was found legible on the AST. Per Client vessel was installed in 2020.

Top Head was found to be in like new condition. Light check found no disbonding or cracking of the fiberglass fibers.

Outlet and Inlet nozzle found no disbonding to the fiberglass. No leaks or corrosion on the bolted connections.

Shell found no disbonded areas looking at shell and seams. There were no disbonding found on the shell or shell seams.

Bottom Head found to be in like new condition. No disbonding of the fiberglass fibers.



Storage Tank Inspection Report



Findings:

1. Drawings and Inspection history were not available for review.
2. Data Plate is found on the vessel
3. Per client vessel was installed 2020.
4. Fiberglass vessels indoors have a minimum 20 year service life. This vessel is 5 years old and in like new condition

Recommendations: Clean the roof and shell as needed.

Add pipe support to outlet nozzle.

The following (but not limited to) recommendations should be performed under the guidance of a Company Mechanical Integrity designee to ensure all applicable codes, recommended practices, company engineering standards / specifications, and state requirements are followed.

1. Maintain construction data, drawings and Inspection records in accordance with good industry practice.
2. Perform routine inspections

See remaining report for observations / finding details and recommendations in regard to this inspection.

Historical Records Review:

NOTE: This report will be the start of the permanent and progressive inspection record as no inspection history was provided for review.

0° REFERENCE: <u>North Side</u>	DIA.: <u>42"</u>	HIGH: <u>72"</u>
CONTENTS: <u>Resin</u>	LONG: <u>N/A</u>	WIDE: <u>N/A</u>
TANK SHAPE: <u>Round</u>	SHELL MTRL: <u>Fiberglass</u>	
ROOF SHAPE: <u>Domed</u>	ROOF MTRL: <u>Fiberglass</u>	
FLOOR SHAPE: <u>Domed</u>	FLOOR MTRL: <u>Fiberglass</u>	



Storage Tank Inspection Report



EXTERNAL INSPECTION

1.0 DATA PLATE (RECORD ALL INFORMATION ON DATA PLATE)					
1.1 Manufacture Pentair Water, S/N 33018137 Year 2020, Capacity 345.0 Polyethylene Liner, Specific gravity UKN, Tank diameter 42"					
2.0 SHELL	A	U	NA	NI	COMMENTS
2.1 PAINT / COATING FAILURES	X				Acceptable, no detrimental conditions observed
2.2 CORROSION / PITTING (NOTE DEPTH & LOCATION)	X				Acceptable, no detrimental conditions observed
2.3 BULGES / DISTORTIONS	X				Acceptable, no detrimental conditions observed
2.4 WELDS (BELOW FLUSH, PITTING, CORROSION, ETC.)			X		N/A
2.5 ATTACHMENT DEFECTS (SUPPORTS, BRACKETS, ETC.)	X				Acceptable, no detrimental conditions observed
2.6 INSULATION PROBLEMS (RIPS, TEARS, WET, ETC.)			X		N/A
2.7 SIGNS OF THINNING AT SHELL TO BOTTOM			X		Fiberglass tank. No disbonding found.
3.0 MANWAYS & NOZZLES	A	U	NA	NI	COMMENTS
3.1 PAINT / COATING FAILURES	X				Acceptable no detrimental conditions observed.
3.2 CORROSION / PITTING (NOTE DEPTH & LOCATION)	X				Acceptable, no detrimental conditions observed
3.3 WELDS (BELOW FLUSH, PITTING, CORROSION, ETC.)	X				Acceptable, no detrimental conditions observed
3.4 FLANGES (LEAKING, CORRODED, ETC.)	X				Manway leaking minor product.
3.5 FLANGE BOLTS CORRODED	X				Acceptable no detrimental conditions observed.
3.6 Outlet nozzle	X				No corrosion or leaks found on the bolted connection.
4.0 ROOF	A	U	NA	NI	COMMENTS
4.1 PAINT / COATING FAILURES	X				Acceptable no detrimental conditions observed.
4.2 CORROSION / PITTING (NOTE DEPTH & LOCATION)	X				Acceptable no detrimental conditions observed.
4.3 WELDS (BELOW FLUSH, PITTING, CORROSION, ETC.)	X				Acceptable, no detrimental conditions observed
4.4 PROPER DRAINAGE (ANY SPOTS HOLDING WATER)	X				Acceptable, no detrimental conditions observed
4.5 INSULATION ISSUES (RIPS, TEARS, WET/DAMP, ETC.)			X		N/A
4.6 DEBRIS OR PRODUCT BUILD UP	X				Acceptable, no detrimental conditions observed
5.0 ROOF APPURTENANCES (NOZZLES / HATCHES)	A	U	NA	NI	COMMENTS
5.1 PAINT / COATING FAILURES	X				Acceptable no detrimental conditions observed.
5.2 CORROSION / PITTING (NOTE DEPTH & LOCATION)	X				Acceptable no detrimental conditions observed.
5.3 WELDS (BELOW FLUSH, PITTING, CORROSION, ETC.)	X				Acceptable, no detrimental conditions observed
5.4 FLANGES (LEAKING, CORRODED, ETC.)	X				Acceptable, no detrimental conditions observed
5.5 FLANGE BOLTS CORRODED	X				Flange bolts in like new condition.



Storage Tank Inspection Report



5.6	REPADS (LEAKS AT WEEP HOLES, ETC.)			X		N/A
5.7	SIGHT GLASSES / HATCHES (CORROSION, LEAKS OR CRAZING)	x				No sight glasses or hatches on the vessel.
6.0	FLOOR	A	U	NA	NI	COMMENTS
6.1	SIDE WALL TO BOTTOM WELD (BELOW FLUSH, PITTING, CORROSION, ETC.)			x		Fiberglass bottom.
6.2	BASE PLATE EXTENSION (CHIME) CORROSION			X		N/A
6.3	CONE BOTTOM WELDS (BELOW FLUSH, PITTING, CORROSION, ETC.)			X		N/A
7.0	VENTS / RELIEF DEVICES	A	U	NA	NI	COMMENTS
7.1	OVERFLOW AND VENTS (RECORD LOCATION & HEIGHT)	X				SRV on piping
7.2	WELDS (BELOW FLUSH, PITTING, CORROSION, ETC.)	X				Acceptable, no detrimental conditions observed
7.3	PAINT / COATING FAILURES	X				Acceptable no detrimental conditions observed.
7.4	CORROSION, PITTING OR HOLES	X				Acceptable, no detrimental conditions observed
7.5	SCREEN, VENT DEFECTS OR BLOCKED VENTS	X				Acceptable, no detrimental conditions observed
8.0	FOUNDATION	A	U	NA	NI	COMMENTS
8.1	CONCRETE RING: LEVELNESS OF FOUNDATION AND TANK BOTTOM	X				Acceptable, no detrimental conditions observed
8.2	CONCRETE BROKEN, SPALLING, CRACKING	X				Acceptable no detrimental conditions observed.
8.3	ANCHORS: CONDITION OR BOLTING, CONCRETE EMBEDMENT AND LUGS	x				Acceptable, no detrimental conditions observed.
8.4	ANNULAR RING: INSPECT ANNULAR PLATE AND WELDMENTS FOR CRACKS AND GENERAL CORROSION / EROSION.			X		No Annular ring present
8.5	WELDS (BELOW FLUSH, PITTING, CORROSION, ETC.)			X		N/A
8.6	COATING FAILURES			X		N/A
8.7	EXPOSED AGGREGATE	X				Acceptable, no detrimental conditions observed
8.8	SIGNS OF SETTLING AROUND PERIMETER OF TANK	X				Acceptable, no detrimental conditions observed
8.9	TANK OFF CENTER OF FOUNDATION	X				Acceptable, no detrimental conditions observed
8.10	GROUT AROUND CHIME (ANY BROKEN OR MISSING)			x		N/A
8.11	GROUND CABLE (ANY BROKEN, MISSING, UNSECURED)	x				Grounding intact and secure to the vessel.
9.0	SURROUNDING AREA	A	U	NA	NI	COMMENTS
9.1	STANDING WATER OR PRODUCT	X				Acceptable, no detrimental conditions observed
9.2	SECONDARY CONTAINMENT	X				Acceptable, no detrimental conditions observed
9.3	ACCESS PLATFORMS	X				Acceptable, no detrimental conditions observed
9.4	ACCESS LADDERS			x		N/A



Storage Tank Inspection Report



10.0

GENERAL / OTHER COMMENTS

Shell: NO NFPA Signage found / No equipment ID # on tank.

A = ACCEPTABLE, U = UNACCEPTABLE, NA = NOT APPLICABLE, NI = NOT INSPECTED

Inspection Findings:	SAP Priorities:		0 = Immediate	1 = Less Than 1 Week
	2 = Less Than 3 Weeks	3 = Less Than 6 Weeks	4 = Opportunity/Fill In	
Ref. #	External Finding		Corrective Action	
N/A	Manufacturer information, Drawings and Inspection history were not available for review.		Maintain construction data, drawings and Inspection records in accordance with good industry practice.	4
10.0	Equipment label is damaged and missing equipment number, NFPA labels are not found.		Add equipment label to tank containing tank name and equipment number, add NFPA labels.	4
			.	

Inspector Signature: Troy Johnson

Certification Level:

API 653

Reviewing Inspector: _____ **Certification #:** _____

Inspection Photographs

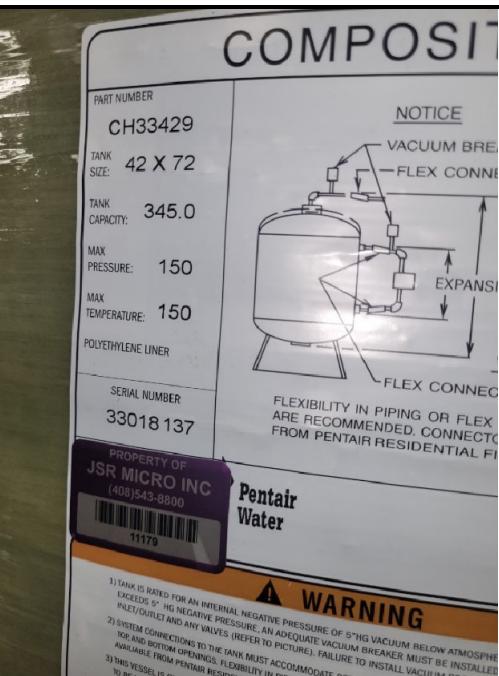
Overview of Tank looking East



Overview of Tank looking at top



Drain nozzle and bottom head.



View of the Manufacture tag on adjacent tank.

DIVISION 225

BOILERS AND PRESSURE VESSELS

918-225-0240

Definitions

As used in OAR 918, division 225, unless the context requires otherwise:

(1) "Agricultural Purposes" means:

- (a) Sowing, tending, and harvesting of products of the soil grown under natural conditions;
- (b) Raising of poultry or fowl;
- (c) Pasturage or raising of livestock or other animals; or

(d) Original processing of the farm product, but not the processing of the product of a different operator, or reprocessing work as freezing, canning, or packing if performed substantially for commercial purposes.

(2) "Available" to determine inspection fees at cost, means the vessels must be due for inspection in the year the notification is applicable, and must all be ready for inspection at the time designated by the inspector.

(3) "Board" is defined in ORS 480.515(2).

(4) "Boiler Room" means any enclosed room or designated space within a building, intended by design or by usage to contain a boiler that is connected and available for use. A boiler located in an area not meeting the definition of "boiler room" under OAR 918-225-0465 shall apply to any space within 20 feet of any burner.

(5) "Building Service Piping" means piping systems operating at or less than 150 psig steam; and water at or less than 160 psig and 250°F as described in ANSI/ASME Standard B31.9.

(6) "Chief Inspector" means the inspector appointed by the director pursuant to ORS 480.565(1).

(7) "Farm" means an area of land:

- (a) Located in a rural district;
- (b) Of sufficient size to generally be considered as a farm in its locale; and
- (c) Devoted primarily to tillage and raising crops under natural conditions, or to raising animals, fowl, or poultry.

(8) "Emergency" as used in ORS 480.630(6) means an unplanned circumstance requiring immediate repair, installation, replacement, or shutdown because of risk to health, life, or property.

(9) "Hobby" or "Demonstration" means recreational or other noncommercial use.

(10) "Immediate Safety Hazard" means hazardous conditions exist requiring immediate correction to a boiler, pressure vessel, or pressure piping system to preserve the safety of people or property.

(11) "Installation" means, but is not limited to, permanently placing in its final operating position, assembling, or connecting a boiler, pressure vessel, boiler controls, or related appurtenances for service or use.

Installation includes, but is not limited to, connecting water, steam, air, refrigerant, fuel source, or other product piping to or from a boiler or pressure vessel. Merely transporting, moving or temporarily positioning a boiler or pressure vessel is not an installation. For the purposes of these rules, an electrical power supply connection to a boiler or pressure vessel is not an installation.

(12) "National Board" means the National Board of Boiler and Pressure Vessel Inspectors.

(13) "Operating" means any vessel connected and ready for service.

(14) "Person" means any individual, partnership, corporation, association, governmental subdivision, or public or private organization of any character.

(15) "Place of Public Assembly" means a building used or held for use, in whole or in part, for worship; health treatment; rest, recuperation, or retirement living; child care nurseries or institutions; public meetings; education; instruction; entertainment; eating; recreation; or awaiting transportation.

(16) "Pressure Piping" means piping systems and components under the scope of ASME B31.1, B31.3, B31.5, and B31.9.

(17) "Pressure Relief Valve" means pressure relief device designed to open by inlet static pressure and to reclose after pressure has lowered below the set point. Only ASME approved valves are allowed under the boiler rules.

(18) "Pressure Vessel" is defined in ORS 480.515(12).

(19) "Process Piping Inspector" means the owner's inspector, for the inspection of ASME B31.3 Process Piping, Category "M" fluid service only.

(20) "Psig" means pounds per square inch gauge pressure.

(21) "Related Appurtenance" is defined in ORS 480.515(13).

(22) "Repair" means:

- (a) Welded or Riveted Repairs, meaning welding or riveting within or on the pressure boundaries of a boiler, pressure vessel or related appurtenance to restore the vessel or appurtenance to a safe and satisfactory operating condition, or any work that might impair the integrity of the pressure retaining item;

- (b) Non-welded Major Repairs, meaning work performed on a boiler or pressure vessel and its related appurtenances by non-welded means to restore the vessel or appurtenance to a safe and satisfactory operating condition, including but not limited to the replacement of burners, tubes and cast iron sections; and

- (c) Minor Repairs, meaning the non-welded replacement of safety devices, including but not limited to, low water cut-offs, pressure relief valves, safety valves, safety switches, rupture discs, high pressure or temperature limits, low pressure or temperature limits,

fuel train components, flame detectors, flame safeguards, heat exchanger elements, and burner components.

(23) "Safety Valve" means a valve activated by inlet static pressure and characterized by rapid opening or pop action. Only ASME approved valves are allowed under the boiler rules.

(24) "Same Location," to determine inspection fees at cost, means that all vessels are within 2,000 feet of one another.

(25) "Service of Process" means deposit in the U.S. mail a copy of a notice addressed to the respondent at the respondent's last known address.

(26) "Single Family Dwelling" means a one-family dwelling structure.

(27) "Structure" means a building or shed with a roof and enclosed on the sides 75 percent or more.

(28) "Traction Boiler" means a boiler constructed before January 1, 1961, designed to operate or pull equipment, or to convert steam power into a flywheel energy driving apparatus such as a thresher, road roller, or grinding equipment.

(29) "Vessel That is Considered Subject to Corrosion or Erosion" means the vessel contains or is intended to contain contents having a corrosive or erosive effect on any portion of the vessel. The use of glass linings leaves a vessel subject to corrosion unless all portions of the vessel are impervious to the corrosive or erosive effects of the contents.

Statutory/Other Authority: ORS 455.030, 480.545

Statutes/Other Implemented: ORS 480.525, 480.545, 480.550, 480.560, 480.565

History: BCD 8-2021, f. 8-24-2021, cert. ef. 10-1-2021; BCD 36-2011, f. 12-30-11, cert. ef. 1-1-12; BCD 10-2009, f. 12-30-09, cert. ef. 1-1-10; BCD 14-2007, f. 12-28-07 cert. ef. 1-1-08; BCD 20-2005, f. 9-15-05, cert. ef. 10-1-05; BCD 17-2005(Temp), f. & cert. ef. 7-12-05 thru 9-30-05; BCD 4-2003, f. & cert. ef. 3-14-03; BCD 36-2000, f. 12-29-00, cert. ef. 1-1-01; BCD 26-1998, f. 12-30-98, cert. ef. 1-1-99; BCD 18-1997, f. 12-3-97, cert. ef. 1-1-98; BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94, Renumbered from 918-225-0005; BCA 5-1991, f. & cert. ef. 3-15-91; BCA 4-1989, f. & cert. ef. 4-17-89, Renumbered from 814-025-0003; DC 1-1984, f. & cert. ef. 1-5-84; DC 3-1982, f. & cert. ef. 2-3-82; DC 17-1972, f. 7-31-72, cert. ef. 8-15-72

918-225-0300

Exemptions for Fired Water Heaters

Fired water heaters used exclusively for heating water for swimming pools or spas are considered pool boilers and are exempt from the requirements of ORS 480.510 to 480.665 if:

(1) Units are equipped with a flow switch or pressure switch set at a minimum of 1-1/2 psig;

(2) No intervening stop valves are installed on the discharge side of the unit;

(3) Discharge piping is not reduced from the engineered sizing of the fired heater;

(4) All units are equipped with an ASME-approved pressure relieving device set at 50 psig or lower;

(5) The unit has a maximum of ten gallons capacity contained within the unit; and

(6) The burner is wired in series with the circulating pump.

Statutory/Other Authority: ORS 480.560

Statutes/Other Implemented: ORS 480.560

History: BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94, Renumbered from 918-225-0065; DC 3-1987, f. & cert. ef. 2-18-87, Renumbered from 814-025-0038; DC 7-1986, f. & cert. ef. 5-5-86

918-225-0310

Exemptions for Refrigerant Piping Systems

(1) The requirements of OAR 918-225-0430(2)(e) shall be enforced under this rule for all refrigerant piping systems consisting of welded, brazed or mechanically assembled piping and piping fittings exceeding 2 inches NPS, and containing any refrigerant chemical rated as other than A-1 or B-1 by the American Society of Heating, Refrigeration and Air Conditioning Engineers (ASHRAE 34) as adopted by the Oregon Mechanical Specialty Code.

(2) One and two-family dwelling units and air conditioning refrigeration systems used solely for human comfort are exempt from this rule.

(3) All refrigeration piping system requirements other than those regulated by this rule are subject to the Oregon Mechanical Specialty Code.

[Publications: Publications referenced are available from the agency.]

Statutory/Other Authority: ORS 480.550

Statutes/Other Implemented: ORS 480.550

History: BCD 4-2020, minor correction filed 02/25/2020, effective 02/25/2020; BCD 35-2000, f. 12-29-00, cert. ef. 7-1-01

918-225-0315

Exemptions for Process Piping Systems

(1) For the purposes of the Oregon Boiler and Pressure Vessel Specialty Code, the requirements of OAR 918-225-0430(2)(d) shall be applied to only Category "M" fluid service process piping systems, as described in ASME B31.3, Appendix "M," Guide to Classifying Fluid Service. For the purposes of these rules, "process piping systems" consists of welded, brazed, mechanically or chemically assembled piping listed as Category "M" by the owner. Process piping systems

begin at the first, flanged, screwed or circumferential joint outside the supply or source to the destination excluding manufactured packaged components. Process piping does not include liquefied petroleum gas piping.

(2) For the purposes of these rules, seismic provisions and additional requirements associated with process piping systems classified as Category "M" fluid service and the structure to which these systems are attached, shall be regulated and inspected under the provisions of the Oregon Structural Specialty Code.

(3) Businesses and owner-users installing process piping classified as Category "M" fluid service must meet the requirements under OAR 918-225-0640, 918-225-0720, 918-225-0730 and 918-225-0740 as appropriate. Individuals installing Category M fluid service process piping must be licensed under OAR 918-225-0691 on or before July 1, 2003, unless they meet the requirements of these rules under OAR 918-225-0720 or owner-users under 918-225-0740.

[Publications: Publications referenced are available from the agency.]

Statutory/Other Authority: ORS 480.545, 480.565, 480.605, 480.607, 480.647

Statutes/Other Implemented: ORS 480.545, 480.565, 480.605, 480.607, 480.647

History: BCD 3-2020, minor correction filed 02/25/2020, effective 02/25/2020; BCD 4-2003, f. & cert. ef. 3-14-03

918-225-0320

Exemptions for Refrigerant or Air Conditioning Pressure Vessels

(1) Refrigerant or air conditioning pressure vessels containing three cubic feet, or less, volume of non-corrosive gases are exempt from ORS 480.510 to 480.665 if the pressure vessel is manufactured in accordance with the Boiler and Pressure Vessel Code, (ASME Section VIII, Division I), and registered with the National Board of Boiler and Pressure Vessel Inspectors as required by OAR 918-225-0450(1).

(2) The installation and operation of these vessels are covered by the Oregon Mechanical Specialty Code or mechanical aspect of the One and Two Family Dwelling Specialty Code.

[Publications: Publications referenced are available from the agency.]

Statutory/Other Authority: ORS 480.560

Statutes/Other Implemented: ORS 480.560

History: BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94, Renumbered from 918-225-0080; DC 2-1985, f. & cert. ef. 1-4-85, Renumbered from 814-025-0042; DC 26-1978, f. 9-21-78, cert. ef. 10-1-78

918-225-0330

Exemptions for Unfired Pressure Vessels with an Inside Diameter of Six Inches and Less

(1) Vessels with an inside diameter or cross section diagonal not exceeding six inches, equipped with an approved pressure relieving device are exempt from ORS 480.510 to 480.665.

(2) No limitations are placed on length of vessel or pressure.

[Publications: Publications referenced are available from the agency.]

Statutory/Other Authority: ORS 480.560

Statutes/Other Implemented: ORS 480.560

History: BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94, Renumbered from 918-225-0085; BCA 2-1988, f. & cert. ef. 2-22-88, Renumbered from 814-025-0043; DC 18-1980, f. & cert. ef. 8-22-80

918-225-0340

Exemptions for Pressure Containing Parts of Piping Components

The following are exempt from the requirements of ORS 480.510 to 480.665:

(1) Pressure containers which are integral parts or components of rotating or reciprocating mechanical devices, including but not limited to pumps, compressors, turbines, generators, engines and hydraulic or pneumatic cylinders where the primary design considerations or stresses are derived from the functional requirements of the device.

(2) Pressure containing parts of other components, including but not limited to strainers and devices which do mixing, separating, snubbing, distributing and metering or controlling flow, where the parts are generally recognized as piping components or accessories.

Statutory/Other Authority: ORS 480.560

Statutes/Other Implemented: ORS 480.560

History: BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94, Renumbered from 918-225-0093; BCA 1-1991, f. 1-18-91, cert. ef. 1-31-91

918-225-0350

Exemptions for Hot Water Storage Tanks

Hot water supply storage tanks heated by steam or any indirect means not exceeding any of the following are exempt from ORS 480.510 to 480.665:

- (1) A water temperature of 210°F;
- (2) A nominal water containing capacity of 120 gallons; or
- (3) A maximum working pressure of 150 pounds per square inch gauge pressure.

Statutory/Other Authority: ORS 480.560

Statutes/Other Implemented: ORS 480.560

History: BCD 8-2021, f. 8-24-2021, cert. ef. 10-1-2021; BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94, Renumbered from 918-225-0094; BCA 1-1991, f. 1-18-91, cert. ef. 1-31-91

918-225-0360

Exemptions for Certain Pressure Vessels

Pressure vessels for cold water storage, water filter, water softener, or hydro-pneumatic service, and equipped with an ASME-approved pressure/temperature relieving device set at a maximum pressure of 300 psig and a maximum temperature of 210°F., except those pressure vessels connected to an outside air supply, are exempt from the Boiler and Pressure Vessel Law under ORS 480.525(1).

Statutory/Other Authority: ORS 480.560

Statutes/Other Implemented: ORS 480.560

History: BCD 18-1997, f. 12-3-97, cert. ef. 1-1-98; BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94, Renumbered from 918-225-0095; BCA 3-1989, f. & cert. ef. 2-8-89, Renumbered from 814-025-0047; BCA 6-1987, f. & cert. ef. 8-24-87; DC 21-1983, f. & cert. ef. 9-29-83; DC 5-1982, f. & cert. ef. 2-3-82

918-225-0365

Exemptions for Certain Miniature Boilers

A miniature boiler used commercially is exempt from the requirements of ORS 480.510 to 480.665, provided the boiler:

- (1) Does not have more than 1.5 cubic feet of steam space;
- (2) Is operated at not more than 30 pounds per square inch;
- (3) Has a safety valve set at or below 30 pounds per square inch; and
- (4) Meets the safety standards adopted by any of the following laboratories as of December 23, 1994:
 - (a) Underwriters Laboratories, Inc;
 - (b) Edison Testing Labs;
 - (c) Italian Instituto Superiore Per La Prevenzione E La Sicurezza Del Lavoro (ISPESL) also known as the “Italian National Standard”; or
 - (d) Technischer Uberwachungsverein (TUV) also known as the “German National Standard.”

Statutory/Other Authority: ORS 480.545

Statutes/Other Implemented: ORS 480.545

History: BCD 29-1994, f. & cert. ef. 12-23-94; BCD 15-1994, f. & cert. ef. 6-14-94

918-225-0370

Exemptions for Coil-Type Water Boilers

Coil-type water boilers, where the water can flash into steam when released directly to the atmosphere through a manually operated nozzle, are exempt from ORS 480.510 to 480.665 if the following conditions are met:

- (1) There is no drum, header, or other steam space;
- (2) No steam is generated within the coil;
- (3) Tubing outside diameter does not exceed one inch;
- (4) Pipe size does not exceed NPS 3/4;
- (5) Nominal water capacity does not exceed six gallons;
- (6) Water temperature does not exceed 350° F;
- (7) Adequate safety relief valves and controls are provided.

Statutory/Other Authority: ORS 480.560

Statutes/Other Implemented: ORS 480.560

History: BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94, Renumbered from 918-225-0096; BCA 30-1991, f. & cert. ef. 9-9-91; BCA 19-1991(Temp), f. 6-14-91, cert. ef. 6-15-91

918-225-0380

Exemptions for Refrigeration Chillers

(1) Waterside vessels of refrigeration chillers are exempt under ORS 480.510 to 480.665 if:

(a) The design pressure does not exceed 300 pounds per square inch gauge, the temperature does not exceed 210°F., and the system includes an ASME-approved relieving device set at a maximum working pressure of 300 pounds per square inch gauge at 210°F;

(b) The refrigerant side is built in accordance with the minimum safety standards and equipped with an ASME-approved relieving device set at or below the maximum working pressure and temperature as specified on the nameplate for the vessel; and

(c) All installations of refrigeration chillers comply with ORS 480.630.

(2) Systems connected to an outside heat energy source shall not be exempt from ORS 480.510 to 480.665.

(3) If any of the limitations in section (1) of this rule are exceeded, the chiller must comply with the minimum safety standards.

(4) This exemption does not apply to systems using ammonia as a refrigerant.

[Publications: Publications referenced are available from the agency.]

Statutory/Other Authority: ORS 480.560

Statutes/Other Implemented: ORS 480.560

History: BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94, Renumbered from 918-225-0115; BCA 4-1990, f. & cert. ef. 2-6-90; DC 5-1986, f. & cert. ef. 3-7-86, Renumbered from

814-025-0049; DC 20-1985(Temp), f. & cert. ef. 9-20-85

918-225-0430

Adopted Oregon Boiler and Pressure Vessel Specialty Code

(1) The Oregon Boiler and Pressure Vessel Specialty Code is adopted and amended by reference. Any matters included in the referenced publications below that are in conflict with Oregon Revised Statutes or Oregon Administrative Rules are superseded by the applicable statute or rule. All remaining parts or application of the code or standard remain in effect. Items which are superseded by applicable statute or rule include but are not limited to: licensing or certification requirements; inspection schedules and requirements; quality assurance or quality control procedures or requirements; structures or equipment maintenance requirements; matters covered by federal or state law; and matters that conflict with other specialty codes or publications adopted by the department. Any matters included in the referenced publications below which are beyond the scope of the State Building Code as defined in ORS Chapter 455 are not adopted or enforced as part of the Oregon Boiler and Pressure Vessel Specialty Code.

(2) Effective October 1, 2021, the 2021 Oregon Boiler and Pressure Vessel Specialty Code consists of the following minimum safety standards for boilers, pressure vessels, pressure piping, parts, items, and repair and alteration procedures:

(a) ORS 480.510 to 480.670 and OAR chapter 918, division 225;

(b) The 2021 Edition of the National Board Inspection Code ANSI/NB 23, including Parts 1, 2, 3 and 4, as amended by the division in Table 2-B;

(c) The 2021 edition of the American Society of Mechanical Engineers (ASME), Boiler and Pressure Vessel Code, Section I; Section II, Parts A, B, C, and D; Section IV; Section V; Section VIII, Division 1, 2, and 3; Section IX; and Section X only;

(d) The 2020 edition of the ASME B31.1 Power Piping Code;

(e) The 2020 edition of the ASME B31.3 Process Piping Code;

(f) The 2019 edition of the ASME B31.5 Refrigeration Piping Code;

(g) The 2020 edition of the ASME B31.9 Building Service Piping Code;

(h) The 2019 edition of NFPA 85, Boiler and Combustion Systems Hazards Code;

(i) The 2018 edition of ASME, CSD-1, Controls and Safety Devices for Automatically Fired Boilers; and

(j) The 2019 edition of ASME PVHO-1, Safety Standard for Pressure Vessels for Human Occupancy.

(3) The standards and requirements applicable to boiler and pressure vessel business and trade licenses, as

well as inspector certifications, issued by the Building Codes Division are established in ORS Chapters 455 and 480, and OAR chapter 918, divisions 30, 90, and 225. [Publications: Publications referenced are available from the agency.]

Statutory/Other Authority: ORS 455.020, 480.545, 480.550

Statutes/Other Implemented: ORS 480.545, 480.550, 480.560

History: BCD 8-2021, f. 8-24-2021, cert. ef. 10-1-2021; BCD 21-2018, amend filed 09/18/2018, effective 10/01/2018; BCD 12-2018, amend filed 06/21/2018, effective 07/01/2018; BCD 1-2015, f. 3-23-15, cert. ef. 4-1-15; BCD 31-2011, f. 12-30-11, cert. ef. 1-1-12; BCD 33-2008, f. 12-31-08, cert. ef. 1-1-09; BCD 16-2006, f. 12-29-06, cert. ef. 1-1-07; BCD 20-2005, f. 9-15-05, cert. ef. 10-1-05; BCD 17-2005(Temp), f. & cert. ef. 7-12-05 thru 9-30-05; BCD 13-2002, f. 6-28-02, cert. ef. 7-1-02; BCD 36-2000, f. 12-29-00, cert. ef. 1-1-01; BCD 26-1998, f. 12-30-98, cert. ef. 1-1-99; BCD 18-1997, f. 12-3-97, cert. ef. 1-1-98; BCD 17-1996, f. & cert. ef. 9-17-96; BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94, Renumbered from 918-225-0015; BCA 26-1990, f. & cert. ef. 10-30-90; BCA 5-1990, f. & cert. ef. 2-6-90; BCA 25-1989, f. & cert. ef. 7-27-89, Renumbered from 814-025-0006; BCA 15-1988, f. & cert. ef. 11-16-88; BCA 5-1987, f. & cert. ef. 8-24-87; DC 2-1987, f. & cert. ef. 2-18-87; DC 6-1986, f. & cert. ef. 5-5-86; DC 16-1985, f. & cert. ef. 7-1-85; DC 36-1984, f. & cert. ef. 12-4-84; DC 18-1984, f. & cert. ef. 5-9-84; DC 1-1984, f. & cert. ef. 1-5-84; DC 21-1983, f. & cert. ef. 9-29-83; DC 18-1983, f. & cert. ef. 8-11-1983; DC 23-1982, f. & cert. ef. 11-9-82; DC 6-1982, f. & cert. ef. 2-4-82; DC 4-1980, f. & cert. ef. 5-30-80; DC 1-1978, f. 1-5-78, cert. ef. 1-15-78; DC 93, f. & cert. ef. 7-19-76; DC 89, f. & cert. ef. 6-2-77; DC 50, f. 7-2-75, cert. ef. 7-25-75; DC 38(Temp), f. & cert. ef. 11-1-74; DC 33, f. 5-6-74, cert. ef. 5-25-74; DC 27(Temp), f. & cert. ef. 12-31-73; DC 19, f. 6-21-73, cert. ef. 7-1-73; DC 17, f. 7-31-72, cert. ef. 8-15-72

918-225-0435

Amendments to the Oregon Boiler and Pressure Vessel Specialty Code

The Oregon Boiler and Pressure Vessel Specialty Code is amended pursuant to OAR chapter 918, division 8. Amendments adopted for inclusion into the Oregon Boiler and Pressure Vessel Specialty Code are placed in this rule.

[Publications: Publications referenced are available from the agency.]

Statutory/Other Authority: ORS 455.020, ORS 480.545 & ORS 480.550

Statutes/Other Implemented: ORS 480.545 & ORS 480.550

History:

BCD 8-2021, amend filed 08/24/2021, effective 10/01/2021; BCD 21-2018, amend filed 09/18/2018, effective 10/01/2018; BCD 12-2018, amend filed 06/21/2018, effective 07/01/2018; BCD 1-2015, f. 3-23-15, cert. ef. 4-1-15; BCD 31-2011, f. 12-30-11, cert. ef. 1-1-12; BCD 33-2008, f. 12-31-08, cert. ef. 1-1-09; BCD 6-2007, f. 6-8-07, cert. ef. 6-15-07; BCD 16-2006, f. 12-29-06, cert. ef. 1-1-07

918-225-0445

Other Installation Standards

(1) Boilers or pressure vessels not designed or constructed in accordance with the Boiler and Pressure Vessel Code of the American Society of Mechanical Engineers (ASME) may be installed in Oregon if the boiler or pressure vessel was designed or constructed in accordance with the applicable standards issued by one of the following organizations:

- (a) British Standards Institute;
- (b) Canadian Standards Association;
- (c) European Committee for Standardization; or
- (d) Syndicat National de la Chaudronnerie de la Tuyaute & de la Maintenance Industrielle (SNCT).

(2) Boilers and pressure vessels constructed in accordance with the standards listed in (1)(a) through (d) of this rule must:

(a) Have controls and safety devices that are comparable to the controls and safety devices outlined in ASME CSD-1, Controls and Safety Devices for Automatically Fired Boilers, including, but not limited to, data plates and warning labels that are written in English;

(b) Be fitted with pressure relief valves that are built to ASME standards; and,

(c) Be installed, operated, maintained, and repaired in accordance with the provisions of ORS 480.510 to 480.670 and these rules.

Statutory/Other Authority: ORS 480.545, 480.560

Statutes/Other Implemented: ORS 480.545, 480.560

History: BCD 32-2008, f. 12-31-08, cert. ef. 1-1-09

918-225-0450

Manufacturer's Data Reports

(1) For new boilers or pressure vessels built to ASME or Canadian Standards Association standards, a Manufacturer's Data Report shall be filed with the National Board of Boiler and Pressure Vessel Inspectors before installing any new boiler or pressure vessel subject to installation inspection in Oregon. A copy of the filing is provided to the chief inspector by the National Board

of Boiler and Pressure Vessel Inspectors when the boiler is to be installed in Oregon.

(2) For new boilers or pressure vessels not built to ASME or Canadian Standards Association standards, that are approved for installation in Oregon through administrative rule or an alternate method ruling, shall require manufacturer's construction specifications that are comparable to a Manufacturer's Data Report and that are written in English, to be filed with the division before installation.

(3) A Manufacturer's Data Report shall be filed with the chief inspector before installing any new unfired miniature pressure vessel or used boiler or pressure vessel subject to installation inspection in Oregon.

(4) This rule does not apply to cast iron boilers.

Statutory/Other Authority: ORS 480.545

Statutes/Other Implemented: ORS 480.545

History: BCD 31-2008, f. 12-31-08, cert. ef. 1-1-09; BCD 18-1997, f. 12-3-97, cert. ef. 1-1-98; BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94, Renumbered from 918-225-0020; DC 32-1984, f. & cert. ef. 10-19-84, Renumbered from 814-025-0008; DC 21-1984, f. & cert. ef. 5-15-84; DC 2-1982, f. & cert. ef. 2-3-82; DC 19, f. 6-21-73, cert. ef. 7-1-73

918-225-0460

Reporting of Accidents and Conditions of Use

(1) Any accident, which includes an explosion, fire or major failure of a vessel or a related appurtenance shall be reported to the chief inspector by telephone or FAX, or both, at the Building Codes Division within 24 hours of the occurrence by:

(a) Vessel owner, whether legal or equitable;

(b) Vessel user, whether agent of the owner or independent thereof;

(c) Deputy and special inspectors; or

(d) Any person licensed or certified under ORS 480.630.

(2) The chief inspector shall cause an immediate inspection of the vessel reported under section (1) of this rule.

(3) Neither the vessel, nor its related appurtenances, shall be changed, altered, repaired or moved (except to give emergency aid or assistance to injured persons), before a deputy or special inspector has been notified of the nature, extent and cause of the accident. The deputy or special inspector shall, at that time, make a determination whether repairs may be undertaken and by what method. The vessel owner or user shall keep any damaged parts of the vessel available, until the inspection required by section (2) of this rule has been made.

(4) Reports made under section (1) of this rule shall not relieve any person from the requirements of an inspection as provided by section (2) of this rule.

Statutory/Other Authority: ORS 480.545

Statutes/Other Implemented: ORS 480.545

History: BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94, Renumbered from 918-225-0160; DC 3-1981, f. & cert. ef. 1-23-81, Renumbered from 814-025-0071; DC 17-1972, f. 7-31-72, cert. ef. 8-15-72;

918-225-0465

Boiler Room Usage

(1) Every boiler room shall be maintained for exclusive use of boilers and associated systems, equipment and machinery. Storage of non-boiler-related machinery, equipment or materials in a boiler room is prohibited. Flammable liquid or gas containers shall not be placed or stored in a boiler room.

(2) Boiler water treatment chemicals, boiler maintenance or repair tools and equipment and boiler record-keeping materials are exempted from section (1) of this rule.

(3) Boiler rooms shall be maintained in an orderly manner. Lighting shall be provided and maintained in accordance with the Oregon Electrical Specialty Code adopted in OAR 918-305-0100. Trash receptacles containing combustible materials shall be of the self-closing type.

[Publications: Publications referenced are available from the agency.]

Statutory/Other Authority: ORS 480.545

Statutes/Other Implemented: ORS 480.545

History: BCD 21-2018, amend filed 09/18/2018, effective 10/01/2018; BCD 36-2000, f. 12-29-00, cert. ef. 1-1-01; BCD 26-1998, f. 12-30-98, cert. ef. 1-1-99

918-225-0470

Boiler Operation

The owner-user of a boiler, designed for operation at or above 15 psi steam; or 160 psi or 250 F. water shall insure that all boiler control and safety devices are thoroughly inspected and tested at regular intervals consistent with the provisions of OAR 918-225-0560 and 918-225-0570. A daily record of boiler operation, tests, inspections, maintenance and feed water treatment shall be maintained in or near the boiler room and shall be available for examination by any deputy or special inspector. The record shall include the name and signature of the person assigned responsibility for boiler operations.

(1) A person suitably trained in boiler operation and control must be assigned responsibility for the boiler and shall be in close proximity of the boiler whenever it is in operation. While in operation, the boiler may not be left unattended for any period longer than the response time described in section (3) of this rule.

(2) Each boiler must be equipped with an alarm which operates at the lowest permissible water level or highest permissible operating temperature. The alarm

must be audible to the person responsible for operation of the boiler at any time the boiler is in operation. The person must be able to respond to a boiler fault within the response time described in section (3) of this rule. At least one low water control device designed to shut down the boiler when activated, must require manual resetting before the boiler may be restarted.

(3) Response time for a boiler subject to this rule shall be the time required to lower the water level from the normal operating level to the minimum allowable level when the boiler is firing at the maximum rate and the feed water is shut off; or to raise the operating pressure or temperature of a water boiler to the maximum allowable rating.

(4) Boilers using solid fuel not in suspension shall have fuel and water control devices approved by the chief inspector, and in case of feed water failure shall be equipped with a means to effectively reduce or eliminate fuel heat input to the boiler.

(5) Miniature boilers built to ASME Section I, part PMB are exempt from this rule. Boilers of historical design, operated for hobby use only, are exempt from section (2) of this rule.

[Publications: Publications referenced are available from the agency.]

Statutory/Other Authority: ORS 480.545

Statutes/Other Implemented: ORS 480.545

History: BCD 36-2000, f. 12-29-00, cert. ef. 1-1-01; BCD 18-1997, f. 12-3-97, cert. ef. 1-1-98; BCD 13-1995, f. & cert. ef. 9-15-95; BCD 4-1995, f. & cert. ef. 3-15-95; BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94, Renumbered from 918-225-0190; DC 24-1982, f. & cert. ef. 11-16-82, Renumbered from 814-025-0085; DC 17-1972, f. 7-31-72, cert. ef. 8-15-72

918-225-0510

Installation of Buried Vessels

Under no circumstances shall any pressure vessel subject to the Boiler and Pressure Vessel Laws and these rules be buried underground or located in an inaccessible place. Where necessary to install a vessel underground, it shall be enclosed in a concrete or masonry pit with removable cover so that inspection of entire shell and heads of the vessel can be made.

Statutory/Other Authority: ORS 480.545

Statutes/Other Implemented: ORS 480.545

History: BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94, Renumbered from 918-225-0105; DC 10-1983, f. & cert. ef. 4-28-83, Renumbered from 814-025-0046; DC 92-1977, f. & cert. ef. 7-19-77

918-225-0540

Scope of Special Inspector's Authority

(1) General inspection requirements are in ORS 480.560.

(2) The type of inspections a special inspector can do is set out in ORS 480.570.

(3) The special inspector's enforcement powers are in ORS 480.660.

(4) Appeals from special inspector actions are under ORS 480.660(4).

Statutory/Other Authority: ORS 480.560, 480.570, 480.660

Statutes/Other Implemented: ORS 480.560, 480.570, 480.660

History: BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94

918-225-0560

Responsibility of Inspectors

(1) All deputy and special inspectors shall perform boiler, pressure vessel and pressure piping inspections in accordance with the Oregon Boiler and Pressure Vessel Specialty Code adopted in OAR 918-225-0430 and the following requirements of the division:

(a) For new boilers, the inspector shall verify that the controls and safety devices required by ASME CSD-1 or other construction codes are installed and function as designed in accordance with manufacturer's instructions;

(b) External boiler inspections shall be performed with the boiler in normal operation. The inspector shall examine all controls, safety devices, water columns and gauge glasses for evidence of tampering and shall verify that all testing has been performed to ensure proper functioning;

(c) Internal boiler inspections shall be performed in a thorough and complete manner. Manways and other inspection openings necessary to perform a particular inspection shall be removed for access to the boiler internals. Water columns, feed water controllers and feed piping shall be inspected internally. The inspector shall visually examine pressure boundary retaining devices, boiler refractory, hangers, clips, boiler tubes and headers and drum internals for damage, corrosion, overheating, welded repairs, feedwater treatment or any detrimental conditions;

(d) The inspector shall explain to the owner or user that any boiler, pressure vessel or pressure piping deficiency requires correction under the Oregon Boiler and Pressure Vessel Specialty Code. The inspector shall require conditions not hazardous to health or safety to be corrected within 30 days. The inspector shall require conditions hazardous to health or safety to be corrected prior to operating the equipment. The owner or user of the equipment may apply to the chief inspector for extension of the 30-day correction requirement; and

(e) All inspectors witnessing installation, repair or alteration of boilers, pressure vessels or pressure piping

shall verify that the contractor and workers performing the work are appropriately licensed and hold valid permits as required by ORS 480.630.

(2) Failure to comply with subsections (1)(a) through (e) of this rule, or failure of an owner or user to perform a required deficiency correction may cause additional inspections to be performed per ORS 480.570 as directed by the chief inspector.

(3) The responsibilities of process piping inspectors are located in OAR 918-225-0562.

[Publications: Publications referenced are available from the agency.]

Statutory/Other Authority: ORS 455.030, 480.545

Statutes/Other Implemented: ORS 480.545, 480.555, 480.560, 480.565, 480.570

History: BCD 21-2018, amend filed 09/18/2018, effective 10/01/2018; BCD 20-2005, f. 9-15-05, cert. ef. 10-1-05; BCD 17-2005(Temp), f. & cert. ef. 7-12-05 thru 9-30-05; BCD 4-2003, f. & cert. ef. 3-14-03; BCD 26-1998, f. 12-30-98, cert. ef. 1-1-99; BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94, Renumbered from 918-225-0045; DC 37-1984, f. & cert. ef. 12-4-84, Renumbered from 814-025-0020; DC 17-1972, f. 7-31-72, cert. ef. 8-15-72

918-225-0562

Process Piping Inspector Responsibilities

(1) The process piping inspector shall:

(a) Inspect the Category "M" fluid service process piping to the extent necessary to be satisfied that it conforms to all applicable examination requirements of ASME B31.3;

(b) Verify that all required examinations and testing have been completed; and

(c) Complete and sign division-supplied forms and provide them to the authority having jurisdiction, the division and the registered owner a summary report of the inspections on at least a quarterly basis including information showing who did the inspections.

(2) A certified process piping inspector may delegate inspection responsibility only to other persons when the process piping inspector has:

(a) Provided the name or list of names of the delegates to the authority having jurisdiction and the division; and

(b) Determined the person to whom an inspection function is delegated is qualified to perform that function.

(3) The division may review inspection and installation activities as necessary to determine compliance and may assess an hourly review fee as appropriate.

[Publications: Publications referenced are available from the agency.]

Statutory/Other Authority: ORS 480.565

Statutes/Other Implemented: ORS 480.565

History: BCD 6-2003, f. 3-14-03, cert. ef. 7-1-03

918-225-0565

Reporting of Immediate Hazards to Health or Safety

Deputy and special inspectors shall report immediate hazards to health or safety concerning boilers or pressure vessels to the chief inspector immediately by telephone and also that a notice of defective condition was issued and that the hazardous operations were stopped.

Statutory/Other Authority: ORS 480.545

Statutes/Other Implemented: ORS 480.545

History: BCD 18-1997, f. 12-3-97, cert. ef. 1-1-98, renumbered from 918-225-0800; BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94, Renumbered from 918-225-0155; BCA 4-1988, f. & cert. ef. 2-22-88, Renumbered from 814-025-0070; DC 11-1985, f. & cert. ef. 5-22-85 DC 17-1972, f. 7-31-72, cert. ef. 8-15-72

918-225-0570

Boiler and Pressure Vessel Inspection Schedules

Unless the division grants special permission, all inspectors must comply with the following inspection schedule:

(1) Power boilers must be inspected, at minimum:

(a) Internally — every year, when physical construction of the boiler allows; and

(b) Externally — every year, while under pressure.

(2) Cast iron boilers must be inspected externally — every two years, while under pressure.

(3) Low pressure steam boilers must be inspected, at minimum:

(a) Internally — every two years, when physical construction of the boiler allows; and

(b) Externally — every two years, while under pressure.

(4) Hot water heating and hot water supply boilers must be inspected:

(a) Internally — every six years, when physical construction of the boiler allows; and

(b) Externally — every two years, while under pressure.

(5) Pressure vessels containing anhydrous ammonia intended for use as fertilizer must be inspected, at minimum, externally every three years.

(6) Fixed pressure vessels, containing only air, not located at a place of public assembly, not exceeding 20 cubic feet in volume, and operated at gauge pressures of not more than 200 pounds per square inch must be inspected, at minimum:

(a) Internally — every six years, subject to section (13) of this rule; and

(b) Externally — every six years.

(7) Co₂ vessels and hydro-pneumatic pressure vessels, used for beverage service, not exceeding 20 cubic feet in volume, and operated at gauge pressures of not more than 300 pounds per square inch must be inspected, at minimum:

(a) Internally — every six years, subject to section (13) of this rule; and

(b) Externally every six years.

(8) Pressure vessels, not classified in sections (5), (6), and (7) of this rule, and subject to internal corrosion or erosion must be inspected, at minimum:

(a) Internally — every two years, subject to section (13) of this rule; and

(b) Externally — every two years.

(9) Unfired pressure vessels, not classified in sections (5), (6), (7), (10) and (11) of this rule, and not subject to internal corrosion must be inspected, at minimum, externally — every four years.

(10) Unfired pressure vessels not subject to internal corrosion but containing a substance which, if it were to leak, might cause serious irreversible harm to a person must be inspected, at minimum:

(a) Internally — every two years, subject to section (13) of this rule; and

(b) Externally — every two years.

(c) A substance "might cause serious irreversible harm" if the substance's Material Safety Data Sheet describes serious health or physical risks caused by short-term exposure to the substance.

(11) Unfired pressure vessels not subject to internal corrosion that are located at a place of public assembly and are not classified in section (8) of this rule must be inspected, at minimum:

(a) Internally — every two years, subject to section (13) of this rule; and

(b) Externally — every two years.

(12) Pressure piping systems containing refrigerants, steam, or pressurized condensate: Inspection during fabrication, installation, repair, or alteration for verification of compliance with material, welding, brazing, and structural support requirements. The inspector may require other tests to verify quality of weldments. This rule does not apply to welded repair of pressure piping under OAR 918-225-0720.

(13) The inspector may waive an internal inspection, under section (6), (7), (8), (10) or (11) of this rule if the inspector believes from alternate inspection methods an internal inspection is not necessary to verify the safe condition of the vessel.

(14) An inspector may require additional internal or external inspections, or tests, other than those required in this rule, if the inspector has reason to believe that the boiler or pressure vessel does not meet minimum safety standards.

(15) Failure to comply with sections (1) through

(14) of this rule may cause inspections to be performed by a deputy inspector per ORS 480.570(6) as directed by the chief inspector.

(16) The inspection schedule established in this rule is summarized in Table 1-B.

[NOTE: Table referenced is not included in rule text.]

Statutory/Other Authority: ORS 480.545, 480.550, 480.560

Statutes/Other Implemented: ORS 480.545, 480.550, 480.560

History: BCD 12-2018, amend filed 06/21/2018, effective 07/01/2018; BCD 1-2015, f. 3-23-15, cert. ef. 4-1-15; BCD 31-2011, f. 12-30-11, cert. ef. 1-1-12; BCD 29-2008, f. 12-31-08, cert. ef. 1-1-09; BCD 7-2007, f. 7-13-07, cert. ef. 9-1-07; BCD 15-2006, f. 12-29-06, cert. ef. 1-1-07; BCD 36-2000, f. 12-29-00, cert. ef. 1-1-01; BCD 18-1997, f. 12-3-97, cert. ef. 1-1-98; BCD 18-1996, f. & cert. ef. 9-17-96; BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94, Renumbered from 918-225-0175; BCA 4-1993, f. & cert. ef. 4-5-93; BCA 22-1992(Temp), f. 12-15-92, cert. ef. 1-1-93; BCA 1-1987, f. & cert. ef. 7-1-87, Renumbered from 814-025-0075; DC 12-1980, f. & cert. ef. 9-12-80; DC 17-1972, f. 7-31-72, cert. ef. 8-15-72

918-225-0590

Inspection Cycle Extension Program

(1) The division shall evaluate written requests from the equipment's owner or their agent for inspection cycle extensions pursuant to the following criteria:

(a) An extension shall be granted for up to twelve (12) months from the existing inspection date;

(b) Extensions shall only be granted for large-scale steam and hot water boilers normally operated continuously that are critical to the business or organization; and

(c) Extensions shall apply to internal inspections only.

(2) The division shall incorporate a monitoring system for inspection cycle extensions to ensure compliance with the requirements of this rule.

(3) Extensions must be applied for in writing on a division approved form, and must include:

(a) The specific equipment for which the extension is requested;

(b) The reason for the requested extension;

(c) How boiler safety is preserved with the requested extension;

(d) Written concurrence of the special, deputy, or chief inspector assigned to the equipment; and

(e) Scheduled date of shutdown and internal inspection within six months.

(4) Prior to approval of an inspection cycle extension, an inspection utilizing alternate inspection methods, including but not limited to ultrasonic thickness testing, water chemistry analysis, x-

ray inspections, or other similar engineering evaluations, shall be performed to ensure conditions are safe to grant an extension.

(5) Applications for inspection cycle extensions must be received and approved prior to the equipment's existing inspection date.

Statutory/Other Authority: ORS 480.560, 455.030 & 445.110

Statutes/Other Implemented: ORS 480.560 & 445.110

History:

BCD 8-2022, amend filed 06/30/2022, effective 07/01/2022

BCD 16-2020, adopt filed 08/31/2020, effective 10/01/2020

BCD 15-2020, temporary adopt filed 08/31/2020, effective 08/31/2020 through 09/30/2020

918-225-0600

Permits

(1) Except as otherwise provided in this rule, an installation permit is required before installing, altering, or repairing a nonexempt boiler or pressure vessel.

(2) Notwithstanding section (1) of this rule:

(a) An installation permit is not required for minor repairs performed under a minor repair permit in accordance with OAR 918-225-0606 to 918-225-0618.

(b) An installation permit is not required for minor repairs or non-welded major repairs to a pressure vessel containing liquefied petroleum gas that is under the jurisdiction of the State Fire Marshal.

(c) If the installation, alteration, or repair will be performed by the owner of the boiler or pressure vessel or an employee of the owner, an installation permit is only required if the boiler or pressure vessel is located in a structure that:

(A) Is classified as an Education Group "E" Occupancy under the Oregon Structural Specialty Code;

(B) Is classified as an Institutional Group "I-2" Occupancy under the Oregon Structural Specialty Code; or

(C) Has an occupant load greater than 100, as calculated under the Oregon Structural Specialty Code.

(d) Notwithstanding subsection (c) of this rule, an installation permit is not required for a boiler or pressure vessel that is installed, altered, or repaired by its owner or an employee of its owner in a location that is staffed 24 hours a day, seven days a week, by individuals knowledgeable in the operation and maintenance of the boiler or pressure vessel.

(3) An operating permit or a temporary operation authorization is required before placing a nonexempt vessel into operation.

(4) If an inspection is scheduled, and the inspector is at the site but the boiler or pressure vessel is not ready

or cannot be accessed, the rescheduled inspection will be at an additional cost. The fee for such inspections is the hourly rate specified in ORS 480.605.

(5) Permits to operate boilers or pressure vessels shall be issued periodically according to vessel type, based on the schedule established by the division in Table 4-B.

(6) Operating and installation permit fees are as shown in OAR 918-225-0620 Table 3-B.

(7)(a) Operating permit fees not received within 90 days of the billing date may be considered delinquent and subject to a late penalty of double the fee amount. It is the equipment owner's responsibility to maintain a current operating permit. This responsibility includes notifying the division of address and other billing information changes. Late penalties may only be waived under exceptional circumstances.

(b) All waiver requests must be submitted in writing and must clearly state the reason for the request. A waiver may be granted for all or part of the additional fee.

(8) Where an installation permit is required, the equipment owner or, if the work will be performed by a contractor, the contractor, must acquire the installation permit prior to beginning the intended installation, repair, or alteration, and notify the deputy or special inspector who will inspect the work. Work may not begin until the inspector has reviewed and approved the work to be performed.

(a) The installation permit must be posted at the job site before beginning the work; or.

(b) This rule does not change the provisions for emergency permits in ORS 480.630(6). It is recommended, but not required, that emergency permits be reviewed and coordinated with the inspector responsible for inspecting the completed work.

(c) Commissioning of a boiler by a commissioning agent or manufacturer's representative does not require a separate installation permit.

(9) An installation permit or operating permit issued under this rule is not transferable.

(10) An installation permit automatically expires 18 months from the date of issuance unless the installation, alteration, or repair begins before the end of the 18th month.

(a) The holder of an un-expired installation permit may submit a written request for an unconditional six-month extension of the expiration date. The division may not extend an installation permit more than twice.

(b) An expired installation permit may not be extended or renewed. A new application and fee will be required. The division will not refund the fees for an expired installation permit.

(c) Fees for installation permits are non-refundable.

(11) Any person who commences any work on a boiler or pressure vessel before obtaining the necessary

permits shall be subject to an investigative fee. The amount of the investigative fee shall be the average or actual additional cost of ensuring that a boiler or pressure vessel is in conformance with the Oregon Boiler and Pressure Vessel Specialty Code and shall be in addition to the required permit fees.

[Publications: Publications referenced are available from the agency.]

[NOTE: Table referenced is not included in rule text.]

Statutory/Other Authority: ORS 480.585, 480.595, 480.605

Statutes/Other Implemented: ORS 455.058, 480.585, 480.595, 480.605, 480.630

History: BCD 12-2018, amend filed 06/21/2018, effective 07/01/2018; BCD 1-2015, f. 3-23-15, cert. ef. 4-1-15; BCD 36-2011, f. 12-30-11, cert. ef. 1-1-12; BCD 31-2011, f. 12-30-11, cert. ef. 1-1-12; BCD 10-2009, f. 12-30-09, cert. ef. 1-1-10; BCD 4-2009(Temp), f. & cert. ef. 7-16-09 thru 1-1-10; BCD 14-2007, f. 12-28-07 cert. ef. 1-1-08; BCD 18-1997, f. 12-3-97, cert. ef. 1-1-98; BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94

918-225-0606

Issuance and Purchase of Minor Repair Permits

(1) The Building Codes Division will issue minor repair permits in lots of five at a cost of \$175 per lot. Each lot of minor repair permits is valid for one year from the date of purchase.

(2) The following persons may purchase minor repair permits:

(a) Contractors holding a verified Construction Contractors Board license and a valid boiler contractor license under ORS 480.630; or

(b) Owners of boilers and pressure vessels and their designated representatives.

(3) Minor repair permits are not transferable.

Statutory/Other Authority: ORS 480.595, 455.154, 455.155

Statutes/Other Implemented: ORS 480.595, 455.154, 455.155

History: BCD 1-2015, f. 3-23-15, cert. ef. 4-1-15; BCD 36-2011, f. 12-30-11, cert. ef. 1-1-12

918-225-0609

Use of Minor Repair Permits

(1) Only those minor repairs described in OAR 918-225-0612 may be performed under a minor repair permit.

(2) A minor repair permit authorizes work on a single boiler or pressure vessel. Multiple minor repairs may be performed under a minor repair permit provided that each minor repair is completed within the five day period that begins when the first minor repair is completed.

(3) All work performed under a minor repair permit must conform to the Oregon Boiler and Pressure Vessel Specialty Code.

(4) An individual performing work under a minor repair permit must:

(a) Hold the appropriate license, if required, under ORS 480.630 and OAR 918-225-0691 for the type of work performed;

(b) Fill out the information required on the minor repair permit; and

(c) Post the minor repair permit in a secure and visible location near the site of the repair.

(5) Within five business days of work being completed, the purchaser of the minor repair permit is responsible for ensuring that all work that was performed under the minor repair permit is recorded in the manner approved by the division.

[Publications referenced are available from the agency.]

Statutory/Other Authority: ORS 480.595, 455.154, 455.155

Statutes/Other Implemented: ORS 480.595, 455.154, 455.155

History: BCD 36-2011, f. 12-30-11, cert. ef. 1-1-12

918-225-0612

Scope of Work Allowed under Minor Repair Permit

(1) Only minor repairs may be performed under a minor repair permit. Minor repairs include, but are not limited to, the non-welded replacement of the following:

- (a) Low water cut-off;
- (b) Pressure relief valve;
- (c) Safety valve;
- (d) Safety switch;
- (e) Rupture disc;
- (f) High pressure or temperature limit;
- (g) Low pressure or temperature limit;
- (h) Fuel train component;
- (i) Flame detector;
- (j) Flame safeguard;
- (k) Heat exchanger element; and
- (l) Burner components.

(2) Nothing in this rule prohibits purchasing an installation permit to ensure that a minor repair will be individually inspected.

(3) A minor repair permit is not required for minor repairs made to pressure vessels containing liquefied petroleum gas that are under the jurisdiction of the State Fire Marshal.

Statutory/Other Authority: ORS 480.595, 455.154, 455.155

Statutes/Other Implemented: ORS 480.595, 455.154, 455.155

History: BCD 36-2011, f. 12-30-11, cert. ef. 1-1-12

918-225-0615

Inspection of Minor Repair Permits

(1) The division will randomly inspect at least one permit from each lot of minor repair permits

(2) The division will initially select one minor repair permit from each lot for inspection. If the division determines that the work done under the first permit does not comply with the Oregon Boiler and Pressure Vessel Specialty Code, the division will inspect a second permit from the same lot. If the division determines that the work done under the second permit is also non-compliant, the division will individually inspect all remaining permits from the same lot.

(3) The purchase price for each lot of minor repair permits includes the fee for one inspection. The division will charge for any additional inspections at its hourly inspection rate.

(4) If the division determines that work performed under a minor repair permit did not comply with the Oregon Boiler and Pressure Vessel Specialty Code, the division will require corrections to bring the boiler or pressure vessel into code compliance. Such corrections may not be performed under a minor repair permit. Installation permit and inspection requirements apply.

(5) Work performed under a minor repair permit that is not randomly inspected in accordance with this rule will be inspected during the boiler or pressure vessel's next regularly scheduled inspection.

Statutory/Other Authority: ORS 480.595, 455.154, 455.155

Statutes/Other Implemented: ORS 480.595, 455.154, 455.155

History: BCD 36-2011, f. 12-30-11, cert. ef. 1-1-12

918-225-0618

Misuse of Minor Repair Permits

(1) An individual performing work under a minor repair permit misuses the minor repair permit if the work performed does not conform to the Oregon Boiler and Pressure Vessel Specialty Code.

(2) The purchaser of a lot of minor repair permits misuses minor repair permits if:

(a) Two or more repairs performed under the lot do not conform to the Oregon Boiler and Pressure Vessel Specialty Code; or

(b) In the case of a purchaser who has purchased and used ten or more lots of minor repair permits, more than 5% of all repairs performed under minor repair permits issued to the purchaser did not conform to the Oregon Boiler and Pressure Vessel Specialty Code.

(3) If the division determines that a person or entity has misused minor repair permits, the division may immediately suspend that person or entity from purchasing, using, or performing work under minor

repair permits for not less than one year. In the case of a purchaser, the period of suspension may be extended until all unused minor repair permits have been returned to the division.

(4) Violations of the minor repair permit rules may also be subject to civil penalties and license revocations.

Statutory/Other Authority: ORS 480.595, 455.154, 455.155

Statutes/Other Implemented: ORS 480.595, 455.154, 455.155

History: BCD 36-2011, f. 12-30-11, cert. ef. 1-1-12

918-225-0620

Bulk Rate Permits

(1) Bulk rate permits may be granted if there is a quantity of either six (6) or more boilers or six (6) or more pressure vessels at the same location.

(2) To obtain bulk rate permits, the owner or user must make a written request to the division at least 30 days before the expiration of existing operating permits.

(3) If a bulk rate site requires two or more inspections during an inspection cycle, the division may rescind bulk rate permits and charge the full operating permit fees, as provided in Table 3-B. Inspection cycles are listed in OAR 918-225-0570 Table 1-B.

[NOTE: Table referenced is not included in rule text.]

Statutory/Other Authority: ORS 480.600

Statutes/Other Implemented: ORS 480.600

History: BCD 12-2018, amend filed 06/21/2018, effective 07/01/2018; BCD 31-2011, f. 12-30-11, cert. ef. 1-1-12; BCD 10-2009, f. 12-30-09, cert. ef. 1-1-10; BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94, Renumbered from 918-225-0120; DC 17-1982, f. 7-31-72, cert. ef. 8-15-72, Renumbered from 814-025-0050

918-225-0630

Special Fee for Dryer Permits

The operating permit fee for dryer rolls for a paper machine is \$5.50 per roll, if the machine is under the inspection requirements of ORS 480.600(2).

Statutory/Other Authority: ORS 480.600

Statutes/Other Implemented: ORS 480.600

History: BCD 10-2009, f. 12-30-09, cert. ef. 1-1-10; BCD 4-2009(Temp), f. & cert. ef. 7-16-09 thru 1-1-10; BCD 36-2000, f. 12-29-00, cert. ef. 1-1-01; BCD 18-1997, f. 12-3-97, cert. ef. 1-1-98; BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94, Renumbered from 918-225-0125; DC 10-1981, f. & cert. ef. 7-6-81, Renumbered from 814-025-0051

918-225-0640

Business and Trade License Fees

(1) Licenses required by ORS 480.630 shall be issued by the division to applicants who meet the requirements for the license and apply as established in OAR division 30.

(2) For applications received by the division prior to May 15, 2008 the application fee for a business license shall be \$165 and the application fee for a trade license shall be \$27.50. Any license issued prior to May 15, 2008 expires on July 1, 2008.

(3) The following fees apply for a three-year license term as established in OAR 918-030-0220:

(a) Boiler business license application and renewal fees — \$495

(b) Class 1 and 6 boiler trade license application and renewal fees — \$82.50

(c) Class 2, Class 3, Class 4, Class 5, Class 5A and 5-B boiler trade license fees:

(A) Application fee — \$82.50

(B) Renewal fee — \$112.50, which includes a \$30 fee to track continuing education under ORS 480.545 and OAR 918-225-0670.

Statutory/Other Authority: ORS 455.117, 480.545, 480.630

Statutes/Other Implemented: ORS 480.630

History: BCD 17-2007, f. 12-28-07, cert. ef. 1-1-08; BCD 13-2006, f. 9-29-06, cert. ef. 10-1-06; BCD 10-2006(Temp), f. 6-30-06, cert. ef. 7-1-06 thru 12-28-06; BCD 36-2000, f. 12-29-00, cert. ef. 1-1-01

918-225-0650

Practical Experience Requirement

Inspectors shall have at least the following practical experience in activities listed by ORS 480.565(1):

(1) Chief Inspector, ten years experience;

(2) Deputy or Special Inspector, experience required by the bylaws of the National Board for a commission as a National Board Inspector.

Statutory/Other Authority: ORS 480.565

Statutes/Other Implemented: ORS 480.565

History: BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94

918-225-0660

Certification of Special Inspectors

(1) An application for special inspector certification shall be filed by an employer described in ORS 480.565(3) using forms provided by the division and submitting the appropriate application fee.

(2) The person to be certified shall meet the experience requirements in OAR 918-225-0650 and shall have passed the National Board of Boiler and Pressure Vessel Inspectors Examination.

(3) An examination covering the Oregon Boiler and Pressure Vessel Law, ORS 480.510 to 480.990 and OAR

918, division 225, the National Board Inspection Code and ASME CSD-1 shall be given by the chief inspector to all special inspector applicants.

(4) Special inspector certifications shall be renewed annually, by paying a renewal fee of \$25 prior to January 1 of each year.

(5) When a special inspector leaves the employment of the employer covered by ORS 480.565, the employer shall notify the division and return the special inspector certification.

(6) Process piping inspectors shall be certified pursuant to OAR 918-225-0665.

[Publications: Publications referenced are available from the agency.]

Statutory/Other Authority: ORS 455.030, 480.545

Statutes/Other Implemented: ORS 480.565

History: BCD 20-2005, f. 9-15-05, cert. ef. 10-1-05; BCD 17-2005(Temp), f. & cert. ef. 7-12-05 thru 9-30-05; BCD 4-2003, f. & cert. ef. 3-14-03; BCD 18-1997, f. 12-3-97, cert. ef. 1-1-98; BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94, Renumbered from 918-225-0135; DC 33-1974, f. 5-6-74, ef. 5-25-74, Renumbered from 814-025-0065; DC 27-1973(Temp), f. & cert. ef. 12-31-73; DC 17-1972, f. 7-31-72, cert. ef. 8-15-72

918-225-0665

Certification of Process Piping Inspectors

(1) Applicants for process piping inspector shall submit an application on division-supplied forms along with a \$110 application fee. The applicant shall pass a division-approved examination on the substance and requirements of ASME B31.3, related standards and administrative rules.

(2) Applicants shall demonstrate to the satisfaction of the division not less than 10 years experience in the design, fabrication or inspection of industrial process piping. Each 20 percent of satisfactorily completed work toward an engineering degree recognized by the Accreditation Board for Engineering and Technology shall be considered equivalent to one year of experience, up to five years total.

(3) The board may consider other experience and education to determine if the experience is equivalent to the requirements in this rule.

(4) Process piping inspector certificate of competency shall be renewed annually. The annual renewal fee shall be \$27.50.

[Publications: Publications referenced are available from the agency.]

Statutory/Other Authority: ORS 480.545, 480.565, 480.605, 480.607, 480.647

Statutes/Other Implemented: ORS 480.545, 480.565, 480.605, 480.607, 480.647

History: BCD 4-2003, f. & cert. ef. 3-14-03

918-225-0670

Fees for Inspector Examination, Certification and Renewal

(1) Fee for each National Board examination, \$165.

(2) Fee for Certificate of Competency Examination, \$110.

(3) Fee for annual renewal of Certificate of Competency, \$27.50.

(4) Fee to administer continuing education program to be added to the cost of annual renewals of certified individuals, \$10.

(5) Fee to prepare and provide continuing education programs, \$66 per hour or part thereof.

Statutory/Other Authority: ORS 480.605

Statutes/Other Implemented: ORS 480.605

History: BCD 13-2006, f. 9-29-06, cert. ef. 10-1-06; BCD 2-2003, f. & cert. ef. 2-3-03; BCD 36-2000, f. 12-29-00, cert. ef. 1-1-01; BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94, Renumbered from 918-225-0040; BCA 5-1991, f. & cert. ef. 3-15-91; DC 33-1974, f. 5-6-74, cert. ef. 5-25-74, Renumbered from 814-025-0016; DC 27-1973(Temp), f. & cert. ef. 12-31-73

918-225-0691

Boiler, Pressure Vessel and Pressure Piping Installation, Alteration or Repair Licensing Requirements

Persons installing, altering or repairing boilers and pressure vessels shall be licensed under these rules and may only work within the scope of their license.

(1) Persons desiring to obtain certification under these rules shall:

- (a) Meet the qualifications for that license; and
- (b) Apply as established by the division in OAR division 30.

(2) Definitions. For the purpose of this rule:

(a) "Direct Supervision" means the person supervised is in the physical presence of a qualified licensed person at the job site and the person doing the supervision is directly assigned to monitor and direct the activities of the person supervised. Direct supervision must be on a ratio of one qualified licensed person to one trainee/helper.

(b) "Qualified Licensed Person" means a person who holds a Class 2, 3, 4, 5, 5-A or 5-B certification and is authorized to do the work involved without supervision.

(c) "Supervision" means the individual person assigned to perform supervision under sections 6, 7 and 10 of this rule is directly and specifically assigned to monitor and direct the activities of the person being supervised. Both the person performing supervision and

those being supervised shall be prepared to identify each other.

(3) Class 1 Trainee/Helper License. A person holding this license may install, alter or repair boilers, pressure vessels and pressure piping providing the work is of a mechanical nature only. Work performed shall be under the direct supervision of a qualified licensed person. No ASME Code welding is permitted. There are no minimum qualifications required for applicants to obtain this license.

(4) Class 2 Pressure Vessel Installer License. A person holding this license may install or repair unfired pressure vessels by any non-welded method of attachment.

(a) There are no minimum qualifications required to obtain this license. Applicants shall pass an examination testing the applicant's knowledge of the Boiler and Pressure Vessel Law, ORS 480.510 to 480.665; OAR 918, division 225; and National Boiler Inspection Code Parts 1 and 4.

(b) Persons who install refrigeration process equipment assembled and sold as a modular unit by the manufacturer and who do not attach piping to a pressure vessel during the installation are exempt from this rule. To qualify for this exemption, the attachment shall be made by any method other than fusion welding.

(5) Class 3 Building Service Mechanic License. A person holding this license may install or repair boilers (including boiler and non-boiler external piping) and unfired pressure vessels by a non-welded method of attachment. Applicants shall:

(a) Have at least 2,000 hours of experience installing and repairing boilers verified as established in OAR division 30;

(b) Pass an examination testing the applicant's knowledge of:

(A) Boiler and Pressure Vessel Laws, ORS 480.510 to 480.665; OAR 918, division 225; National Boiler Inspection Code Parts 1 and 4; the general requirements of the American Society of Mechanical Engineers, CSD-1; and NFPA 85; and

(B) Building Service Systems (Hydronics) for boilers and related appurtenances, American Society of Mechanical Engineers/ASME B31.1 Power Piping and B31.9 Building Service Piping.

(6) Class 4 Boilermaker License. A person holding this license may install, alter or repair boilers and pressure vessels (excluding non-boiler external piping) by welding or other methods of attachment.

(a) Applicants shall:

(A) Have 2,000 hours of experience doing welding and 2,000 hours of experience doing non-welding applications involving boilers or pressure vessels. Experience must be verified as established in OAR division 30; the verification must cover welding and non-welding applications separately; and

(B) Pass an examination testing the applicant's knowledge of Boiler and Pressure Vessel Laws, ORS 480.510 to 480.665; OAR 918, division 225; National Boiler Inspection Code Parts 1, 3, and 4; NFPA 85; and the general requirements of the American Society of Mechanical Engineers, Boiler and Pressure Vessel Code, Sections I, II, IV, V, VIII and IX, CSD-1, B31.1 and B31.9.

(b) Class 4 Boilermakers may also perform the scope of work allowed under section (7) of these rules providing:

(A) Work may only be done under the supervision of a qualified licensed person under section (7) of these rules; and

(B) Prior to any welding, the individual must qualify to supervisor's employer's welding procedures.

(7) Class 5 Pressure Piping Mechanic License.

(a) A person holding this license may:

(A) Fabricate, install, alter and repair pressure piping;

(B) Install boilers and pressure vessels by attachment of piping connections; and

(C) Install, assemble and repair cast iron sectional boilers.

(b) Applicants shall:

(A) Have a minimum of 2,000 hours of experience performing pipe-welding on ASME B31 pressure piping and 2,000 hours of experience performing work on pressure piping and boilers. Experience must be verified as established in OAR division 30; and

(B) Pass an examination testing the applicant's knowledge of:

(i) American Society of Mechanical Engineers Boiler and Pressure Vessel Code, Section IX, CSD-1, B31.1, B31.3, B31.5, and B31.9 ;

(ii) National Boiler Inspection Code Parts 1, 3, and 4;

(iii) Boiler and Pressure Vessel Laws, ORS 480.510 to 480.665 and OAR 918, division 225; and

(iv) NFPA 85.

(c) Class 5 Pressure Piping Mechanics may also perform the scope of work allowed under section (6) of these rules providing:

(A) Work may only be done under the supervision of a qualified licensed person under section (6) of these rules; and

(B) Prior to any welding, the individual must qualify to supervisor's employer's welding procedures.

(8) Class 5-A Process Piping Mechanic License.

A person holding this license may fabricate, install, alter or repair B31.3 process piping. Applicants shall:

(a) Have a minimum of 2,000 hours of experience performing pipe-welding or brazing on B31.3 process piping and 2,000 hours of experience

performing work on pressure piping. Experience must be verified as established in OAR division 30; and

(b) Pass an examination testing the applicant's knowledge of:

(A) American Society of Mechanical Engineers Boiler and Pressure Vessel Code, Section IX, and Section B31.3; and

(B) Boiler and Pressure Vessel Laws, ORS 480.510 to 480.665 and OAR 918, division 225.

(9) Class 5-B Refrigeration Piping Mechanic License. A person holding this license may fabricate, install, alter or repair B31.5 refrigeration piping. Applicants shall:

(a) Have a minimum of 2,000 hours of experience performing pipe-welding or brazing on B31.5 refrigeration piping and 2,000 hours of experience performing work on pressure piping. Experience must be verified as established in OAR division 30; and

(b) Pass an examination testing the applicant's knowledge of:

(A) American Society of Mechanical Engineers Boiler and Pressure Vessel Code, Section IX, and Section B31.5; and

(B) Boiler and Pressure Vessel Laws, ORS 480.510 to 480.665 and OAR 918, division 225.

(10) Class 6 Welder License. A person holding this license may weld on boilers, pressure vessels or pressure piping while employed by an approved welding employer. Work may only be performed under the supervision of a person certified under sections (6) through (9) of this rule as applicable. More than one welder may be supervised by one appropriately qualified licensed person under this license.

(a) A Class 6 Welder may also perform the scope of work under section (3) of this rule providing the work performed is under the direct supervision of a qualified licensed person under sections (4) through (9) of these rules.

(b) Applicants shall be qualified as a welder in accordance with the American Society of Mechanical Engineers Boiler and Pressure Vessel Code, Section IX, Part QW. The employer shall attest in writing that the applicant is qualified under that code section and is currently qualified to that employer's welding procedures. This written statement is not transferable to another employer.

Statutory/Other Authority: ORS 480.545, 480.630 & 455.117

Statutes/Other Implemented: 455.117 & ORS 480.630

History:

BCD 5-2022, amend filed 06/30/2022, effective 07/01/2022

BCD 13-2006, f. 9-29-06, cert. ef. 10-1-06

BCD 11-2006, f. & cert. ef. 9-5-06

BCD 10-2006(Temp), f. 6-30-06, cert. ef. 7-1-06 thru 12-28-06

BCD 9-2004, f. 6-21-04, cert. ef. 7-1-04

BCD 3-2004(Temp), f. & cert. ef. 3-8-04 thru 9-3-04

BCD 13-2003, f. 6-26-03, cert. ef. 7-1-03

BCD 7-2003, f. 3-14-03, cert. ef. 7-1-03

918-225-0700

Responsibility of Boiler Contractors

(1) Persons licensed by the division for the business of installing, repairing or altering boilers, pressure vessels or pressure piping must correct any condition or deficiency resulting from installations, repairs or alterations, which are determined by any deputy, special inspector or process piping inspector to be a violation of the minimum safety standards of the Oregon Boiler and Pressure Vessel Specialty Code.

(2) Contractors must prepare and submit any documentation required by construction codes, repair and alteration standards or the authority having jurisdiction.

(3) Boiler contractors are directly responsible for assuring that all persons they employ have correct certification and are properly supervised in the installation, repair or alteration of boilers, pressure vessels or pressure piping systems. Supervisors of persons holding a Class 1 or Class 6 certification must meet the requirements of OAR 918-225-0691. [Publications: Publications referenced are available from the agency.]

Statutory/Other Authority: ORS 480.545

Statutes/Other Implemented: ORS 480.545

History: BCD 4-2007, f. 3-30-07, cert. ef. 4-1-07; BCD 6-2003, f. 3-14-03, cert. ef. 7-1-03; BCD 36-2000, f. 12-29-00, cert. ef. 1-1-01

918-225-0720

Welding Requirements for Owner-Users

(1) An owner-user may use its own employees to repair or install boilers, pressure vessels or pressure piping, provided it develops, certifies and maintains a welding program meeting the requirements of the Boiler Specialty Code (ASME Section IX, Part QW).

(2) The owner-user's welding program shall be reviewed for conformance with welding program requirements by the authorized inspector performing welding inspections.

(3) The owner-user is responsible for the use of proper materials when doing code repairs.

(4) Prior to welding on code materials, the owner-user shall notify a deputy, special inspector or process piping inspector who will review the proposed work and who will inspect the work when it is completed.

[Publications: Publications referenced are available from

the agency.]

Statutory/Other Authority: ORS 480.545, 480.647

Statutes/Other Implemented: ORS 480.545, 480.647

History: BCD 6-2003, f. 3-14-03, cert. ef. 7-1-03; BCD 36-2000, f. 12-29-00, cert. ef. 1-1-01; BCD 16-1998, f. 9-30-98, cert. ef. 10-1-98; BCD 18-1997, f. 12-3-97, cert. ef. 1-1-98; BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94

918-225-0730

Requirements for Businesses Doing Welding or Brazing

All persons in the business of installing, altering or repairing boilers, pressure vessels, or pressure piping shall develop and maintain a quality control system before doing welding or brazing:

(1) Boilers and pressure vessels. For welding on a boiler, boiler external piping as defined by ORS 480.515 and pressure vessels, the person shall develop and maintain a quality control system under the "R" Stamp requirements of the

National Board Inspection Code.

(2) Pressure piping. For welding or brazing on pressure piping, the person shall develop and maintain a quality control system under either Section (1) of this rule or under OAR 918-225-0740.

[Publications: Publications referenced are available from the agency.]

Statutory/Other Authority: ORS 480.545, 480.647

Statutes/Other Implemented: ORS 480.545, 480.647

History: BCD 35-2000, f. 12-29-00, cert. ef. 7-1-01; BCD 16-1998, f. 9-30-98, cert. ef. 10-1-98; BCD 18-1997, f. 12-3-97, cert. ef. 1-1-98; BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94, Renumbered from 918-225-0195; BCA 30-1991, f. & cert. ef. 9-9-91; BCA 24-1991(Temp), f. 7-3-91, cert. ef. 7-1-91; BCA 6-1990, f. & cert. cert. ef. 3-13-90

918-225-0740

Quality Control System for Pressure Piping; Oregon "O" Certificate of Authorization

(1) This rule contains procedures for persons to develop and qualify a quality control system for welding or brazing on pressure piping other than boiler external piping.

(2) An application for approval of a quality control system shall include one copy of a proposed quality control manual. The manual shall include the elements described by the Building Codes Division Sample Quality Control Manual provided to the applicant as a guide. A Quality Control Manual will be reviewed and the applicant billed at board-established shop inspection rates.

(3) If welding, brazing, mechanical or chemical assembly will occur on Category M fluid service process

piping, the quality control manual shall include processes and procedures demonstrating compliance with ASME B31.3. The registered business or owner-user shall ensure that the process piping inspector provides and updates a list of persons to whom the inspector has delegated responsibility under OAR 918-225-0562.

(4) After acceptance of the proposed quality control system, the applicant must demonstrate practical application of the system and the proficiency of the persons doing welding or brazing. The applicant shall provide the facilities, equipment and materials for the demonstration.

(5) The Certificate of Authorization issued to a successful applicant expires three years from date of issue. The same procedures for qualifying shall be followed for renewal. Copies of the manual do not need to be resubmitted if the only change is the effective date. [Publications: Publications referenced are available from the agency.]

Statutory/Other Authority: ORS 480.647

Statutes/Other Implemented: ORS 480.647

History: BCD 6-2003, f. 3-14-03, cert. ef. 7-1-03; BCD 13-2002, f. 6-28-02, cert. ef. 7-1-02; BCD 35-2000, f. 12-29-00, cert. ef. 7-1-01; BCD 18-1997, f. 12-3-97, cert. ef. 1-1-98; BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94, Renumbered from 918-225-0196; BCA 30-1991, f. & cert. ef. 9-9-91; BCA 24-1991(Temp), f. 7-3-91, cert. ef. 7-1-91

918-225-0745

Contractor Registration

(1) All persons in the business of assembling or repairing pressure relief valves shall adopt a quality control system under the "VR" Symbol Stamp of the National Board.

(2) All persons in the business of testing and making only minor adjustments to pressure relief valves shall adopt a quality control system under the "T/O" Symbol Stamp of the National Board.

(3) An owner-user may use its own employees to repair pressure relief valves for its own use, provided it adopts a quality control system under the "VR" Symbol Stamp of the National Board.

(4) An owner-user may use its own employees to test and make minor adjustments only to pressure relief valves for its own use, provided it adopts a quality control system under the "T/O" Symbol Stamp of the National Board.

Statutory/Other Authority: ORS 480.545

Statutes/Other Implemented: ORS 480.545

History: BCD 8-2021, f. 8-24-2021, cert. ef. 10-1-2021; BCD 18-1997, f. 12-3-97, cert. ef. 1-1-98

918-225-0780

Filing of Insurance Notices

Insurance companies shall notify the Division within 30 days of providing insurance, cancellation or suspension of insurance or non-renewal of insurance regarding boilers or pressure vessels. This notice shall be on a Division-approved form and shall use Oregon State Numbers to designate the boilers or pressure vessels involved.

Statutory/Other Authority: ORS 480.545

Statutes/Other Implemented: ORS 480.545

History: BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94, Renumbered from 918-225-0140; DC 92-1977, f. & cert. ef. 7-19-77, Renumbered from 814-025-0066

Table 1-B
BOILER & PRESSURE VESSEL INSPECTION CYCLES

(OAR 918-225-0570 – effective 4/1/15)

1-year inspection cycle	Power boilers, internal and external
2-year inspection cycle	Cast iron boilers, external Low pressure steam boilers, internal and external Hot water heating & supply boilers, external Pressure vessels subject to internal corrosion or erosion, internally (may be waived) and externally Pressure vessels not subject to internal corrosion or erosion but containing a hazardous substance, internally (may be waived) and externally
	Pressure vessels not subject to internal corrosion or erosion but located in a place of public assembly, internally (may be waived) and externally
3-year inspection cycle	Pressure vessels containing anhydrous ammonia for use as fertilizer
4-year inspection cycle	Pressure vessels not subject to internal corrosion or erosion, internally (may be waived) and externally
6-year inspection cycle	Hot water heating & hot water supply boilers, internally (when physical construction of the boiler allows) Fixed pressure vessels, containing only air (not in public assembly; 20 cf and 200 psi or less), internally (may be waived) and externally

Table 2-B
Effective October 1, 2021

<p>Oregon Amendments to the 2021 edition of the National Board Inspection Code (NBIC) ANSI/NB 23 for the 2021 Oregon Boiler and Pressure Vessel Specialty Code.</p> <p>For the purpose of identifying Oregon amendments to the NBIC – “OBPVSC” followed by a code section denotes an Oregon amendment to that section of code. Amendments may either be additions of code language developed by Oregon, or the deletion of NBIC code language. Language contained in the NBIC not listed in this table has not been amended by Oregon.</p>	
PART 1	
OBPVSC 1.4.5	Boiler installation report. <u>Not adopted.</u>
OBPVSC 1.6.1	<p>Supports, foundations, and settings.</p> <p>Each boiler, potable water heater, thermal fluid heater and pressure vessel and the associated piping must be safely supported. Design of supports, foundations, and settings shall consider vibration (including seismic where necessary), movement (including thermal expansion and contraction), grounding/bonding to minimize electrolytic corrosion and loadings (including the weight of the fluid in the system during a pressure test) in accordance with jurisdictional requirement, manufacturer's recommendations, and/or other industry standards, as applicable.</p> <p><u>Note: These provisions apply in addition to provisions of the Oregon Electrical Specialty Code.</u></p>
OBPVSC 1.6.3	<p>Exit. <u>For exiting requirements, see Chapter 10 of the Oregon Structural Specialty Code.</u></p> <p>Two means of exit shall be provided for boiler rooms exceeding 500 sq. ft. (46.5 sq. m) floor area and containing one or more boilers having a combined fuel capacity of 1,000,000 Btu/hr (293 kW) or more (or equivalent electrical heat input). Each elevation shall be provided with at least two means of exit, each to be remotely located from the other. A platform at the top of a single boiler is not considered an elevation.</p>
OBPVSC 1.6.4	Ladders and Runways. <u>See Oregon Administrative Rules, Chapter 437, Division 2.</u>
OBPVSC 1.6.6	<p>Ventilation and Combustion Air.</p> <p><u>Note: These provisions apply in addition to provisions of the Oregon Mechanical Specialty Code.</u></p>
OBPVSC 1.6.9	Carbon Monoxide (CO) Detector/Alarm. <u>Not adopted.</u>
OBPVSC 2.3.3(a)	<p>Clearances.</p> <p>a) Boiler installations shall allow for normal operation, maintenance, and inspections. There shall be at least 36 in. (915 mm) of clearance on each side of the boiler to enable access for maintenance and/or inspection activities. Boilers operated in battery shall not be installed closer than 48 inches from each other, <u>except boilers that operate at up to 2,000,000 btu may be installed according to manufacturer's instructions.</u></p>
OBPVSC 2.10.6	Boiler Installation Report. <u>Not adopted.</u>
OBPVSC 3.3.4(a)	<p>Clearances. Heating boilers shall have a minimum distance of at least 36 in. (914 mm) between the top of the boiler and any overhead structure and at least 36 in. (914 mm) between all sides of the heating boiler and adjacent walls, structures or other equipment; <u>except that heating boilers exceeding 2,000,000 btu and operated in battery shall be installed a minimum of 48 inches from each other, and heating boilers that operate at or below 2,000,000 btu may be installed according to manufacturer's instructions.</u> Heating boilers having manholes shall have at least 84 in. (2135 mm) of clearance between the manhole opening and any wall, ceiling, piping, or other equipment that may prevent a person from entering the heating boiler. Alternative clearances in accordance with the manufacturer's recommendations are subject to acceptance by the Jurisdiction.</p>
OBPVSC 3.10.3	Boiler installation report. <u>Not adopted.</u>
OBPVSC 4.3.2(a)	<p>Clearances.</p> <p>a) All pressure vessel installations must allow sufficient clearance for normal operation, maintenance, and inspection (internal and external).</p> <p><u>When making an installation or adding insulation, the name plate and safety relief valve data plates shall be available for review.</u></p>

OBPVSC 4.3.3	<p>Piping. Piping loads on the vessel nozzles shall be considered. Piping loads include weight of the pipe, weight of the contents of the pipe, expansion of the pipe from temperature and pressure changes (wind and seismic loads). The effects of piping vibration on the vessel nozzles shall also be considered.</p> <p><u>Installation shall be in accordance with the Oregon Boiler and Pressure Vessel Specialty Code.</u></p>
OBPVSC Supplement 3	Installation of Liquid Carbon Dioxide Storage Vessels. <u>Not adopted.</u>
PART 2	
OBPVSC 1.5.2.1	<p>Inspection Planning.</p> <p><u>Note: Minimum inspection frequencies are established in OAR 918-225-0570.</u></p>
OBPVSC 2.3.6.6	Transport Tanks. <u>Not adopted.</u>
OBPVSC 4.2.1	<p>4.2.1 Visual</p> <p>(c) Remote Visual Inspection is an acceptable method of visual examination if the process is agreed upon by the owner and acceptable to the Inspector and Jurisdiction, if required.</p> <p><u>(Items 1-6 are not adopted)</u></p> <p>(7) All equipment used must produce results acceptable to the Inspector.</p>
OBPVSC Supplement 6	Continued Service and Inspection of DOT Transport Tanks. <u>Not adopted.</u>
OBPVSC Supplement 7	Inspection of Pressure Vessels in Liquefied Petroleum Gas Service. <u>Not adopted.</u>
OBPVSC Supplement 12	Inspection of Liquid Carbon Dioxide Storage Vessels. <u>Not adopted.</u>

Table 3-B
BOILER & PRESSURE VESSEL PERMIT FEES

(OAR 918-225-0620 – effective 1/1/10)

Installation Permit Fees:

Boilers.....	\$175.00
Pressure Vessels.....	\$125.00
Beverage Service Tanks.....	\$50.00
Installation permit fee for insurance-inspected site.....	\$40.00

Operating Permit Fees:

Boilers on a 1-year inspection cycle.....	\$110.00
Boilers on a 2-year inspection cycle.....	\$110.00
Pressure vessels on a 2-year or 4-year inspection cycle.....	\$100.00
Pressure vessels on a 6-year inspection cycle.....	\$100.00
Boiler bulk rate permits (each).....	\$75.00
Pressure vessels bulk rate permits (each).....	\$75.00
Operating permit fee for insurance-inspected site.....	\$40.00

Other related fees:

Reinspection fee.....	\$75.00
Boiler or pressure vessel plans or data submission fee.....	\$78.00
Hourly rate for other inspections not listed above.....	\$75.00

Table 4-B
BOILER & PRESSURE VESSEL OPERATING PERMIT PERIODS

(OAR 918-225-0600 – effective 1/1/08)

1-year operating permit	Power boilers
2-year operating permit	Cast iron boilers
	Low pressure steam boilers
	Hot water heating & supply boilers
	Air tanks (greater than 20cf, 200 psi)
	CO2 tanks (greater than 20cf, 300 psi)
	CO2 tanks (20cf, 300 psi or less, located in places of public assembly)
	Unfired pressure vessels (not classified in OAR 918-225-0570(5), (6) and (7))
3-year operating permit	Anhydrous ammonia pressure vessels for farm use
5-year operating permit	Fixed air tanks (20 cf, 200 psi or less)
	CO2 tanks (20cf, 300 psi or less, not located in places of public assembly)

Chapter 480

2017 EDITION

Explosives; Flammable Materials; Pressure Vessels

EXPLOSIVES GENERALLY			
480.010	Labels for blasting powder and fuse	480.215	Transfer of explosives limited
480.020	Prohibition against sale of bad powder	480.225	Eligibility for certificate of possession
480.030	Fuse <u>unfit</u> for use and sale; prohibition of use	480.230	Application for certificate of possession; fee
480.040	Sale, exchange or possession, when unlawful	480.235	Waiting period for issuance of certificate of possession; investigation of applicant; authority of investigating body to require fingerprints; term of certificate; assignment or transfer prohibited; records required
480.050	Prohibition against intrastate transportation of explosives in passenger vehicle operated by common carrier; exception	480.239	Application for renewal of certificate of possession; testing criteria
480.060	Transportation of certain explosives prohibited	480.244	Storage facility approval; inspection; relocation; rules; fees
480.070	Fire bombs prohibited; exceptions	480.265	Report of loss, theft or unlawful removal of explosives required
480.085	Requirement for removal of unused explosives from work area	480.270	Revocation or suspension for violations; surrender of certificate of possession
480.095	Penalty and civil liability for violation of ORS 480.085	480.275	Hearings on denial, suspension or revocation of certificate
FIREWORKS			
480.111	Definitions for ORS 480.111 to 480.165	480.280	Administration and enforcement by State Fire Marshal; rules; appointment of assistants
480.120	Sale, possession and use of fireworks prohibited; exceptions; enforcement	480.290	Requirements for person driving vehicle transporting explosives
480.123	Use for repelling birds or other animals; permit; rules	REGULATION OF GASOLINE DISPENSING	
480.124	Use for control of predatory animals allowed	480.310	Definitions for ORS 480.315 to 480.385
480.127	Permit for retail sale of consumer fireworks; fee; rules	480.315	Policy
480.130	Permit for fireworks display; permit for wholesale sale of consumer fireworks; fee; rules	480.320	Use of coin-operated pumps and dispensing of gasoline by self-service declared hazardous
480.140	Fireworks displays to be under supervision of police and fire department chiefs or county court	480.330	Operation of gasoline dispensing device by public prohibited; aviation fuel exception
480.150	Permits for fireworks sales or displays; rules; security	480.340	Coin-operated or self-service gasoline pumps prohibited; automatic shut-off devices regulated; aviation fuel exception
480.152	Publication of advertisement for sale of unlawful fireworks prohibited	480.341	Customer operation of gasoline dispensing device in low-population county of eastern Oregon
480.154	Manufacturer or wholesaler required to maintain records of sale of fireworks; shipments to show permit number; confiscation	480.343	Customer operation of gasoline dispensing device in specified coastal counties
480.156	Sale of fireworks to out-of-state resident without valid license or permit prohibited; seller to ascertain license or permit requirements of other states; seller's records	480.345	Conditions for operation of dispensing device by certain nonretail customers
480.158	Parents of minor liable for costs incurred in suppressing fires caused by use of fireworks by minor; exception	480.347	Use of gasoline dispensing device by emergency service volunteer; conditions (Temporary provisions relating to the installation of generator connectors at cardlock facilities are compiled as notes following ORS 480.347)
480.160	Local regulation and effect of state law; local enforcement authority	480.349	Use of gasoline dispensing device by motorcycle operator
480.165	Civil penalty for fireworks law violations	480.350	License required for operation of nonretail facility; application; fee; term; renewal; disposition of fees
MANUFACTURE, SALE, POSSESSION AND TRANSFER OF EXPLOSIVES			
480.200	Definitions for ORS 480.200 to 480.290	480.355	Conditional use license; qualifications; application; review of denial
480.205	Application	480.360	Exemption from gallonage requirements of ORS 480.345
480.210	Certificate, license or permit required; display upon demand; defenses		

PROTECTION FROM FIRE

480.365	Suspension, revocation, refusal to issue or renew nonretail facility license; procedure	480.540	Term of members; removal; compensation and expenses
480.370	Subpoenas for investigation; effect of failure to comply	480.545	Rules; minimum safety standards; fees
480.375	Safety inspection of facilities by State Fire Marshal; audit; investigation of law violations	480.550	Minimum safety standards; effect on existing vessels; application of subsequent amendments
480.380	Rules	480.555	Prohibitions relating to nonconforming vessels; exemptions
480.385	Civil penalty for gasoline dispensing law violations	480.560	Inspection; testing; rules
480.390	Nonretail facilities at airports; rules	480.565	Chief and deputy inspectors; special inspectors
LIQUEFIED PETROLEUM GAS			
480.410	Definition	480.570	Inspections by special inspectors or others; effect on permit fees; exempt boilers and vessels
480.420	Liquefied petroleum gas rules and regulations; conformity with standards of National Fire Protection Association	480.580	Access to buildings and premises by inspectors
480.430	Liquefied petroleum gas containers; certain uses prohibited	480.585	Temporary operation authorization; operating permit; suspension or revocation
480.432	Licenses required; exceptions	480.595	Permits; rules; fees
480.434	Examination of applicants for licenses; examination fee; issuance of license	480.600	Special provisions on permit and inspection fees; notice from insurer
480.435	Licenses; revocation; suspension; refusal to issue or renew	480.605	Miscellaneous fees
480.436	License fees; term of licenses; delinquency penalty	480.610	Disposition of fees
480.440	Inspection of certain storage tanks; fee	480.615	Appeals
480.445	Regulation of liquefied petroleum gas container or receptacle siting and installation	480.630	Licensing of boiler contractors and persons installing, altering or repairing boilers or pressure vessels; installation permits; fees; continuing education
480.450	Notice of new installations; fees; inspections after original inspection; notice of changes; correction of improper installations required	480.632	Employment of unlicensed worker prohibited
480.460	Disposition of fees	480.634	Exemption of journeyman plumber for certain activities
BOILERS AND PRESSURE VESSELS			
480.510	Short title	480.640	When court action not available
480.515	Definitions for ORS 480.510 to 480.670	480.645	Standardized examination; administration
480.520	Purpose of ORS 480.510 to 480.670	480.647	Quality control procedures for welding on nonboiler external piping; rules
480.525	Exempt vessels; rules; fee	480.660	Notice of violation; correction; when use prohibited; appeal
480.530	Powers and duties of department	480.670	Civil penalty for Boiler and Pressure Vessel Law violations; disposition of penalty moneys
480.535	Board of Boiler Rules; members; duties; qualifications; confirmation; rules	480.990	PENALTIES
			Penalties

EXPLOSIVES GENERALLY

480.010 Labels for blasting powder and fuse. All blasting powder and fuse shipped into this state for use, or manufactured in this state for use in this state, shall have stamped or printed upon the outside of the original package, box, case or wrapper the date of manufacture of the contents.

480.020 Prohibition against sale of bad powder. Whenever any blasting powder shows a state of disintegration or decomposition sufficient so that it remains in a soft condition in a temperature of 32 degrees Fahrenheit, or is in a state of crystallization, which is revealed by some portions being in a hard condition and surrounded by other portions in a soft condition, it shall be deemed bad and dangerous powder, and its sale and use is prohibited.

480.030 Fuse unfit for use and sale; prohibition of use. Whenever any fuse shows by its appearance to have been overheated, or if it is in a hard and brittle condition, which is seen by breaks and cracks in the wrapper around the outside of the fuse, the same shall be declared unfit for use and sale, and its use is forbidden.

480.040 Sale, exchange or possession, when unlawful. No person shall sell or exchange, or offer or expose for sale or exchange, or have in possession for use by employees of the person:

(1) Any blasting powder or fuse which has not been stamped or printed upon as required in ORS 480.010.

(2) Any blasting powder of which the sale and use is prohibited by ORS 480.020.

(3) Any fuse declared to be unfit for use as prohibited by ORS 480.030.

480.050 Prohibition against intrastate transportation of explosives in passenger vehicle operated by common carrier; exception. No person shall transport, carry or convey, or have transported, carried or conveyed, any dynamite, gunpowder or other like explosives, between any places in Oregon, on any car or other vehicle of any description operated by a common carrier which car or vehicle is carrying passengers for hire. However, it shall be lawful to transport on any such car or vehicle small arms, ammunition in any quantity, such fuses, torpedoes, rockets or other signal devices as may be essential to promote safety in operation, and properly packed and marked samples of explosives for laboratory examination, not exceeding a net weight of one-half pound each and not exceeding 20 samples at one time in a single car or vehicle. Such samples shall not be carried in that part of a car or vehicle which is intended for

the transportation of passengers for hire. Nothing in this section shall be construed to prevent the transportation of military or naval forces, with their accompanying munitions of war, on passenger equipment, cars or vehicles.

480.060 Transportation of certain explosives prohibited. No person shall transport, carry or convey, or have transported, carried or conveyed, liquid nitroglycerine, fulminate in bulk in dry condition, or other like explosives, between any places in Oregon, on any car or other vehicle of any description operated by a common carrier in the transportation of passengers.

480.070 Fire bombs prohibited; exceptions. (1) No person shall possess a fire bomb. For the purpose of this section a "fire bomb" is a breakable container containing a flammable liquid with a flash point of 150 degrees Fahrenheit or less, having an integral wick or similar device capable of being ignited, but no device commercially manufactured primarily for the purpose of illuminating shall be deemed to be a fire bomb for the purpose of this section.

(2) This section shall not prohibit the authorized use or possession of such fire bomb by a member of the Armed Forces of the United States or by any member of a regularly organized public fire or police department. [1967 c.417 §21]

480.080 [1961 c.722 §1; repealed by 1963 c.384 §4]

480.085 Requirement for removal of unused explosives from work area. (1) In addition to any other legal requirements, all users of explosives shall be responsible for the removal of all unused explosives from any area of use after the work for which the explosive was required is completed or when the user is absent for more than 30 days from the area of use, unless the explosives are stored in a manner meeting the safety requirements promulgated by the State Fire Marshal pursuant to ORS 476.030.

(2) As used in this section:

(a) "Explosives" means dynamite, blasting powder, black powder, nitroglycerin, detonators, nitro-jelly, prima-cord and detonating fuse.

(b) "User" means any person using explosives for any purpose whatsoever, and regardless of whether such person is being compensated for such use. [1963 c.384 §1]

480.090 [1961 c.722 §2; repealed by 1963 c.384 §4]

480.095 Penalty and civil liability for violation of ORS 480.085. Persons violating ORS 480.085 are subject to the penalty provided in ORS 480.990 (4) and are liable in civil action for damages to any person suffering injury from handling or otherwise

coming in contact with unused explosives that are left in an area of use in violation of ORS 480.085, regardless of any negligence or lack of negligence on the part of the defendant. [1963 c.384 §2; 2007 c.71 §158]

480.110 [Amended by 1967 c.417 §23; 1981 c.635 §1; 1983 c.788 §5; repealed by 2013 c.24 §13]

FIREWORKS

480.111 Definitions for ORS 480.111 to 480.165. As used in ORS 480.111 to 480.165:

(1) "Cone fountain" means a cardboard or heavy paper cone that:

(a) Contains 50 grams or less of pyrotechnic composition;

(b) If mounted on a common base with other cones having less than one-half inch of separation, results, when measured in combination with all other cones on the base, in a total pyrotechnic composition of not more than 200 grams;

(c) If mounted on a common base with other cones having at least one-half inch of separation, results, when measured in combination with all other cones on the base, in a total pyrotechnic composition of not more than 500 grams; and

(d) Upon ignition has the same effect as a cylindrical fountain.

(2) "Consumer fireworks" means:

(a) A cone fountain, a cylindrical fountain, a flutter sparkler, a ground spinner, an illuminating torch or a wheel, or a combination of two or more of those items; and

(b) Any other items, other than exempt fireworks, containing 500 grams or less of pyrotechnic composition that the State Fire Marshal recognizes by rule to be suitable for retail sale to members of the general public for individual use.

(3) "Cylindrical fountain" means a cylindrical tube that:

(a) Contains 75 grams or less of pyrotechnic composition;

(b) If mounted on a common base with other tubes having less than one-half inch of separation, results, when measured in combination with all other tubes on the base, in a total pyrotechnic composition of not more than 200 grams;

(c) If mounted on a common base with other tubes having at least one-half inch of separation, results, when measured in combination with all other tubes on the base, in a total pyrotechnic composition of not more than 500 grams;

(d) Upon ignition produces a shower of colored sparks and may produce a whistling effect; and

(e) Is provided with a means for restraining the behavior of the item, such as a spike for insertion into the ground, a wood or plastic base for placing on the ground or, if designed to be handheld, a wood or cardboard handle.

(4) "Display fireworks" means pyrotechnic devices that:

(a) Are designed for travel into the air or to project effects from a fixed position; and

(b)(A) Are classified by the United States Department of Transportation as Division 1.3 compatibility group G explosives or Division 1.4 compatibility group G explosives; or

(B) Contain more than 500 grams of pyrotechnic composition and are classified by the United States Department of Transportation as Division 1.4 compatibility group E or S explosives.

(5) "Exempt fireworks" means the following:

(a) Paper caps containing 0.25 grains or less of explosive mixture and toy guns, canes or other devices designed for firing those caps.

(b) Snakes or similar smoke-producing items containing 100 grains or less of combustible substances.

(c) Model rockets and model rocket motors that are used to propel recoverable models of rocket.

(d) Novelties and trick noisemakers.

(e) Emergency signaling devices, if used in railroad, boat, motor vehicle or other means of transportation for warning or illumination purposes.

(f) Blank cartridges of a type used:

(A) For theater or other shows;

(B) For signaling or ceremonial purposes in athletics or sports; or

(C) By the militia, an organization of war veterans or other organizations, if parading an armed color guard.

(g) Cartridges, shells or gunpowder for use in legally permitted types of firearms.

(h) Military pyrotechnic and signaling devices classified by the United States Department of Transportation as Division 1.4 compatibility group S explosives that are assigned to and in the possession of the Armed Forces of the United States, or an authorized agent of the armed forces, as inventory for use by the armed forces or agent in training active members of the armed forces in their duties.

(i) Other items that in the judgment of the State Fire Marshal do not require regulation or restrictions on sale.

(6) "Explosive mixture" means a substance arranged in a manner to allow burning in less than one second.

(7)(a) "Fireworks" means:

- (A) Consumer fireworks;
- (B) Display fireworks;
- (C) Exempt fireworks;
- (D) Pyrotechnic articles;
- (E) Special effects; and
- (F) Other pyrotechnic devices that:

(i) Are capable of producing audible, visual, mechanical or thermal effects through combustion, deflagration or detonation; and

(ii) Contain chemical elements and compounds that are capable of burning independently of atmospheric oxygen or contain flammable liquid mixtures or flammable gas mixtures.

(b) "Fireworks" does not mean a candle, flaming club, flaming baton or other device that is designed to keep the flame and thermal radiation in close proximity to the device.

(8) "Fireworks display" means an entertainment feature at which the public or a private group is allowed to view a display or discharge that uses or explodes display fireworks or pyrotechnic articles.

(9) "Flitter sparkler" means a narrow paper tube that:

- (a) Contains five grams or less of pyrotechnic composition;
- (b) Produces colored sparks upon ignition; and
- (c) Is activated by igniting paper located at one end of the tube.

(10) "Ground spinner" means a small device similar to a wheel in design and effect that:

- (a) Contains 20 grams or less of pyrotechnic composition;
- (b) Vents from an orifice located on the side of the tube or elsewhere on the device; and
- (c) When placed on the ground and ignited, spins rapidly and produces a shower of colored sparks.

(11) "Illuminating torch" means a cylindrical tube that:

- (a) Contains 100 grams or less of pyrotechnic composition; and
- (b) Is provided with a means for restraining the behavior of the item, such as a spike for insertion into the ground, a wood or plastic base for placing on the ground or, if designed to be handheld, a wood or cardboard handle.

(12) "Local government" has the meaning given that term in ORS 174.116.

(13)(a) "Manufacture" means to make, construct, fabricate or produce fireworks.

(b) "Manufacture" does not mean:

(A) The assembly or fabrication of sets or mechanical pieces for fireworks displays; or

(B) Actions taken within the scope of a certification for conducting fireworks displays or for a pyrotechnics operator.

(14) "Pyrotechnic articles" means devices that:

- (a) Are designed for professional use;
- (b) Are similar to consumer fireworks in chemical composition and construction;
- (c) Contain 500 grams or less of pyrotechnic composition;
- (d) Are not labeled as consumer fireworks; and
- (e) Have identification numbers UN0431 or UN0432 in the United States Department of Transportation Hazardous Materials Table set forth in 49 C.F.R. 172.101 or an amendment or replacement of that identification standard recognized by the State Fire Marshal.

(15) "Pyrotechnic composition" means a mixture that is:

(a) Composed of a metal powder having a high combustion temperature and an oxidant; and

(b) Capable of an exothermic reaction that produces light, heat, smoke, sound or gas.

(16) "Pyrotechnic device" means consumer fireworks, display fireworks, pyrotechnic articles, special effects and bird and animal control devices, and other combinations or compositions of materials, that produce audible, visual, mechanical or thermal effects.

(17) "Special effects" means articles containing pyrotechnic composition that, subject to authorization from the appropriate jurisdiction, are:

(a) Manufactured, assembled, designed or discharged in connection with television, theater or motion picture productions, concerts or conference centers; or

(b) Used for commercial, industrial, educational, recreational or entertainment purposes.

(18) "Wheel" means a pyrotechnic device that:

(a) Is designed to be attached to a post or tree by means of a nail or string;

- (b) Has one or more driver units or tubes, each containing not more than 60 grams of pyrotechnic composition;
- (c) Contains a total of not more than 200 grams of pyrotechnic composition; and
- (d) Upon ignition revolves and produces a shower of colored sparks and may produce a whistling effect. [2013 c.24 §2]

480.120 Sale, possession and use of fireworks prohibited; exceptions; enforcement. (1) No person shall sell, keep or offer for sale, expose for sale, possess, use, explode or have exploded any fireworks within Oregon, except as follows:

- (a) Sales by manufacturers and wholesalers to customers residing outside this state in accordance with ORS 480.156;
- (b) Sales to persons or organizations having obtained a permit from the State Fire Marshal for supervised public display;
- (c) Sales to railroads, boats, motor vehicle or other transportation agencies, to be used for signal, warning or illumination purposes in connection with such business;
- (d) Sale or use of blank cartridges for licensed shows or theaters or for signal or ceremonial purposes in athletics or sports;
- (e) Experimental purposes by a manufacturer of explosives at such places where such experiments are normally conducted;
- (f) Sale of blank cartridges for use by the militia or any organization of war veterans or other organization authorized by law to parade in public a color guard armed with firearms;
- (g) Sale of shells, cartridges, gunpowder or explosives for use in legally permitted firearms;
- (h) Sales of items described in ORS 480.127 to persons who possess the retail sales permit required by ORS 480.127 by a person who holds a manufacturer or wholesaler license issued pursuant to ORS 480.111 to 480.165; or

(i) Sales of items described in ORS 480.127 to individual members of the general public for personal use by taking direct delivery of those items at the time of sale from the holder of a retail sale permit issued pursuant to ORS 480.127.

(2) Law enforcement officers of the state, county or municipality shall enforce the provisions of ORS 480.111 to 480.165. [Amended by 1983 c.788 §1; 1985 c.789 §1]

480.122 [1961 c.293 §2; 1987 c.158 §106; repealed by 2015 c.57 §3]

480.123 Use for repelling birds or other animals; permit; rules. (1) As used in this section, "responsible charge" means ownership, a leasehold, management or authority

to act as the representative of an owner, lessee or manager.

(2) The State Fire Marshal may adopt rules for the use of fireworks to repel birds or other animals.

(3) A person having responsible charge of a property may apply to the State Fire Marshal for a permit to use and explode fireworks to repel birds or other animals from the property. If the State Fire Marshal finds that the proposed use conforms with state and federal law and State Fire Marshal rules, the State Fire Marshal shall issue the permit.

(4) Notwithstanding ORS 480.120, a person having responsible charge of a property and holding a permit issued under subsection (3) of this section may purchase, possess, use and explode fireworks for the purpose of repelling birds or other animals from the property. Properties for which permits to use and explode fireworks are issued under this section must be:

- (a) Farms;
- (b) Forests;
- (c) Waste and recycling facilities;
- (d) Airports;
- (e) Golf courses;
- (f) Properties used for the production of commercially valuable fish or seafood;
- (g) Estuaries;
- (h) Properties located outside of an incorporated city; or
- (i) Other types of properties identified by the State Fire Marshal by rule.

(5) Fireworks for use as described in this section must be purchased from a person possessing a wholesaler license issued under ORS 480.111 to 480.165.

(6) The permit holder shall store fireworks obtained under this section in accordance with any fire codes that the State Fire Marshal adopts by rule to ensure safe storage of those fireworks. When adopting storage rules, the State Fire Marshal shall consider any relevant standards for hazardous materials storage established by a national association for fire protection. A local government has concurrent authority with the State Fire Marshal to enforce State Fire Marshal storage requirements within the jurisdiction of the local government.

(7) The State Fire Marshal may revoke a permit issued under this section if the State Fire Marshal determines that the permit holder has violated state or federal law regarding fireworks, rules adopted by the State Fire Marshal or the terms and conditions of the permit.

(8) This section does not require a federal or state agency to obtain a permit under this section for activities carried out by the agency under ORS 480.124. [2015 c.57 §2]

480.124 Use for control of predatory animals allowed. Notwithstanding the provisions of ORS 480.111 to 480.165, fireworks may be purchased, maintained, used and exploded by federal or state agencies authorized and required by ORS 610.002 to 610.020 to eradicate and control predatory animals. Such purchase and use shall be in compliance with rules and regulations promulgated by the State Fire Marshal, with the approval of the state agencies authorized and required by ORS 610.002 to 610.020 to eradicate and control predatory animals. [1961 c.293 §3]

480.127 Permit for retail sale of consumer fireworks; fee; rules. (1) Any person who desires to sell consumer fireworks at retail to individual members of the general public for personal use shall apply in writing to the State Fire Marshal for a permit at least 15 days in advance of the proposed sale. The State Fire Marshal shall issue the permit only if the State Fire Marshal finds that the applicant is qualified to conduct the proposed sale and that the proposed sale will conform to the provisions of ORS 480.111 to 480.165 and any rules adopted under ORS 480.111 to 480.165. A fee may be charged for the permit. Subject to prior approval by the Oregon Department of Administrative Services and a report to the Emergency Board prior to adopting the fee, the amount of the fee shall be set by rule and shall be adjusted subsequently by the State Fire Marshal to finance the administrative expenses incurred under this section and shall be within the budget authorized by the Legislative Assembly as that budget may be modified by the Emergency Board.

(2) A retail sales permit issued under this section authorizes the sale of consumer fireworks only in the year for which the permit is issued during the period that begins on June 23 and ends on July 6 of the year for which the permit is issued.

(3) A retail sales permit holder shall store consumer fireworks in accordance with any fire codes that the State Fire Marshal adopts by rule to ensure safe storage of those fireworks. The matters that the State Fire Marshal considers when adopting storage rules for fireworks may include, but are not limited to, any United States Department of Transportation requirements relating to hazardous materials storage. [1983 c.788 §3; 1991 c.703 §14; 2013 c.24 §3]

480.130 Permit for fireworks display; permit for wholesale sale of consumer fireworks; fee; rules. (1) All persons, municipalities, associations or organizations or

groups of individuals desiring to sell, discharge, fire off, explode or display fireworks for a public display, or to sell consumer fireworks to persons who possess the permit referred to in ORS 480.127, shall apply in writing to the State Fire Marshal for a permit at least 15 days in advance of the proposed sale or date of the display. The State Fire Marshal, upon receipt of such application, shall determine if the proposed sale or display will conform to law and any rules promulgated thereunder. If the State Fire Marshal finds that the applicant is qualified to conduct such sale or display and that the proposed sale or display is in accordance with the law and all rules, the State Fire Marshal shall issue a permit; otherwise the State Fire Marshal shall refuse to issue it.

(2) The fee for a permit for the public display of fireworks and each permit for the sale of any fireworks shall be established by rule by the State Fire Marshal, subject to prior approval by the Oregon Department of Administrative Services and a report to the Emergency Board prior to adopting the fee, and subsequently shall be adjusted to finance the administrative expenses incurred under this section and shall be within the budget authorized by the Legislative Assembly as that budget may be modified by the Emergency Board. All fees collected shall be deposited to the credit of the State Fire Marshal Fund.

(3) Sales permits for fireworks are not valid for more than one year from date of issue. A public display permit is not valid for more than 10 days from date of issuance and may authorize only one fireworks display during that period. [Amended by 1967 c.417 §24; 1983 c.788 §6; 1985 c.789 §2; 1991 c.703 §15; 2013 c.24 §4]

480.140 Fireworks displays to be under supervision of police and fire department chiefs or county court. (1) Every such display held within the boundaries of any municipality shall be under the supervision of the chiefs of police and fire departments of the municipalities in which the display is to be held and shall be of such character, and so located, discharged or fired as, in the opinion of the chief of the fire department, after proper inspection, shall not be hazardous to property or endanger any person.

(2) Every such display held outside the boundaries of any municipality or fire protection district shall be under the supervision of the county court of the county in which the display is to be held and shall be of such character, and so located, discharged or fired as, in the opinion of the county court or of a county official duly authorized by the county court, after proper inspection, shall not be hazardous to property or endanger any person.

480.150 Permits for fireworks sales or displays; rules; security. (1) The State Fire Marshal may adopt reasonable rules for granting permits for supervised public displays or sales of fireworks by municipalities, fair associations, amusement parks, and other persons, organizations or groups of individuals. The governing body of any municipality, or of any county, may require liability insurance, or an irrevocable letter of credit issued by an insured institution as defined in ORS 706.008 or other form of indemnity deemed adequate by the municipality, or the county, from any person, in a sum not less than \$500, conditioned for payment of all damages which may be caused either to a person or property by reason of the authorized display or sale and arising from any acts of any person or agents, employees or subcontractors of the person. At the time a permit is revoked, the State Fire Marshal or approving authority may include in the revocation order a provision prohibiting the holder of the revoked permit from applying for or obtaining another such permit, for a period not to exceed three years from the revocation date, if the State Fire Marshal or approving authority finds that the circumstances of the permit holder's failure to comply with applicable sale or display statutes and regulations presented a significant fire hazard or other public safety danger.

(2) The State Fire Marshal or the approving authority of any governmental subdivision may revoke permits for display or sale of fireworks when in the opinion of the State Fire Marshal or the approving authority the sale or display of fireworks is not in compliance with applicable statutes and regulations governing such sale or displays.

(3) Permit fees required by ORS 480.130 shall not be refunded in the event such permits are revoked. [Amended by 1967 c.417 §25; 1983 c.788 §4; 1985 c.789 §3; 1991 c.331 §72; 1997 c.631 §483; 2013 c.24 §5]

480.152 Publication of advertisement for sale of unlawful fireworks prohibited.

(1) No person shall publish or cause to be published:

(a) Any advertisement for the sale of fireworks the use or possession of which is declared unlawful by ORS 480.111 to 480.165.

(b) Any advertisement for the sale of fireworks in any county, municipality or fire protection district that by law or ordinance has declared the sale or use of the fireworks is prohibited.

(2) Subsection (1) of this section does not apply to any advertising medium that accepts such advertising in good faith, without knowledge of the violation of law. [1985 c.789 §7; 2013 c.24 §6]

480.154 Manufacturer or wholesaler required to maintain records of sale of fireworks; shipments to show permit number; confiscation. (1) Each manufacturer or wholesaler of fireworks shall keep a record of all sales showing the name and address of the purchaser, the state of destination, license and permit numbers, the state and date of permit issuance and a list of the type and quantity of fireworks sold.

(2) All shipments of fireworks coming into this state must show the appropriate permit number of the addressee on the outside of the package. If the permit number is not so shown, such shipment may be confiscated by a law enforcement officer or fire protection enforcement authority having jurisdiction. [1985 c.789 §8; 2013 c.24 §7]

480.156 Sale of fireworks to out-of-state resident without valid license or permit prohibited; seller to ascertain license or permit requirements of other states; seller's records. (1) It is unlawful for any person to sell fireworks at wholesale to any out-of-state resident who does not possess and present to the seller for inspection at the time of sale a valid license or permit issued in the name of such out-of-state resident, if such license or permit is required to purchase, possess, transport, store, distribute, sell or otherwise deal with or use fireworks by the laws of such other state.

(2) The burden of ascertaining whether the laws of such other state require a license or permit and whether the purchaser possesses such a valid license or permit shall be entirely on the seller. Each seller shall record, in a manner prescribed by the State Fire Marshal, each sale described in this section. The record shall include the identification of type and quantity of fireworks sold, name of purchaser, state of destination, state issuing license or permit and number or other identifying description and date of issue of license or permit. [1985 c.789 §9; 2013 c.24 §8]

480.158 Parents of minor liable for costs incurred in suppressing fires caused by use of fireworks by minor; exception.

(1) In addition to any other remedy provided by law, the parent or parents of an unemancipated minor child shall be liable for costs incurred by a public fire agency in suppressing fires caused by use of fireworks by such minor child. However, a parent who is not entitled to legal custody of the minor child at the time of the fire shall not be liable for such damages.

(2) The legal obligation of the parent or parents of an unemancipated minor child to pay damages under this section shall be lim-

ited to not more than \$5,000 payable to the same claimant, for one or more acts.

(3) When an action is brought under this section on parental responsibility for acts of their children, the parents shall be named as defendants therein and, in addition, the minor child shall be named as a defendant. The filing of an answer by the parents shall remove any requirement that a guardian ad litem be required.

(4) Nothing in subsections (1) to (3) of this section applies to foster parents. [1985 c.789 §6]

480.160 Local regulation and effect of state law; local enforcement authority.

(1) Nothing in ORS 480.111 to 480.165, nor in any permit issued thereunder, shall authorize the manufacture, sale, use or discharge of fireworks in any city, county or fire protection district in which such manufacture, sale, use or discharge is otherwise prohibited by law or municipal ordinance; nor shall any city, county or fire protection district authorize the sale or use of any fireworks prohibited by the provisions of ORS 480.111 to 480.165.

(2) For the purposes of enforcing ORS 480.111 to 480.165 in an area exempt under ORS 476.030 (3) within a rural fire protection district, the fire marshal, if there is one, or the fire chief of that rural fire protection district has the same enforcement authority as the State Fire Marshal.

(3) No person shall deliver or cause to be delivered into any county, municipality or rural fire protection district for the purpose of sale to individual members of the general public for personal use any consumer fireworks if the county, municipality or rural fire protection district by law or ordinance has declared that the sale or use of the consumer fireworks is prohibited.

(4) The manufacture, sale, use or discharge of fireworks may be regulated by the governing body of a rural fire protection district, subject to the following conditions:

(a) The regulation must be by ordinance adopted by the governing body of the district, after public notice and hearing, not later than January 1 of any calendar year in which regulation is to be operative.

(b) The regulation shall not be operative within the boundaries of any city that regulates such matters by city ordinance.

(c) The regulation shall not prohibit the manufacture, sale, use or discharge of fireworks the manufacture, sale, use or discharge of which is authorized by ORS 480.111 to 480.165.

(d) The regulation may not limit sales to less than five days per calendar year, and

must include the five consecutive day period beginning June 30. [Amended by 1983 c.788 §7; 1985 c.789 §4; 1993 c.185 §32; 2013 c.24 §9]

480.165 Civil penalty for fireworks law violations.

(1) In addition to any other penalty provided by law, any person who violates any provision of ORS 480.111 to 480.165, or any rule adopted by the State Fire Marshal pursuant thereto, is subject to a civil penalty imposed by the State Fire Marshal in an amount not to exceed \$500 per violation. However, an individual member of the general public who possesses fireworks of a retail value less than \$50 is not subject to a civil penalty. Each day a violation continues shall be considered a separate offense.

(2) All moneys recovered pursuant to this section shall be paid into the State Fire Marshal Fund.

(3) Civil penalties under this section shall be imposed as provided in ORS 183.745. [1991 c.856 §§2,3]

480.170 [Repealed by 1987 c.158 §107]

MANUFACTURE, SALE, POSSESSION AND TRANSFER OF EXPLOSIVES

480.200 Definitions for ORS 480.200 to 480.290. As used in ORS 480.200 to 480.290 unless the context requires otherwise:

(1) "Certificate of possession" means a certificate issued under ORS 480.235 by the State Fire Marshal to applicants who have met the requirements of ORS 480.200 to 480.290.

(2) "Certificate of registration" means a certificate of registration issued under ORS 480.244 by the State Fire Marshal for an explosives magazine.

(3) "Explosive" means a chemical compound, mixture or device, the primary or common purpose of which is to function by explosion. The term includes, but is not limited to, dynamite, pellet powder, initiating explosives, detonators, safety fuses, squibs, detonating cord, igniter cord and igniters, but excludes fireworks, as defined in ORS 480.111, black powder, smokeless powder, small arms ammunition, small arms ammunition primers and fertilizer, as defined in ORS 633.311.

(4) "Issuing authority" means the State Fire Marshal or an assistant appointed by the State Fire Marshal under ORS 480.280 (2).

(5) "Magazine" means an approved facility for the storage of explosives.

(6) "Small arms ammunition" means a shotgun, rifle, pistol or revolver cartridge.

(7) "Small arms ammunition primers" means small percussion-sensitive explosive charges encased in a cup and used to ignite

propellant powder. [1971 c.518 §1; 1983 c.100 §3; 1999 c.980 §1; 2001 c.914 §26; 2013 c.24 §10]

480.205 Application. ORS 480.200 to 480.290 and 480.990 (6) do not apply to:

(1) The possession of an explosive by a member of the Armed Forces of the United States while on active duty and engaged in the performance of official duties or by a member of a regularly organized public law enforcement agency, public fire department or fire protection agency while engaged in the performance of official duties.

(2) The possession of an explosive in the course of transportation by way of railroad, water, highway or air while under the jurisdiction of, or in conformity with, regulations adopted by the United States Department of Transportation. [1971 c.518 §2; 1987 c.158 §108; 1999 c.980 §2]

480.210 Certificate, license or permit required; display upon demand; defenses.

(1) A person may not possess an explosive unless:

(a) The person has in immediate possession at all times during the possession of the explosive a valid certificate of possession issued to the person under ORS 480.235;

(b) The person possesses a license or permit issued by the Bureau of Alcohol, Tobacco, Firearms and Explosives of a type that authorizes the possession; or

(c) The person is listed as a responsible person or employee possessor under a license or permit described in paragraph (b) of this subsection.

(2) A person in possession of an explosive shall display a certificate of possession or federal license or permit upon the demand of the State Fire Marshal, an assistant to the State Fire Marshal, a magistrate or a law enforcement agency, public fire department or fire protection agency of this state.

(3) It is a defense to a charge under subsection (1) of this section that the person so charged produce in court:

(a) A certificate described in subsection (1)(a) of this section that was valid at the time of the arrest of the person;

(b) Proof that the person has a license or permit issued by the Bureau of Alcohol, Tobacco, Firearms and Explosives of a type authorizing the person to possess the explosives; or

(c) Proof that the person is listed as a responsible person or employee possessor under a license or permit described in paragraph (b) of this subsection. [1971 c.518 §3; 1999 c.980 §3; 2007 c.71 §159; 2009 c.164 §1]

480.215 Transfer of explosives limited. Possession of an explosive may not be transferred unless:

(1) The transferee holds a certificate of possession under ORS 480.235 and the certificate is valid at the time of the transfer;

(2) The transferee holds a license or permit issued by the Bureau of Alcohol, Tobacco, Firearms and Explosives of a type that authorizes possession of the explosive by the transferee; or

(3) The transferee is a consignee of explosives that have been transported under the jurisdiction of or in conformity with regulations adopted by the United States Department of Transportation. [1971 c.518 §4; 1981 c.635 §2; 1999 c.980 §4; 2001 c.104 §219; 2007 c.71 §160; 2009 c.164 §2]

480.220 [1971 c.518 §5; repealed by 1989 c.982 §7]

480.225 Eligibility for certificate of possession. (1) A person is eligible for a certificate of possession under ORS 480.235 if:

(a) The person has not been convicted, or found guilty except for insanity under ORS 161.295, of a misdemeanor involving violence, as defined in ORS 166.470, within the previous four years. A person who has been so convicted is eligible under this subsection following the expiration of seven years after the date of final and unconditional discharge from all imprisonment, probation and parole resulting from the conviction.

(b) The person has not been convicted, or found guilty except for insanity under ORS 161.295, of, and is not under indictment for, any felony.

(c) The person is not a fugitive from justice, has no outstanding warrants for arrest and is not free on any form of pretrial release for any offenses listed in paragraphs (a) and (b) of this subsection.

(d) The person has not been determined to be a person with mental illness under ORS 426.130 or to have an intellectual disability under ORS 427.290. A person who previously has been so determined is eligible under this subsection if, at the time of application for such a certificate, the person produces a certified copy of a full discharge from the proper state hospital. The Oregon Health Authority shall provide the State Fire Marshal with direct electronic access to the authority's database of information identifying persons meeting the criteria of this section who were committed or subject to an order under ORS 426.130. The State Fire Marshal and the authority shall enter into an agreement describing the access to information under this subsection.

(e) The person is at least 21 years of age.

(f) The person does not use a fictitious name or make a material misrepresentation in application for such a certificate.

(g)(A) The person has not been convicted of, and is not under indictment for, a criminal offense involving a controlled substance as defined in ORS 475.005, other than the offense of driving under the influence of intoxicants.

(B) Notwithstanding subparagraph (A) of this paragraph, a person who has had a certificate denied or revoked due to conviction of a criminal offense involving a controlled substance is eligible under this section following the expiration of seven years after the date of final and unconditional discharge from all imprisonment, probation and parole resulting from the conviction.

(h) The person has been discharged from the jurisdiction of the juvenile court for more than four years for an act that, if committed by an adult, would constitute a felony or a misdemeanor involving violence, as defined in ORS 166.470.

(i) The person is not the subject of a restraining order that alleges the person's possession of explosives presents a credible threat to another person.

(j) The person has passed an examination administered by the State Fire Marshal that assesses the person's knowledge of safety in the transportation and storage of explosives as required under federal and state laws and regulations pertaining to explosives. The State Fire Marshal shall examine each applicant prior to issuance of a certificate of possession to the applicant. The State Fire Marshal may by rule establish and collect an examination fee in an amount necessary to cover the cost of administering the examination.

(k) The person certifies on the application for a certificate of possession that all explosives in the person's possession will be used, stored and transported in accordance with federal, state and local requirements.

(L) The person certifies that all explosives will be possessed, used, stored and transported in accordance with federal, state and local requirements.

(2) Subsection (1)(a) and (b) of this section does not apply to a conviction or indictment that has been expunged from a person's record under the laws of this state or equivalent laws of another jurisdiction. [1971 c.518 §6; 1981 c.635 §3; 1983 c.100 §4; 1985 c.362 §1; 1999 c.980 §5; 2007 c.70 §275; 2009 c.595 §981; 2011 c.658 §40; 2011 c.720 §206; 2013 c.360 §61]

480.230 Application for certificate of possession; fee. A person desiring a certificate of possession shall apply on application forms provided by the office of the State Fire

Marshal. The forms shall be completed in full and shall include:

(1) The applicant's legal name, current address and current telephone number;

(2) The applicant's date of birth;

(3) A statement by the applicant that the applicant is eligible for a certificate of possession under ORS 480.225;

(4) The number of the certificate of registration issued under ORS 480.244 for the explosives magazine where the applicant intends to store the explosives;

(5) Any other information that the issuing authority may require to readily identify the applicant;

(6) A certification, signed and dated by the applicant, that the information contained in the application is true; and

(7) A nonrefundable application fee of \$50 for a three-year certificate. [1971 c.518 §7; 1983 c.100 §2; 1999 c.980 §6]

480.235 Waiting period for issuance of certificate of possession; investigation of applicant; authority of investigating body to require fingerprints; term of certificate; assignment or transfer prohibited; records required. (1) A certificate of possession shall be issued or denied within 45 days after the date of the application or the conclusion of the investigation conducted by the issuing authority pursuant to subsection (2) of this section.

(2) The issuing authority shall conduct an investigation to ensure that the applicant meets the requirements listed in ORS 480.225 and 480.230. The issuing authority shall include fingerprinting and photographic identification in the investigation. The issuing authority may use fingerprints obtained under this subsection for the purpose of requesting a state or nationwide criminal records check under ORS 181A.195. Unless the issuing authority finds that the applicant is ineligible under ORS 480.225 or 480.230, the authority shall issue a certificate of possession to the applicant. If the issuing authority finds that the applicant is ineligible under ORS 480.225 or 480.230, the authority shall issue a notification of denial. The denial is subject to the provisions of ORS 480.275.

(3) A certificate of possession is valid for three years from the date of issuance unless suspended or revoked pursuant to ORS 480.270.

(4) A certificate of possession may not be assigned or transferred.

(5) The holder of a certificate of possession shall maintain a record of the type and quantity of all explosives possessed during the certificate period. The record shall

be made available upon demand of the issuing authority, a magistrate or a law enforcement agency, public fire department or fire protection agency of this state.

(6) Notwithstanding ORS 181A.195 (5) and (6), the Department of State Police shall maintain in the department's files fingerprint cards submitted to it for purposes of conducting a state or nationwide criminal records check under ORS 181A.195 on applicants for a certificate of possession. [1971 c.518 §8; 1981 c.635 §4; 1983 c.100 §5; 1999 c.980 §7; 2005 c.730 §28]

480.239 Application for renewal of certificate of possession; testing criteria. Any applicant for the renewal of an unexpired certificate of possession issued on or after June 1, 2000, shall not be required to retake the safety examination described under ORS 480.225 (1)(j) to obtain the renewal unless the applicant has allowed the certificate to lapse. All other requirements for the issuance of a certificate shall be met before a certificate is renewed. [1999 c.980 §15]

480.240 [1971 c.518 §11; repealed by 1983 c.100 §1]

480.244 Storage facility approval; inspection; relocation; rules; fees. (1) A person may store explosives only in an explosives magazine that has been issued a certificate of registration by the State Fire Marshal or has been approved by the Bureau of Alcohol, Tobacco, Firearms and Explosives for storing that type of explosive.

(2) An application for a certificate of registration shall be submitted on a form approved by the State Fire Marshal and shall contain all information required by rule of the State Fire Marshal, including but not limited to the magazine location and structural information.

(3) The State Fire Marshal may establish by rule and collect application and registration fees in an amount necessary to cover the cost of administering the magazine registration program.

(4) Except as provided in subsection (5) of this section, prior to issuing a certificate of registration, the State Fire Marshal shall inspect the magazine to ensure that the magazine complies with the rules established by the State Fire Marshal under ORS 480.280. The State Fire Marshal shall issue a certificate of registration for the magazine unless the State Fire Marshal finds that the magazine does not comply with the rules and regulations adopted by the State Fire Marshal. Denial of a certificate of registration shall be in accordance with subsection (9) of this section.

(5) The State Fire Marshal may substitute for its own inspection of the magazine

as required under subsection (4) of this section an inspection completed by the Bureau of Alcohol, Tobacco, Firearms and Explosives. The State Fire Marshal shall establish criteria for when the Bureau of Alcohol, Tobacco, Firearms and Explosives inspection may substitute for the State Fire Marshal inspection.

(6) A certificate of registration shall be valid for two years unless suspended or revoked as provided under subsection (9) of this section.

(7) An application for the renewal of a certificate of registration shall be accompanied by any application fee established by the State Fire Marshal. A person who applies to renew a certificate before the person's current certificate expires does not need to retake the safety examination described under ORS 480.225 (1)(j). Each magazine shall be reinspected prior to renewal of the certificate of registration.

(8) If a magazine required to be registered under this section or that is approved by the Bureau of Alcohol, Tobacco, Firearms and Explosives is relocated, the person responsible for the magazine shall notify the State Fire Marshal within 24 hours of the relocation. Upon receiving notification under this subsection, the State Fire Marshal shall notify the fire department or fire protection agency having jurisdiction over the new location.

(9) The State Fire Marshal may deny, suspend or revoke a certificate of registration if the State Fire Marshal finds that the magazine is ineligible for a certificate of registration. If the State Fire Marshal denies, suspends or revokes the certificate of registration, the issuing authority shall issue a notification of denial, suspension or revocation, subject to ORS 480.275.

(10) The issuing authority may revoke the certificate of registration for failure to comply with any provision of ORS 480.200 to 480.290. [1999 c.980 §16; 2007 c.71 §161; 2009 c.164 §3]

480.245 [1971 c.518 §12; repealed by 1983 c.100 §1]

480.250 [1971 c.518 §13; 1981 c.635 §5; repealed by 1983 c.100 §1]

480.255 [1971 c.518 §14; repealed by 1999 c.980 §18]

480.260 [1971 c.518 §§16,17; repealed by 1999 c.980 §18]

480.265 Report of loss, theft or unlawful removal of explosives required. The loss, theft or unlawful removal of an explosive from the possession of any person shall be reported by the person within 24 hours to the issuing authority and a law enforcement agency of this state. The report shall include the type and quantity of the explosive. [1971 c.518 §18; 1999 c.980 §8]

480.270 Revocation or suspension for violations; surrender of certificate of possession. (1) The issuing authority may suspend or revoke a certificate of possession if the issuing authority finds that the person to whom the certificate of possession was issued is ineligible for the certificate of possession under ORS 480.225 or 480.230 or that the person has been convicted of a violation under ORS 480.990 (6).

(2) A certificate of possession suspended or revoked under subsection (1) of this section shall be void from the date of the suspension or revocation. The person to whom the certificate of possession was issued shall surrender the suspended or revoked certificate of possession to the issuing authority upon the demand of the issuing authority. [1971 c.518 §19; 1987 c.158 §109; 1999 c.980 §9]

480.275 Hearings on denial, suspension or revocation of certificate. An applicant who has been denied a certificate of possession or a certificate of registration or a person whose certificate of possession or certificate of registration has been suspended or revoked is entitled to a hearing before the issuing authority under ORS chapter 183. [1971 c.518 §20; 1999 c.980 §10]

480.280 Administration and enforcement by State Fire Marshal; rules; appointment of assistants. (1) The State Fire Marshal shall administer and enforce ORS 480.200 to 480.290 and 480.990 (6) and may, in accordance with the applicable provisions of ORS chapter 183, adopt rules considered to be necessary in carrying out ORS 480.200 to 480.290 and 480.990 (6). The rules adopted shall be such as are reasonably necessary for the protection of the public health, welfare and safety and of persons possessing or storing explosives.

(2) The State Fire Marshal may appoint an individual, designated as assistant by ORS 476.060 (1), or any other individual to act as the assistant of the State Fire Marshal in the administration and enforcement of ORS 480.200 to 480.290 and 480.990 (6). [1971 c.518 §§21,23; 1987 c.158 §110; 1999 c.980 §11]

480.285 [1971 c.518 §24; repealed by 1973 c.832 §14]

480.290 Requirements for person driving vehicle transporting explosives. (1) Each person who drives or has charge of a vehicle transporting explosives must comply with the requirements of the United States Department of Transportation.

(2) Except as provided in subsection (3) of this section, the driver of a vehicle transporting any quantity of explosives must attend the vehicle at all times.

(3) The driver of a vehicle transporting explosives may leave the vehicle unattended only at a designated location that has been

approved for such parking by the State Fire Marshal or by the local government agency that has responsibility for fire protection.

(4) A vehicle which contains explosives must not be parked within 300 feet of any bridge, tunnel, dwelling, building or place where people work, congregate or assemble except for brief periods when the necessities of operation require the vehicle to be parked and make it impracticable to park the vehicle in any other place.

(5) As used in this section, a vehicle is "attended" when the person in charge of the vehicle is on the vehicle, awake and not in a sleeper berth, or is within 100 feet of the vehicle and has it within unobstructed field of view.

(6) All vehicles containing explosives shall display appropriate placards conforming to the requirements of the United States Department of Transportation. [1985 c.165 §2; 1999 c.980 §12; 2009 c.164 §4]

REGULATION OF GASOLINE DISPENSING

480.310 Definitions for ORS 480.315 to 480.385. As used in ORS 480.315 to 480.385:

(1) "Class 1 flammable liquids" means liquids with a flash point below 25 degrees Fahrenheit, closed cup tester.

(2) "Nonretail facility" means an unattended facility where Class 1 flammable liquids are dispensed through a card or key activated fuel dispensing device to nonretail customers. [Amended by 1991 c.863 §48]

480.315 Policy. The Legislative Assembly declares that, except as provided in ORS 480.345 to 480.385, it is in the public interest to maintain a prohibition on the self-service dispensing of Class 1 flammable liquids at retail. The Legislative Assembly finds and declares that:

(1) The dispensing of Class 1 flammable liquids by dispensers properly trained in appropriate safety procedures reduces fire hazards directly associated with the dispensing of Class 1 flammable liquids;

(2) Appropriate safety standards often are unenforceable at retail self-service stations in other states because cashiers are often unable to maintain a clear view of and give undivided attention to the dispensing of Class 1 flammable liquids by customers;

(3) Higher liability insurance rates charged to retail self-service stations reflect the dangers posed to customers when they leave their vehicles to dispense Class 1 flammable liquids, such as the increased risk of crime and the increased risk of personal injury resulting from slipping on slick surfaces;

(4) The dangers of crime and slick surfaces described in subsection (3) of this section are enhanced because Oregon's weather is uniquely adverse, causing wet pavement and reduced visibility;

(5) The dangers described in subsection (3) of this section are heightened when the customer is a senior citizen or has a disability, especially if the customer uses a mobility aid, such as a wheelchair, walker, cane or crutches;

(6) Attempts by other states to require the providing of aid to senior citizens and persons with disabilities in the self-service dispensing of Class 1 flammable liquids at retail have failed, and therefore, senior citizens and persons with disabilities must pay the higher costs of full service;

(7) Exposure to toxic fumes represents a health hazard to customers dispensing Class 1 flammable liquids;

(8) The hazard described in subsection (7) of this section is heightened when the customer is pregnant;

(9) The exposure to Class 1 flammable liquids through dispensing should, in general, be limited to as few individuals as possible, such as gasoline station owners and their employees or other trained and certified dispensers;

(10) The typical practice of charging significantly higher prices for full-service fuel dispensing in states where self-service is permitted at retail:

(a) Discriminates against customers with lower incomes, who are under greater economic pressure to subject themselves to the inconvenience and hazards of self-service;

(b) Discriminates against customers who are elderly or have disabilities who are unable to serve themselves and so must pay the significantly higher prices; and

(c) Increases self-service dispensing and thereby decreases maintenance checks by attendants, which results in neglect of maintenance, endangering both the customer and other motorists and resulting in unnecessary and costly repairs;

(11) The increased use of self-service at retail in other states has contributed to diminishing the availability of automotive repair facilities at gasoline stations;

(12) Self-service dispensing at retail in other states does not provide a sustained reduction in fuel prices charged to customers;

(13) A general prohibition of self-service dispensing of Class 1 flammable liquids by the general public promotes public welfare by providing increased safety and convenience without causing economic harm to the public in general;

(14) Self-service dispensing at retail contributes to unemployment, particularly among young people;

(15) Self-service dispensing at retail presents a health hazard and unreasonable discomfort to persons with disabilities, elderly persons, small children and those susceptible to respiratory diseases;

(16) The federal Americans with Disabilities Act, Public Law 101-336, requires that equal access be provided to persons with disabilities at retail gasoline stations; and

(17) Small children left unattended when customers leave to make payment at retail self-service stations creates a dangerous situation. [1991 c.863 §49a; 1999 c.59 §160; 2007 c.70 §276]

480.320 Use of coin-operated pumps and dispensing of gasoline by self-service declared hazardous. The installation and use of coin-operated dispensing devices for Class 1 flammable liquids and the dispensing of Class 1 flammable liquids by self-service, are declared hazardous. [Amended by 1959 c.73 §1]

480.330 Operation of gasoline dispensing device by public prohibited; aviation fuel exception. An owner, operator or employee of a filling station, service station, garage or other dispensary where Class 1 flammable liquids, except aviation fuels, are dispensed at retail may not permit any person other than the owner, operator or employee to use or manipulate any pump, hose, pipe or other device for dispensing the liquids into the fuel tank of a motor vehicle or other retail container. [Amended by 2001 c.285 §1]

480.340 Coin-operated or self-service gasoline pumps prohibited; automatic shut-off devices regulated; aviation fuel exception. An owner, operator or employee of a filling station, service station, garage or other dispensary where Class 1 flammable liquids, except aviation fuels, are dispensed at retail may not install or use or permit the use of:

(1) A coin-operated or self-service dispensing device for the liquids.

(2) A device that permits the dispensing of the liquids when the hand of the operator of the discharge nozzle is removed from the control lever, except one equipped with an automatic nozzle of a type that has been approved by the State Fire Marshal and that has a latch-open device as an integral part of the assembly, capable of shutting off the flow of the liquids reliably when the tank is filled or when the nozzle falls or slips from the filling neck of the tank. A person may not use an automatic nozzle to dispense the liquids unless the owner, operator or employee is in the immediate vicinity of the

tank being filled. [Amended by 1959 c.73 §2; 2001 c.285 §2]

480.341 Customer operation of gasoline dispensing device in low-population county of eastern Oregon. (1) As used in this section:

(a) "Eastern Oregon" means that portion of the State of Oregon lying east of a line beginning at the intersection of the northern boundary of this state and the western boundary of Hood River County, and from there proceeding southerly along the western boundaries of Hood River, Wasco, Jefferson, Deschutes and Klamath Counties to the southern boundary of this state.

(b) "Low-population county" means a county that, based on a certificate of population prepared under ORS 190.510 to 190.610, has a population of not more than 40,000.

(2) Notwithstanding ORS 480.320, 480.330 and 480.340, and subject to subsection (3) of this section, if a filling station, service station, garage or other dispensary where Class 1 flammable liquids are dispensed at retail is located in a low-population county of eastern Oregon, the owner or operator may:

(a) Permit a person other than an owner, operator or employee to use or manipulate a device for dispensing liquids into the fuel tank of a motor vehicle or other retail container;

(b) Permit the use of an installed coin-operated or self-service dispensing device for the liquids; and

(c) Allow the use of an automatic nozzle to dispense the liquids without an owner, operator or employee being in the immediate vicinity of the tank or container being filled.

(3) If the site of a dispensary described in subsection (2) of this section includes retail space providing goods or services, other than goods or services for maintaining, repairing or cleaning a motor vehicle, the dispensary shall make an owner, operator or employee available for dispensing Class 1 flammable liquids after 6 a.m. and before 6 p.m.

(4) Notwithstanding ORS 480.320, 480.330, 480.340 and 480.345, if a nonretail facility is located in a low-population county of eastern Oregon, the owner or operator may:

(a) Permit the dispensing of Class 1 flammable liquids at retail;

(b) Permit a person other than an owner, operator, employee or nonretail customer to use or manipulate a device for dispensing liquids into the fuel tank of a motor vehicle or other retail container;

(c) Permit the use of an installed coin-operated or self-service dispensing device for the liquids; and

(d) Allow the use of an automatic nozzle to dispense the liquids without an owner, operator or employee being in the immediate vicinity of the tank or container being filled.

(5)(a) Sales under subsection (2) of this section do not make a filling station, service station, garage or other dispensary where Class 1 flammable liquids are dispensed at retail subject to any provisions of ORS 480.315 to 480.385 regulating nonretail facilities.

(b) Sales under subsection (4) of this section do not require that a nonretail facility possess a license to dispense Class 1 flammable liquids at retail.

(c) Sales under subsection (4) of this section do not require that a nonretail facility possess a conditional use license issued under ORS 480.355. However, sales under subsection (4) of this section do not prevent a nonretail facility that qualifies under ORS 480.355 from also possessing a conditional use license.

(d) Purchasing Class 1 flammable liquids under subsection (4) of this section does not make a retail customer subject to any gallonage requirement set forth in ORS 480.345.

(e) Purchasing Class 1 flammable liquids under subsection (4) of this section does not make a retail customer subject to rules of the State Fire Marshal establishing safety training requirements.

(6) This section does not prohibit, limit or condition any dispensing of Class 1 flammable liquids or diesel fuel otherwise authorized under ORS 480.315 to 480.385.

(7) No later than 90 days prior to commencing sales under subsection (4) of this section, a nonretail facility shall notify the State Fire Marshal that the facility plans to dispense Class 1 flammable liquids at retail under this section.

(8) If a county where sales are authorized under this section ceases to be a low-population county, dispensaries and nonretail facilities located within the county may operate as described in this section notwithstanding the change in county population. [2015 c.525 §2; 2017 c.207 §1]

480.343 Customer operation of gasoline dispensing device in specified coastal counties. (1) Notwithstanding ORS 480.320, 480.330 and 480.340, if a filling station, service station, garage or other dispensary where Class 1 flammable liquids are dispensed at retail is located in Clatsop, Curry or Tillamook County, the owner or operator may, after 6 p.m. and before 6 a.m.:

(a) Permit a person other than an owner, operator or employee to use or manipulate a

device for dispensing liquids into the fuel tank of a motor vehicle or other retail container;

(b) Permit the use of an installed coin-operated or self-service dispensing device for the liquids; and

(c) Allow the use of an automatic nozzle to dispense the liquids without an owner, operator or employee being in the immediate vicinity of the tank or container being filled.

(2) A dispensary described in this section is not subject to any provisions of ORS 480.315 to 480.385 regulating nonretail facilities.

(3) If the site of a dispensary described in subsection (1) of this section includes retail space providing goods or services, other than goods or services for maintaining, repairing or cleaning a motor vehicle, the dispensary shall make an owner, operator or employee available for dispensing Class 1 flammable liquids during the time after 6 p.m. and before 6 a.m., if any, that the retail space is open for business. [2017 c.207 §2]

Note: 480.343 was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 480 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

480.345 Conditions for operation of dispensing device by certain nonretail customers. Notwithstanding ORS 480.330 and 480.340, the owner, operator or employee of a dispensing facility may permit nonretail customers other than the owner, operator or employee to use or manipulate at the dispensing facility a card activated or key activated device for dispensing Class 1 flammable liquids into the fuel tank of a motor vehicle or other container under the following conditions:

(1) The owner or operator shall hold a current nonretail facility license issued by the State Fire Marshal under ORS 480.350;

(2) Except as provided in ORS 480.360, a nonretail customer shall purchase at least 900 gallons of Class 1 flammable liquids or diesel fuel from any source during a 12-month period or, if the amount of such liquids or fuel purchased is less than 900 gallons annually, file documentation that:

(a) The fuel qualifies as a deductible farming expense on the customer's federal income tax return;

(b) The fuel was purchased by a governmental agency providing fire, ambulance or police services; or

(c) The fuel was purchased by:

(A) A people's utility district organized under ORS chapter 261;

(B) A domestic water supply district organized under ORS chapter 264;

(C) A mass transit district organized under ORS 267.010 to 267.390;

(D) A metropolitan service district organized under ORS chapter 268;

(E) A special road district organized under ORS 371.305 to 371.360;

(F) A 9-1-1 communications district organized under ORS 403.300 to 403.380;

(G) A sanitary district organized under ORS 450.005 to 450.245;

(H) A sanitary authority, water authority or joint water and sanitary authority organized under ORS 450.600 to 450.989;

(I) A rural fire protection district organized under ORS chapter 478;

(J) A water improvement district organized under ORS chapter 552;

(K) A water control district organized under ORS chapter 553; or

(L) A port organized under ORS chapter 777.

(3) The nonretail customer shall provide a federal employer identification number or equivalent documentation to indicate participation in a business or employment with a government agency or nonprofit or charitable organization;

(4) The nonretail customer, other than the owner or operator, dispensing Class 1 flammable liquids shall be employed by a business, government agency or nonprofit or charitable organization and shall dispense Class 1 flammable liquids only into the fuel tank of a motor vehicle or other container owned or used by the business, government agency or nonprofit or charitable organization;

(5) The nonretail customer, other than the owner, operator or employee, dispensing Class 1 flammable liquids shall have satisfied safety training requirements in compliance with rules of the State Fire Marshal; and

(6) The owner or operator shall enter into a written agreement with nonretail customers permitted under this section to dispense fuel at the nonretail facility. Except as otherwise provided in ORS 480.355, the agreement shall at a minimum:

(a) Certify that the nonretail customer will purchase at least 900 gallons of Class 1 flammable liquids or diesel fuel from any source during a 12-month period or, if the amount of such liquids or fuel purchased is less than 900 gallons annually, file documentation that:

- (A) The fuel qualifies as a deductible farming expense on the customer's federal income tax return; or
- (B) The fuel was purchased by a governmental agency providing fire, ambulance or police services;
- (b) Provide a federal employer identification number or equivalent documentation to indicate participation in a business or employment with a government agency or nonprofit or charitable organization;
- (c) Certify that the nonretail customer is employed by a business, government agency or nonprofit or charitable organization and that the nonretail customer shall dispense Class 1 flammable liquids only into the fuel tank of a motor vehicle or other container owned or used by the business, government agency or nonprofit or charitable organization;
- (d) Certify that the nonretail customer has satisfied safety training requirements in compliance with rules of the State Fire Marshal; and
- (e) Require the nonretail customer to submit a sworn statement, as defined in ORS 162.055, that the information supplied in the agreement is true and correct. [1991 c.863 §50; 1993 c.469 §7; 2001 c.328 §§1,2; 2010 c.107 §14; 2015 c.207 §1]

480.347 Use of gasoline dispensing device by emergency service volunteer; conditions. Notwithstanding ORS 480.330 and 480.340, during an emergency as defined in ORS 401.025, the owner, operator or employee of a dispensing facility may permit nonretail customers, other than the owner, operator or employee, to use or manipulate at the dispensing facility a card activated or key activated device for dispensing Class 1 flammable liquids into the fuel tank of a vehicle or other container if:

- (1) The owner or operator holds a current nonretail facility license issued by the State Fire Marshal under ORS 480.350;
- (2) The fuel is dispensed to an emergency service agency as defined in ORS 401.025 or to an entity authorized by an emergency service agency to provide services during an emergency;
- (3) The nonretail customer, other than the owner or operator, dispensing Class 1 flammable liquids is a qualified emergency service volunteer as defined in ORS 401.358 or an owner or employee of the entity authorized by the emergency service agency to provide services during an emergency and dispenses Class 1 flammable liquids only into the fuel tank of a vehicle or other container owned and used by the emergency service agency or the entity authorized by that

agency to provide services during an emergency; and

(4) The nonretail customer, other than the owner, operator or employee, dispensing Class 1 flammable liquids satisfies safety training requirements in compliance with rules of the State Fire Marshal. [1999 c.456 §2; 2009 c.718 §26]

(Temporary provisions relating to the installation of generator connectors at cardlock facilities)

Note: Sections 1 to 5, chapter 85, Oregon Laws 2016, provide:

Sec. 1. The Fuel Storage Facility Compatibility Fund is established in the State Treasury, separate and distinct from the General Fund. Interest earned by the Fuel Storage Facility Compatibility Fund shall be credited to the fund. The Fuel Storage Facility Compatibility Fund consists of any moneys deposited in the fund from whatever source and may include moneys appropriated, allocated, deposited or transferred to the fund by the Legislative Assembly or otherwise and interest earned on moneys in the fund. The moneys in the fund are continuously appropriated to the Office of Emergency Management for the purposes specified in section 3 of this 2016 Act. [2016 c.85 §1]

Sec. 2. As used in this section and sections 3 and 4 of this 2016 Act:

(1) "Cardlock facility" means a fuel dispensing facility that is licensed by the State Fire Marshal under ORS 480.350 and that permits nonretail customers to dispense fuel using a card activated or key activated device in accordance with ORS 480.345.

(2) "Emergency" has the meaning given that term in ORS 401.025.

(3) "Generator" means a portable device capable of converting fuel into electricity.

(4) "Generator connector" means a connector on a fuel source that allows a generator to connect to the fuel source for the purpose of fueling the generator. [2016 c.85 §2]

Sec. 3. (1) The Office of Emergency Management shall develop a grant program for the disbursement of moneys from the Fuel Storage Facility Compatibility Fund for the purpose of installing generator connectors on fuel sources at cardlock facilities in this state.

(2) Pursuant to the grant program:

(a) The office may solicit and receive applications for grants from owners or operators of cardlock facilities in this state. The office shall establish standards for the qualification of applicants.

(b) The office shall establish criteria by which to determine which applicants will receive grants, with the goal of maximizing the availability of fuel to emergency response personnel in the case of emergency.

(c) The office shall enter into agreements with grant recipients that require grant recipients to install generator connectors on cardlock facilities.

(d) The office shall specify one or more types of generator connectors that a grant recipient must install. In specifying types of generator connectors, the office shall consult with the Department of Transportation and the State Fire Marshal and shall have the goal of maximizing the compatibility of cardlock facilities in this state with generators possessed or controlled by the office, the department and the Oregon National Guard.

(e) The office may not issue grants in excess of \$4,000 per cardlock facility. The total amount of grants issued may not exceed \$100,000.

(3) The office shall adopt rules to administer and implement the provisions of this section. [2016 c.85 §3]

Sec. 4. The State Fire Marshal, while conducting an annual safety inspection as described in ORS 480.375 of a cardlock facility that received a grant under the program established under section 3 of this 2016 Act, shall inspect generator connectors installed pursuant to the grant program. If the State Fire Marshal determines that generator connectors installed pursuant to the grant program meet safety requirements and are otherwise properly installed, the State Fire Marshal shall deliver a letter certifying the determination to the Office of Emergency Management. [2016 c.85 §4]

Sec. 5. (1) Sections 1 to 4 of this 2016 Act are repealed on June 30, 2022.

(2) Any balance in the Fuel Storage Facility Compatibility Fund established in section 1 of this 2016 Act that is unexpended and unobligated on the date of repeal of section 1 of this 2016 Act, and all moneys that would have been deposited in the Fuel Storage Facility Compatibility Fund had section 1 of this 2016 Act remained in effect, shall be transferred to and deposited in the General Fund and made available for general governmental purposes. [2016 c.85 §5]

480.349 Use of gasoline dispensing device by motorcycle operator. (1) As used in this section, "motorcycle" has the meaning given that term in ORS 801.365.

(2) Notwithstanding ORS 480.330 and 480.340:

(a) Upon the request of an operator of a motorcycle, the owner, operator or employee of a filling station, service station, garage or other dispensary where Class 1 flammable liquids are dispensed at retail shall set the fuel dispensing device and hand the discharge nozzle to the operator of the motorcycle.

(b) An operator of a motorcycle who is handed a discharge nozzle under paragraph (a) of this subsection:

(A) May dispense Class 1 flammable liquids into the operator's motorcycle.

(B) Shall, after dispensing the liquids, return the discharge nozzle to the owner, operator or employee.

(3) The owner, operator or employee who is handed the discharge nozzle shall return the nozzle to the pump or take any other actions necessary to ensure safe completion of the fueling operation. [2001 c.344 §2]

Note: 480.349 was added to and made a part of 480.315 to 480.385 by legislative action but was not added to any smaller series therein. See Preface to Oregon Revised Statutes for further explanation.

480.350 License required for operation of nonretail facility; application; fee; term; renewal; disposition of fees. (1) Except as provided in ORS 480.355, a nonretail facility shall not operate without a license issued under this section.

(2) The State Fire Marshal shall issue a nonretail facility license to a person if the person submits an application to the State Fire Marshal on a form approved by the

State Fire Marshal for each nonretail facility and the application includes:

(a) A statement that the applicant will comply with the requirements of ORS 480.345;

(b) A copy of the form that will be used by the applicant as the agreement required under ORS 480.345 between the applicant and nonretail customers permitted to dispense fuel at the nonretail facility;

(c) A sworn statement, as defined in ORS 162.055, that information supplied in the application is true and correct; and

(d) An application fee of \$300.

(3) The applicant for a nonretail facility license shall bear the burden of proof that the requirements of this section and of any rules of the State Fire Marshal adopted to implement this section are satisfied.

(4) In addition to any license or renewal fees, a licensee shall pay an annual fee of \$10 for each nonretail customer that enters into a written agreement with the owner or operator of the nonretail facility under ORS 480.345.

(5) A license issued under this section shall be valid for a period of one year from the date of issuance.

(6) A license may be renewed upon payment to the State Fire Marshal of an annual license renewal fee of \$300.

(7) All fees received by the State Fire Marshal pursuant to this section shall be deposited with the State Treasurer and shall be placed in the State Fire Marshal Fund. [1991 c.863 §51; 1995 c.79 §292; 2010 c.107 §§11,12]

480.355 Conditional use license; qualifications; application; review of denial. (1) Notwithstanding ORS 480.345, upon application from the owner or operator of a nonretail facility, the State Fire Marshal may issue a conditional use license under which the nonretail facility may permit persons who are not qualified as nonretail customers under ORS 480.345 (2) to (4) to dispense Class 1 flammable liquids at a nonretail facility.

(2) In issuing a conditional use license, the State Fire Marshal may waive the nonretail customer requirements of ORS 480.345 (2) to (4), but may not waive safety training requirements contained in ORS 480.345.

(3) The State Fire Marshal may issue a conditional use license under this section if the State Fire Marshal determines that:

(a) There is no facility where Class 1 flammable liquids are dispensed by attendants at retail within seven miles of the nonretail facility, and other undue hardship

conditions exist, as may be determined by the State Fire Marshal by rule; or

(b) The nonretail facility exists on property used as a private, nonprofit golf club not open to the general public and the private, nonprofit golf club members who are not qualified as nonretail customers use the nonretail facility only for the fueling of vehicles that are used exclusively on the property of the private, nonprofit golf club and are not designed for highway use.

(4) The State Fire Marshal shall consider comments of local residents or local government bodies to determine if undue hardship exists.

(5) The provisions of ORS 480.345 and 480.350 apply to a license application made under this section, except those provisions whose applicability is waived by the State Fire Marshal under this section.

(6) The applicant for a conditional use license shall bear the burden of proof that the requirements of this section and of any rules of the State Fire Marshal adopted pursuant to this section are satisfied.

(7) The State Fire Marshal shall investigate any application made under this section and hold at least one public hearing to determine if the conditional use license should be issued. The State Fire Marshal may waive the requirement for a hearing if the application for a conditional use license is made by a private, nonprofit golf club.

(8) Any person who makes application as provided for in this section, and whose application is denied, shall be entitled to a hearing upon request. The hearing shall be conducted as a contested case hearing pursuant to the applicable provisions of ORS 183.413 to 183.470.

(9) Judicial review of an order made after a hearing under subsection (7) of this section shall be as provided in ORS 183.480 to 183.497 for judicial review of contested cases. [1991 c.863 §56; 1995 s.s. c.3 §35; 1996 c.11 §2; 1997 c.463 §1; 1999 c.95 §1; 2001 c.104 §220; 2001 c.285 §3]

480.360 Exemption from gallonage requirements of ORS 480.345. Any person who was a customer of a facility that is issued a license under ORS 480.350 and was a customer on and since June 30, 1991, and who qualifies as a nonretail customer under the provisions of ORS 480.345, shall be exempt from the gallonage requirements set forth in ORS 480.345 (2). [1991 c.863 §50a]

480.365 Suspension, revocation, refusal to issue or renew nonretail facility license; procedure. In accordance with ORS chapter 183, the State Fire Marshal may revoke or suspend or may refuse to issue or renew a nonretail facility license if the State

Fire Marshal finds that an applicant or a person to whom the license was issued:

(1) Falsified the application for the license; or

(2) Failed to comply with any provision of ORS 480.315 to 480.385 or any applicable rule adopted by the State Fire Marshal. [1991 c.863 §52]

480.370 Subpoenas for investigation; effect of failure to comply. (1) The State Fire Marshal may issue subpoenas to compel the production of records, documents, books, papers, memoranda or other information necessary to determine compliance with any provision of ORS 480.315 to 480.385 or any rule adopted by the State Fire Marshal.

(2) If a person fails to comply with any subpoena issued under subsection (1) of this section, a judge of the circuit court of any county, on application of the State Fire Marshal, shall compel obedience by proceedings for contempt as in the case of disobedience of the requirements of a subpoena issued from the circuit court. [1991 c.863 §54]

480.375 Safety inspection of facilities by State Fire Marshal; audit; investigation of law violations. (1) The State Fire Marshal shall conduct an annual safety inspection at all nonretail and dual operations facilities dispensing Class 1 flammable liquids to determine if the facility is operating in compliance with the provisions of ORS 480.315 to 480.385 or of any applicable rule adopted by the State Fire Marshal.

(2) The State Fire Marshal shall conduct annual audits of at least five percent of all nonretail accounts to determine if nonretail facilities are in compliance with the provisions of ORS 480.315 to 480.385 and any applicable rule adopted by the State Fire Marshal.

(3) The State Fire Marshal shall have the same authority to enter into all buildings and upon all dispensing facilities for the purpose of inspection as is specified in ORS chapter 476 relating to inspection of fire hazards.

(4) Upon receiving a complaint, or upon the State Fire Marshal's own motion, the State Fire Marshal shall investigate whether a violation of any provision of ORS 480.315 to 480.385 or of any applicable rule of the State Fire Marshal has occurred. [1991 c.863 §53]

480.380 Rules. In accordance with applicable provisions of ORS chapter 183, the State Fire Marshal, in consultation with the Department of Environmental Quality, shall adopt rules:

(1) Necessary for the administration of ORS 480.315 to 480.385;

(2) Establishing standards for the design, construction, location, installation and operation of retail, automated or dual operations equipment for storing, handling and dispensing Class 1 flammable liquids at any dispensing facility; and

(3) Establishing standards for public and environmental safety in the operation of nonretail facilities and establishing safety training requirements for nonretail customers authorized to dispense Class 1 flammable liquids at nonretail facilities. [1991 c.863 §57]

480.385 Civil penalty for gasoline dispensing law violations. (1) The State Fire Marshal may impose a civil penalty not to exceed \$500 for each violation of any provision of ORS 480.315 to 480.385 or of any applicable rule adopted by the State Fire Marshal.

(2) A civil penalty imposed under this section shall become due and payable 10 days after the order imposing the civil penalty becomes final by operation of law or on appeal. A person against whom a civil penalty is to be imposed shall be served with a notice in the form provided in ORS 183.415. Service of the notice shall be accomplished in the manner provided by ORS 183.415.

(3) The person to whom the notice is addressed shall have 20 days from the date of service of the notice provided for in subsection (2) of this section in which to make written application for a hearing. If no application for a hearing is made, the State Fire Marshal may make a final order imposing the penalty.

(4) Any person who makes application as provided for in subsection (3) of this section shall be entitled to a hearing. The hearing shall be conducted as a contested case hearing pursuant to the applicable provisions of ORS 183.413 to 183.470.

(5) Judicial review of an order made after a hearing under subsection (4) of this section shall be as provided in ORS 183.480 to 183.497 for judicial review of contested cases.

(6) When an order assessing a civil penalty under this section becomes final by operation of law or on appeal, and the amount of penalty is not paid within 10 days after the order becomes final, the order may be recorded with the county clerk in any county of this state. The clerk shall thereupon record the name of the person incurring the penalty and the amount of the penalty in the County Clerk Lien Record.

(7) All amounts recovered under this section shall be deposited with the State Treasurer and shall be placed in the State Fire Marshal Fund. [1991 c.863 §55]

480.390 Nonretail facilities at airports; rules. (1) As used in this section, "nonretail facility" has the meaning given that term in ORS 480.310.

(2) A person may not construct or install a nonretail facility that dispenses aviation fuels at an airport unless the Director of the Oregon Department of Aviation permits the facility.

(3) The director may not permit the construction or installation of a nonretail facility unless the airport owner permits the facility.

(4) The director shall by rule establish a procedure to give permission for nonretail facilities that dispense aviation fuels at airports. [2001 c.285 §4]

Note: 480.390 was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 480 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

LIQUEFIED PETROLEUM GAS

480.410 Definition. As used in ORS 480.420 to 480.460, "LP gas" or "liquefied petroleum gas" means any liquid composed predominantly of any of the following hydrocarbons or mixtures of the same: Propane, propylene, butanes (normal butane or isobutane) and butylenes. [Amended by 1957 c.712 §1; 2009 c.790 §3]

480.420 Liquefied petroleum gas rules and regulations; conformity with standards of National Fire Protection Association. (1) The State Fire Marshal shall make, promulgate and enforce regulations establishing minimum general standards for the design, construction, location, installation and operation of equipment for storing, handling, transporting by tank truck or tank trailer and utilizing liquefied petroleum gases and specifying the degree of odorization of the gases, and shall establish standards and rules for the issuance, suspension and revocation of licenses and permits provided in ORS 480.410 to 480.460.

(2) The regulations required shall be such as are reasonably necessary for the protection of the health, welfare and safety of the public and of persons using or handling such materials, and shall be in substantial conformity with the generally accepted standards of safety relating to the same matter. Regulations in substantial conformity with the published standards of the National Fire Protection Association pamphlet No. 58 and pamphlet No. 59 for the design, installation and construction of containers and equipment thereto pertaining, for the storage and handling of liquefied petroleum gases, including utility gas plants, as recommended by the National Fire Protection Association,

and the published standards of the National Fire Protection Association pamphlet No. 54 for liquefied petroleum gas piping and appliance installations in buildings, shall be deemed to be in substantial conformity with the generally accepted standards of safety relating to the same subject matter. [Amended by 1957 c.712 §2; 1961 c.477 §1; 1967 c.417 §26; 2009 c.790 §4]

480.430 Liquefied petroleum gas containers; certain uses prohibited. No person other than the owner of the container or receptacle and those authorized by the owner so to do, shall sell, fill, refill, deliver or permit to be delivered or used in any manner any liquefied petroleum gas container or receptacle for any gas or compound or for any other purpose. [Amended by 1965 c.602 §25]

480.432 Licenses required; exceptions. (1) A person may not engage in or work at the business of installing, extending, altering or repairing any LP gas appliance or piping, vent or flue connection pertaining to or in connection with LP gas installations within the state, either as employer or individual, unless the person has received an LP gas installation license from the State Fire Marshal in accordance with ORS 480.410 to 480.460.

(2) A person may not do any LP gas fitting or gas venting work, install, repair or remodel any piping or venting or do any installation, repair service, connection or disconnection of any LP gas appliance that is subject to inspection under ORS 480.410 to 480.460 unless the person has received an LP gas fitter license from the State Fire Marshal in accordance with ORS 480.410 to 480.460.

(3) A person may not operate any LP gas delivery equipment installed on a motorized vehicle unless the person has received an LP gas truck equipment license from the State Fire Marshal in accordance with ORS 480.410 to 480.460.

(4) Any person under the terms of this section who is required to have an LP gas fitter or LP gas truck equipment license is also required to have an LP gas installation license, unless the person is an employee of an employer who has an LP gas installation license as provided by this section.

(5) A person who holds a valid journeyman plumber license under ORS 693.060 or who is in an approved journeyman plumber apprenticeship established under ORS 660.002 to 660.210 is exempt from the licensing requirements of subsections (1) and (2) of this section, except that the apprentice or journeyman plumber may not install an LP gas tank or make any connection to an LP gas tank unless the apprentice or journeyman

plumber is licensed as required under this section.

(6) A person who holds a license issued by the Department of Consumer and Business Services under ORS 480.630 of a class that authorizes the person to fabricate, install, alter or repair pressure piping and to install boilers and pressure vessels by attachment of piping connector is exempt from the licensing requirements of subsections (1) and (2) of this section, except that the person may not install an LP gas tank or make any connection to an LP gas tank unless the person is licensed as required under this section.

(7) Subsections (1) to (4) of this section do not apply to LP gas installations in a manufactured dwelling or recreational vehicle performed during the construction of the manufactured dwelling or recreational vehicle, or the alteration or repair of an LP gas installation in a manufactured dwelling or recreational vehicle made pursuant to the manufacturer's warranty. [1957 c.712 §4; 1967 c.417 §27; 1999 c.558 §4; 1999 c.852 §1; 2001 c.104 §221; 2003 c.652 §1; 2005 c.758 §34]

480.434 Examination of applicants for licenses; examination fee; issuance of license. (1) The State Fire Marshal shall examine applicants for licenses required under ORS 480.410 to 480.460 as to their knowledge of LP gas, its properties, related equipment and applicable safety regulations. An applicant for examination must submit an examination application, accompanied by an examination fee of \$55, prior to the examination.

(2) LP gas fitters and drivers must be examined and obtain a license after not more than a 60-day probationary period of on-the-job training under licensed supervision.

(3) The State Fire Marshal shall examine LP gas installation license applicants regarding the applicable code and statutory responsibilities. The successful examination of one member of a firm or executive of a corporation at each business or dealership location fulfills the examination requirement on behalf of the firm or corporation. Each LP gas business or dealership location must obtain an LP gas installation license.

(4) If satisfied that the applicant has the requisite knowledge, the State Fire Marshal shall issue the appropriate license or licenses to the applicant, as provided in ORS 480.410 to 480.460. [1957 c.712 §5; 1967 c.417 §28; 1987 c.346 §1; 2003 c.652 §2; 2009 c.790 §5]

480.435 Licenses; revocation; suspension; refusal to issue or renew. In accordance with ORS chapter 183, the State Fire Marshal may revoke or suspend or may refuse to issue or renew a license required pursuant to ORS 480.410 to 480.460, or may

place the licensee in a probationary status subject to specified conditions, if the State Fire Marshal finds that the person to whom the license was issued:

- (1) Deliberately falsified the application form for the LP gas license or examination;
- (2) Has committed a violation of ORS 162.305;
- (3) Failed to comply with any provision of ORS 480.410 to 480.460, or any rule adopted pursuant thereto; or
- (4) Failed to maintain the status required under ORS 480.434. [1987 c.346 §3]

480.436 License fees; term of licenses; delinquency penalty. (1) The annual fee for the LP gas installation license is \$130.

(2) The biennial fee for an LP gas fitter license or an LP gas truck equipment license is \$60.

(3) All licenses must be renewed on or before a date specified by the State Fire Marshal. Unless revoked or suspended by the State Fire Marshal for failure to comply with the provisions of ORS 480.410 to 480.460, an LP gas installation license continues in force for one year from the date of issuance. An LP gas fitter license or an LP gas truck equipment license continues in force for two years from the date of issuance. The State Fire Marshal, by rule, may establish a system for staggered license expiration dates that includes prorated fees for periods of less than one year for an LP gas installation license and less than two years for an LP gas fitter license or an LP gas truck equipment license.

(4) If the fees provided for in this section are due and payable and are not paid within 30 days after service of written notice by the State Fire Marshal therefor, the fees are delinquent and a penalty equal to the greater of 10 percent of the license fee amount or \$30 is imposed for the delinquency. [1957 c.712 §6; 1967 c.417 §29; 1973 c.832 §15; 1993 c.115 §1; 1995 c.79 §293; 1999 c.558 §1; 2003 c.652 §3; 2009 c.790 §§6,7]

480.440 Inspection of certain storage tanks; fee. The State Fire Marshal shall annually inspect an installation of storage tanks located at dealers' plants. The State Fire Marshal may annually inspect an installation of tanks used for delivery purposes. The State Fire Marshal shall collect a fee of \$100 for each plant inspection and \$24 for each delivery unit inspection. [Amended by 1953 c.228 §4; 1957 c.712 §7; 1967 c.417 §30; 1973 c.832 §16; 1999 c.558 §2; 2003 c.652 §4]

480.445 Regulation of liquefied petroleum gas container or receptacle siting and installation. (1) The regulation of liquefied petroleum gas containers or receptacles by the State Fire Marshal pursuant to

ORS 480.410 to 480.460 is not a program affecting land use under ORS 197.180.

(2) A local government may not regulate the siting, installation, maintenance or removal of a liquefied petroleum gas container or receptacle regulated by the State Fire Marshal pursuant to ORS 480.410 to 480.460, except as provided in subsection (3) of this section or ORS 480.450 (7).

(3) A local government may:

(a) Regulate the siting and installation of a liquefied petroleum gas container or receptacle with a capacity of more than 1,200 gallons or a group of containers and receptacles with an aggregate capacity of more than 4,000 gallons to protect the public health and safety.

(b) Regulate the siting and installation of liquefied petroleum gas containers or receptacles in a flood plain regulated by local ordinance.

(c) Regulate the siting and installation of liquefied petroleum gas containers or receptacles that are not accessory to an authorized or authorizable land use.

(d) Prohibit the siting and installation of liquefied petroleum gas containers or receptacles of specified types or sizes in specific zones within an urban growth boundary to protect the public health and safety.

(e) Regulate, through the local government's assistant to the State Fire Marshal as described in ORS 476.060, the placement of liquefied petroleum gas containers or receptacles for the purpose of fire prevention. [2005 c.88 §2; 2009 c.790 §8]

Note: 480.445 was added to and made a part of 480.410 to 480.460 by legislative action but was not added to any smaller series therein. See Preface to Oregon Revised Statutes for further explanation.

480.450 Notice of new installations; fees; inspections after original inspection; notice of changes; correction of improper installations required. (1) The installer shall notify the State Fire Marshal, before the last day of each month, of all new installations made during the preceding month of containers or receptacles for liquefied petroleum gas, including installations for private homes and apartments. The installer shall certify on a form provided by the State Fire Marshal that all of the new installations are duly and properly reported. The State Fire Marshal may require that the notification include the location and description of the installation and the name of the user. All fees due and payable must accompany the notification. The replacement of empty containers or receptacles with other containers constructed in accordance with United States Department of Transportation specifications is not a new installation or change

in the original installation that requires notification to the State Fire Marshal or necessitates further inspection of the installation. The State Fire Marshal shall collect from the installer an installation fee of \$50 for each tank installed or for all tanks at the installation if the total combined capacity is 200 gallons or less. The State Fire Marshal or deputies of the fire marshal or assistants shall inspect a reasonable number of the installations and maintain a record of the inspections in the office of the State Fire Marshal.

(2) In addition to any installation or inspection fee, the State Fire Marshal may charge a plan review fee, not to exceed \$100, for any liquefied petroleum gas container and receptacle plan review required under a uniform fire code prescribed by the State Fire Marshal by rule.

(3) After the initial installation, liquefied petroleum gas containers may be inspected once every 10 years except when changes have been made in the original installation. An installer making changes must notify the State Fire Marshal of the changes in the same manner provided in this section for new installations. The State Fire Marshal shall collect from the owner a fee of \$50 for the inspection of each container. The manner of inspection, requirement of corrections, satisfaction of requirements and collection of fees due and payable must conform with the provisions of ORS 480.410 to 480.460 for new installations. Upon request of the State Fire Marshal, LP gas installation licensees shall furnish a list of the locations of 10-year old installations that they service.

(4) If, upon inspection of any tank, the new installation does not comply with the requirements of the State Fire Marshal, the State Fire Marshal shall instruct the installer as to what corrections are necessary for compliance with the State Fire Marshal's requirements. The installer of the new installation shall, within the time set by the State Fire Marshal, not to exceed 60 days after notification, notify the State Fire Marshal that the new installation complies with the requirements of the fire marshal. If the installer fails to notify the State Fire Marshal, or the State Fire Marshal has reason to believe that the corrections have not been made, the State Fire Marshal shall reinspect the new installation and shall collect from the installer an additional fee of \$125. The user, not the installer, shall pay the additional fee resulting from actions of the user that require correction to achieve compliance with the requirements of the State Fire Marshal.

(5) A person who receives notice from the State Fire Marshal must correct any im-

proper installation within the time set by the State Fire Marshal, not to exceed 60 days after receipt of the notice.

(6) If the fees provided for in this section are due and payable and are not paid within 30 days after service of written notice by the State Fire Marshal therefor, or if the installer fails to notify the State Fire Marshal by the last day of the month succeeding the month a new installation is made or a change is made requiring an inspection, the fees are delinquent and a penalty equal to the greater of 10 percent of the fee amount or \$30, is imposed for the delinquency. The State Fire Marshal shall collect all fees and penalties in the name of the State of Oregon in the same manner that other debts are collected.

(7) The provisions of this section do not apply to liquefied petroleum gas installations if made entirely within the jurisdiction of a governmental subdivision granted the exemption provided by ORS 476.030 (3) and written evidence of the licensing of the installation by the approved authority is submitted to the State Fire Marshal. The provisions of this section do not apply to LP gas installations made in manufactured dwellings or recreational vehicles that are constructed or altered in accordance with applicable rules of the Department of Consumer and Business Services. [Amended by 1953 c.228 §4; 1957 c.712 §8; part renumbered 480.460; 1967 c.417 §31; 1973 c.832 §17; 1987 c.346 §4; 1987 c.414 §159a; 1993 c.18 §124; 1993 c.185 §33; 1995 c.79 §294; 1995 c.305 §1; 1999 c.558 §3; 2003 c.652 §5; 2009 c.790 §§9,10]

480.460 Disposition of fees. All fees received by the State Fire Marshal under ORS 480.200 to 480.290 and 480.410 to 480.460 shall be paid by the fire marshal to the State Treasurer monthly and shall constitute and be an appropriation available for the payment of salaries and expenses of deputies and clerical and other assistants of the State Fire Marshal. [Formerly part of 480.450; 1973 c.832 §18]

BOILERS AND PRESSURE VESSELS

480.510 Short title. ORS 480.510 to 480.670 may be cited as the Boiler and Pressure Vessel Law. [1961 c.485 §1; 1969 c.582 §1; 1983 c.676 §2]

480.515 Definitions for ORS 480.510 to 480.670. As used in ORS 480.510 to 480.670, unless the context requires otherwise:

(1) "Alteration" means a change or addition to equipment, other than the ordinary repair or replacement of an existing part of the equipment.

(2) "Board" means the Board of Boiler Rules created under ORS 480.535.

(3) "Boiler" or "boilers" means:

(a) A closed vessel or vessels intended for the heating or vaporizing of liquids to be used externally to such vessel or vessels by the application of heat from combustible fuels, electricity or nuclear energy;

(b) Related appurtenances including but not limited to pressure piping directly connected and related to the safe operation of a boiler; and

(c) Pressure piping consisting of boiler or nonboiler external piping connected to a boiler, but not potable water nonboiler external piping.

(4) "Boiler external piping" has the meaning given the term in the 1986 Pressure Piping Code B 31.1, adopted by the American Society of Mechanical Engineers.

(5) "Certificate of competency" means a certificate issued under the provisions of ORS 480.565 (3).

(6) "Department" means the Department of Consumer and Business Services.

(7) "Director" means the Director of the Department of Consumer and Business Services.

(8) "Installation permit" means a permit issued by the department for the installation, alteration or repair of a boiler or pressure vessel.

(9) "Minimum safety standards" means the rules, regulations, formulae, definitions and interpretations for the safe construction, installation, operation and repair of boilers and pressure vessels either adopted by ORS 480.510 to 480.670 or adopted by the board, under ORS 480.510 to 480.670.

(10) "Nonboiler external piping" has the meaning given the term in the 1986 Pressure Piping Code B 31.1, adopted by the American Society of Mechanical Engineers.

(11) "Operating permit" means a permit issued by the department authorizing the operation of a boiler or pressure vessel.

(12) "Pressure vessel" means containers for the containment of pressure, either internal or external. This pressure may be obtained from an external source or by the application of heat from a direct or indirect source, or any combination thereof.

(13) "Related appurtenances" means any equipment instrumental to the safe operation of a boiler or pressure vessel.

(14) "Shop inspection" means an inspection at a boiler or pressure vessel manufacturing, construction or repair facility.

(15) "Temporary operation authorization" means an authorization issued by the department to operate a boiler or pressure vessel for a specified period pending the issuance of an operating permit. [1961 c.485 §3; 1969 c.582

§2; 1971 c.753 §58; 1973 c.830 §1; 1983 c.676 §3; 1987 c.414 §35; 1991 c.518 §2; 1993 c.744 §142; 2007 c.487 §3; 2009 c.696 §11]

480.520 Purpose of ORS 480.510 to 480.670. The purpose of ORS 480.510 to 480.670 is to protect the safety of the people of Oregon and to protect property situated in Oregon from the hazard of fires and explosions caused by boilers and pressure vessels. To accomplish this purpose the Legislative Assembly intends by ORS 480.510 to 480.670 to provide a system:

(1) For determining where and by whom boilers and pressure vessels are being constructed, installed, repaired, used and operated.

(2) To ensure that only qualified persons do welding on boilers and on pressure vessels.

(3) To ensure that boilers and pressure vessels are manufactured, installed, repaired, operated, inspected and maintained so as to meet the minimum safety standards formulated and promulgated by the Board of Boiler Rules.

(4) For the administration and enforcement of ORS 480.510 to 480.670 by the Department of Consumer and Business Services and the board.

(5) To defray the cost of administration and the cost of enforcing ORS 480.510 to 480.670 by establishing fees to be charged for:

(a) Issuing operating permits;

(b) Issuing installation permits;

(c) Giving examinations; and

(d) Making inspections. [1961 c.485 §2; 1969 c.583 §3; 1983 c.676 §4; 2007 c.487 §4; 2009 c.696 §12]

480.525 Exempt vessels; rules; fee. (1) ORS 480.510 to 480.670 do not apply to:

(a) Boilers and pressure vessels under federal safety regulations or control.

(b) Domestic water heaters designed for heating potable water, equipped with an approved pressure-relieving device, containing only water and that do not exceed a:

(A) Capacity of 120 gallons;

(B) Water temperature of 210 degrees Fahrenheit;

(C) Pressure of 150 pounds per square inch gauge pressure; or

(D) Heat input of 200,000 BTU per hour.

(c) Domestic water heaters designed to create hot water instantaneously on demand without the use of a storage tank.

(d) Pressure vessels containing liquefied petroleum gas that are under the jurisdiction of the State Fire Marshal. However, the construction and repair of the vessels must comply with ORS 480.510 to 480.670 and are

under the jurisdiction of the Board of Boiler Rules.

(e) Air tanks used in the operation of brakes on self-propelled vehicles and trailers that are used for transporting freight or passengers.

(f) Medical sterilizers that do not exceed one and one-half cubic feet in volume.

(g) Pressure vessels that do not exceed one and one-half cubic feet in volume and:

(A) Are not operated at gauge pressure of more than 150 pounds per square inch;

(B) Are equipped with a relief valve;

(C) Are approved under the American Society of Mechanical Engineers code adopted by the board;

(D) Are set at a maximum pressure of 150 pounds per square inch or less; and

(E) Are located in a place of public assembly.

(h) Pressure vessels that do not exceed five cubic feet in volume and:

(A) Are not operated at gauge pressure of more than 150 pounds per square inch;

(B) Are equipped with a relief valve;

(C) Are approved under the American Society of Mechanical Engineers code adopted by the board; and

(D) Are set at a maximum pressure of 150 pounds per square inch or less.

(2) Notwithstanding subsection (1) of this section, if the board, upon presentation of satisfactory evidence, determines that danger to health or safety is evident in any pressure vessel or class of pressure vessels exempted under subsection (1)(g) of this section, the board may require the inspection or reinspection of the pressure vessel or class of pressure vessels and make the pressure vessel or class of pressure vessels subject to the fee, construction or other requirements of ORS 480.510 to 480.670.

(3) The following boilers and pressure vessels are exempt from ORS 480.510 to 480.670, except as to all provisions relating to construction, installation, alteration or repair and to installation permits:

(a) Boilers that are not operated at gauge pressures of more than 15 pounds per square inch and that are located on farms and used solely for agricultural purposes except when used in connection with a greenhouse.

(b) Air tanks located on farms and used solely for agricultural purposes.

(c) Boilers and pressure vessels that are located in private residences and may be inspected only by a boiler inspector.

(d) Pressure vessels being operated at gauge pressures of less than 15 pounds per

square inch and equipped with a pressure relief device set to open at a pressure that does not exceed the lesser of the pressure vessel's maximum allowed working pressure or 15 pounds per square inch gauge pressure.

(4)(a) Beverage service tanks that have a product volume of five cubic feet or less are exempt from ORS 480.510 to 480.670.

(b) Except as provided in paragraph (c) of this subsection, beverage service tanks that have a product volume of more than five cubic feet are exempt from ORS 480.510 to 480.670, except as to provisions relating to installation permits and installation inspections. The installation permit fee for a beverage service tank is \$50.

(c) All portable beverage tanks are exempt from ORS 480.510 to 480.670.

(5) The Director of the Department of Consumer and Business Services may adopt rules identifying boilers and pressure vessels used in single family dwellings or other structures that may be inspected by an inspector certified under ORS 455.715 to 455.740 for a specialty code other than the code adopted under ORS 480.545. The boilers and pressure vessels identified in the rules shall be subject to inspection upon installation, alteration or repair, but be exempt from periodic inspection under ORS 480.560 and from the operating permit requirements of ORS 480.585.

(6) Notwithstanding any requirement of ORS 480.510 to 480.670 or the state building code, the Department of Consumer and Business Services may adopt rules granting partial or complete exemption from ORS 480.510 to 480.670 for a boiler or pressure vessel if the board determines that the boiler or pressure vessel does not present a danger to public health or safety within this state. [1961 c.485 §1; 1967 c.447 §1; 1969 c.582 §4; 1973 c.830 §2; 1983 c.676 §5; 1985 c.398 §1; 1987 c.847 §1; 1991 c.518 §6; 1999 c.713 §1; 2007 c.386 §1; 2007 c.487 §5; 2009 c.696 §13]

480.530 Powers and duties of department. The Department of Consumer and Business Services may:

(1) Where it appears that a person is engaging in or is about to engage in an act or practice in violation of any provision of ORS 480.510 to 480.670, obtain without furnishing a bond, a restraining order and injunction from the circuit court in the county where the act or practice is occurring, or is threatened, enjoining the act or practice. However, before obtaining a restraining order and injunction, unless the act or practice constitutes an immediate threat to health and safety, the department shall first notify the person concerned of the department's intentions. The notice shall be in writing, shall advise the person concerned of the department's intentions and shall advise the

person concerned of the right to appeal in writing within 10 days and that the appeal will be heard by the Board of Boiler Rules. In case there is a timely request for an appeal, proceedings will be stayed pending the appeal, unless the act or practice constitutes an immediate menace to health or safety or the person concerned fails to prosecute the appeal with diligence.

(2) Keep a complete record of the types, dimensions, maximum allowable working pressures, age, location and date of the last recorded inspection of all boilers and pressure vessels to which ORS 480.510 to 480.670 apply.

(3) Publish and distribute copies of the rules and codes applicable to boilers and pressure vessels.

(4) Check or cause to be checked the authenticity, appropriateness and expiration dates of licenses and certificates issued under ORS 480.510 to 480.670.

(5) Administer written, oral or practical examinations to all applicants for certification as chief boiler inspector, deputy inspector or special inspector under ORS 480.565. [1961 c.485 §13; 1969 c.582 §5; 1971 c.753 §59; 1983 c.676 §6; 1991 c.518 §3; 2007 c.71 §162; 2013 c.324 §12]

480.535 Board of Boiler Rules; members; duties; qualifications; confirmation; rules. (1) The Board of Boiler Rules is established in the Department of Consumer and Business Services. The Governor shall appoint the board, which shall formulate and promulgate rules under ORS 480.510 to 480.670 for the safe construction, installation, inspection, operation, maintenance and repair of boilers and pressure vessels in this state and review determinations made by its staff concerning boilers and pressure vessels.

(2) Eleven persons shall constitute the board, consisting of:

(a) One person who is an owner and user or who is a representative and employee of an owner and user of a high pressure boiler in Oregon and who has had practical experience with high pressure boilers;

(b) One person who is a manufacturer or who is a representative and employee of a manufacturer of boilers or of pressure vessels in Oregon;

(c) One person who is regularly engaged in the inspection of boilers and pressure vessels and who is employed by an insurer who may and does write policies of boiler and pressure vessels explosion insurance in Oregon;

(d) One person who is a mechanical engineer registered by the State of Oregon;

(e) One person who is a boilermaker;

(f) One person who is the owner and user or who is a representative and employee of an owner and user of a low pressure boiler in Oregon;

(g) One person who is the owner and user or who is a representative and employee of an owner and user of a pressure vessel in Oregon and who has had practical experience with pressure vessels;

(h) One person who is an owner or employee of a business engaged in the installation and repair of boilers;

(i) One person who is a steamfitter;

(j) One person who is a practical steam operating engineer; and

(k) One person who is a member of the public not otherwise eligible for appointment to the board.

(3) A member of the board who does not continue to meet the qualifications for board membership under subsection (2) of this section during the member's term may not be appointed to a subsequent term.

(4) The appointment of a member of the board is subject to confirmation by the Senate pursuant to section 4, Article III of the Oregon Constitution. [1961 c.485 §4; 1969 c.582 §6; 1971 c.753 §60; 1983 c.676 §7; 1991 c.518 §1; 1993 c.744 §142a; 2001 c.512 §1]

480.540 Term of members; removal; compensation and expenses. (1) The term of office of a member of the Board of Boiler Rules is four years and a member is not eligible for appointment to more than two full terms of office. A member shall continue to serve until a successor has been appointed and qualified. Vacancies shall be filled by appointment for the unexpired term.

(2) The chief boiler inspector shall serve without a vote as secretary of the board.

(3) The Governor may remove any member of the board for cause.

(4) A member of the board is entitled to compensation and expenses as provided in ORS 292.495. [1961 c.485 §5; 1969 c.314 §54; 1983 c.676 §8; 1993 c.744 §143; 2007 c.71 §163; 2011 c.272 §23]

480.545 Rules; minimum safety standards; fees. (1) Under ORS chapter 183 the Board of Boiler Rules may adopt and enforce rules and minimum safety standards to carry out ORS 480.510 to 480.670 and adopt standards for persons performing welding on boilers and pressure vessels.

(2) All proceedings in the administration of ORS 480.510 to 480.670 shall be conducted under ORS chapter 183 and, additionally, where applicable, under ORS 480.615.

(3) In addition to the rules otherwise provided, and subject to ORS chapter 183, the board shall adopt rules concerning the

times, dates, frequency and manner of giving notice to interested persons of intention to consider one or more of the things which the board may consider under this section.

(4) All rules and minimum safety standards adopted under this section shall be reasonable and in substantial conformity with generally accepted nationwide engineering standards. In adopting rules the board shall consider the probability, extent and gravity of injuries to health and property which would result from the failure to adopt the standards being considered and the standards followed, proposed or approved by members of affected industries.

(5) The board shall adopt rules establishing a continuing education requirement for persons described in ORS 480.630 (8) and fees necessary for the administration and enforcement of the continuing education requirement.

(6) Any rule adopted by the board under ORS 480.510 to 480.670 shall be submitted to the Director of Department of Consumer and Business Services. The director shall have 30 calendar days from the date of adoption of the rules to review them. If the director fails to disapprove the rules within the 30-day period, the rules become effective in accordance with their terms and as provided by law. If the director disapproves the rules within the 30-day period, the rules immediately shall be returned to the board with the director's written objections, and the rules do not become effective until approved by the director. [1961 c.485 §7; 1969 c.582 §7; 1983 c.676 §9; 1991 c.518 §4; 2001 c.678 §1; 2007 c.271 §8]

480.550 Minimum safety standards; effect on existing vessels; application of subsequent amendments. (1) Until different rules are adopted, there is adopted as the minimum safety standards for boilers and pressure vessels the published codification of standard engineering practices and formulae known as the "Boiler and Pressure Vessel Code of the American Society of Mechanical Engineers," together with the published revisions and interpretations thereof in effect as of January 1, 1969.

(2) Any vessel in use on July 1, 1961, or in use on the effective date of any adoption of different rules, shall be deemed to meet the minimum safety standards so long as the same use continues and no change occurs which would reduce the safety of its operation. Provided that if the Board of Boiler Rules finds that there is a variation from the minimum safety standards which is dangerous to health or safety, it may order that all vessels having a like variation be brought into conformity with the rules created under this section, or adopted after July 1, 1961, without variation.

(3) The Board of Boiler Rules shall adopt minimum safety standards for pressure piping substantially equal to the published codification of standard engineering practices and formulae known as the "Code for Pressure Piping" of the American Society of Mechanical Engineers, numbered B 31.1, B 31.3, B 31.5, B 31.7 and B 31.9 together with the published revisions and interpretations thereof. [1961 c.485 §8; 1969 c.582 §8; 1973 c.830 §3; 1983 c.676 §9a; 1999 c.823 §1]

480.555 Prohibitions relating to non-conforming vessels; exemptions. (1) Except as provided in ORS 480.525 (1), a person may not:

(a) Make or direct the construction, installation, repair or alteration of a boiler or pressure vessel that does not meet minimum safety standards.

(b) Lend, rent out, or offer to lend or to rent out, sell, offer for sale, or dispose of by gift or otherwise, for operation, a boiler or pressure vessel that does not meet the minimum safety standards.

(c) Use, or attempt to use, a boiler or pressure vessel that fails to meet the minimum safety standards.

(d) Make any installation of a boiler or pressure vessel or repair thereon affecting the strength or safety thereof without notifying the chief boiler inspector as prescribed by rules promulgated under ORS 480.545.

(2) Nothing in this section restricts the construction of boilers or pressure vessels in Oregon that are installed outside Oregon and that do not conform to the provisions of ORS 480.510 to 480.670. [1961 c.485 §9; 1967 c.447 §5; 1969 c.582 §9; 1983 c.676 §10; 1991 c.518 §7; 2007 c.71 §164]

480.557 [Formerly 447.135; 1987 c.847 §2; 1991 c.518 §8; repealed by 1999 c.712 §1 and 1999 c.713 §2]

480.560 Inspections; testing; rules. (1) The Board of Boiler Rules shall adopt rules to provide for the inspection of the installation, operation and condition of boilers and pressure vessels that are used or proposed for use in this state and not made exempt from periodic inspection under ORS 480.510 to 480.670.

(2) Pressure piping that is nonboiler external piping, but that excludes potable water nonboiler external piping, shall be inspected on installation only and may not thereafter be considered as part of the boiler for the purposes of any subsequent inspections required by this section.

(3) If a hydrostatic test is necessary to determine the safety of a boiler or pressure vessel, the test shall be made by the owner or user of the boiler or pressure vessel and witnessed by a deputy or special inspector.

(4) All boilers and pressure vessels to be installed in this state shall be inspected during construction:

(a) By an inspector authorized to inspect boilers in this state or authorized under ORS 455.715 to 455.740 to perform inspections of boilers and pressure vessels identified by rule as provided in ORS 480.525 (5); or

(b) If constructed outside of the state, by an inspector holding a certificate of competency issued by a state that has a standard of examination substantially equal to that of this state. [1961 c.485 §17; 1969 c.582 §10; 1973 c.830 §3a; 1983 c.676 §11; 1991 c.518 §9; 2007 c.487 §6; 2009 c.696 §14]

480.565 Chief and deputy inspectors; special inspectors. The Director of the Department of Consumer and Business Services shall:

(1) Appoint a chief boiler inspector who has had practical experience in the construction, maintenance, repair or operation of high pressure boilers and pressure vessels as a mechanical engineer, practical steam operating engineer, boilermaker or boiler inspector and who:

(a) Has passed a written examination, which shall be confined to questions the answers to which will aid in determining the fitness and competency of the applicant to inspect boilers and pressure vessels; or

(b) Holds a certificate of competency as an inspector of boilers and pressure vessels issued by a state that has standards of examination equal to those of the State of Oregon and that recognizes certificates of competency issued by the State of Oregon, and has passed an examination that assesses the applicant's knowledge of ORS 480.510 to 480.670 and the rules adopted thereunder.

(2) Appoint deputy inspectors who shall be responsible to the chief boiler inspector and who shall have qualified as provided in subsection (1) of this section, except that less practical experience shall be required.

(3) Issue a certificate of competency as a special inspector to any individual who qualifies as provided in subsection (1) of this section, except that no more practical experience shall be required than is required of a deputy inspector, and who is continuously employed by:

(a) An insurer who may and does write policies of boiler and pressure vessel insurance in Oregon; or

(b) Any person operating pressure vessels in this state whose service, personnel, equipment and supervision meet the requirements prescribed by the Board of Boiler Rules. [1961 c.485 §12; 1969 c.582 §11; 1971 c.753 §61; 1991 c.518 §13; 2007 c.71 §165]

480.570 Inspections by special inspectors or others; effect on permit fees; exempt boilers and vessels. (1) A special inspector receiving a certificate of competency under ORS 480.565 (3)(b) may not inspect under ORS 480.510 to 480.670 any boiler or pressure vessel not used or not to be used by the employer of the special inspector.

(2) If a special inspector holds a certificate of competency issued under ORS 480.565 (3)(a), the special inspector:

(a) May conduct shop inspections of boilers and pressure vessels manufactured or to be installed in this state whether or not the boilers or pressure vessels are insured or will be insured by the employer of the special inspector; and

(b) Upon being notified that the boilers or pressure vessels are ready for inspection, shall perform all installation and operating inspections required under ORS 480.510 to 480.670 on boilers and pressure vessels that are operated or insured by the special inspector's employer.

(3) A boiler contractor licensed under ORS 480.630 that performs an alteration or repair on a boiler or pressure vessel shall utilize the services of:

(a) An authorized inspector certified under this chapter with whom the contractor has an agreement for inspection of the alteration or repair;

(b) A special inspector of an insurance company with which the contractor has an inspection contract; or

(c) A designated inspector who is authorized to inspect the alteration or repair.

(4) A special inspector's certificate of competency remains in force only while the special inspector is continuously employed by one of the persons mentioned in ORS 480.565 (3).

(5) If a boiler or pressure vessel is inspected by a special inspector as provided in this section, the boiler or pressure vessel is subject to the installation permit and operating permit fees described in ORS 480.600 (2) instead of the installation permit and operating permit fees established under ORS 480.595.

(6) The Department of Consumer and Business Services may cause a deputy inspector to inspect or reinspect all boilers and pressure vessels that a special inspector is authorized or required to inspect. However, the deputy inspector may not conduct an internal inspection or reinspection unless:

(a) There is a question as to whether or not the boiler or pressure vessel meets the minimum safety standards; and

(b) The special inspector who made the original inspection, or the employer of the special inspector, is given reasonable notice and opportunity to be present during the internal inspection or reinspection.

(7) Subsections (1) to (6) of this section do not apply to boilers or pressure vessels located in a residential structure that contains fewer than six dwelling units. [1961 c.485 §14; 1969 c.582 §12; 1983 c.676 §12; 1991 c.518 §5; 2007 c.487 §7; 2009 c.696 §15]

480.575 [1961 c.485 §15; 1969 c.582 §13; 1983 c.676 §13; 1999 c.598 §1; 2001 c.104 §222; repealed by 2005 c.758 §56]

480.580 Access to buildings and premises by inspectors. (1) The chief boiler inspector or any deputy inspector may, at all reasonable hours, in performance of the duties imposed by the provisions of ORS 480.510 to 480.670, enter into all buildings and upon all premises, except private residences, for the purpose of inspecting any boiler or pressure vessel that is covered by ORS 480.510 to 480.670 and that the chief boiler inspector or the deputy inspector has reasonable cause to believe is located therein.

(2) No person shall interfere with or prevent any such inspection by the chief boiler inspector or a deputy inspector. [1961 c.485 §16; 1969 c.582 §14; 1983 c.676 §14; 2007 c.71 §166]

480.585 Temporary operation authorization; operating permit; suspension or revocation. (1) After a boiler or pressure vessel has successfully passed an installation inspection, the Department of Consumer and Business Services may issue a temporary operation authorization. The boiler or pressure vessel covered by the temporary operation authorization may only be operated during the period specified in the temporary operation authorization.

(2) An operating permit for a boiler or pressure vessel shall specify the maximum pressure under which the boiler or pressure vessel may be operated.

(3) The department may at any time suspend or revoke an operating permit if the department finds that the boiler or pressure vessel, or related appurtenances, for which the permit was issued does not comply with ORS 480.510 to 480.670. Suspension of any permit continues in effect until the vessel conforms to ORS 480.510 to 480.670 and the permit is reissued. However, before suspending or revoking a permit, the department shall first notify the person concerned of the department's intention. The notice must be in writing and advise the person concerned of the right to appeal in writing within 10 days and that the appeal will be heard by the Board of Boiler Rules. If there is a timely appeal, the department may not suspend or revoke the permit pending the appeal unless

the reason for suspension or revocation constitutes an immediate menace to health or safety or the person concerned fails to prosecute an appeal with diligence.

(4)(a) Except as provided in ORS 480.510 to 480.670, a person may not operate a boiler or pressure vessel unless a valid temporary operation authorization or valid operating permit issued under this section is attached to the boiler or pressure vessel or posted in a conspicuous place in the room where the boiler or pressure vessel is located.

(b) A person may not permit or suffer the operation of a boiler or pressure vessel on property the person owns, controls, manages or supervises unless a valid temporary operation authorization or valid operating permit issued under this section is attached to the boiler or pressure vessel or posted in a conspicuous place in the room where the boiler or pressure vessel is located.

(c) The owner or lessee or person having possession of a boiler or pressure vessel may not permit or suffer the operation of the boiler or pressure vessel unless a valid temporary operation authorization or valid operating permit issued under this section is attached to the boiler or pressure vessel or posted in a conspicuous place in the room where the boiler or pressure vessel is located.

(5) The board may adopt rules waiving provisions of this section. [1961 c.485 §18; 1967 c.447 §2; 1969 c.582 §15; 1983 c.676 §15; 1993 c.744 §144; 2005 c.22 §367; 2007 c.487 §8; 2009 c.696 §16]

480.590 [1961 c.485 §10; repealed by 1983 c.676 §31]

480.595 Permits; rules; fees. (1) The Department of Consumer and Business Services may adopt rules regarding installation permits and operating permits. The rules may include, but need not be limited to, rules creating standardized forms, establishing operating permit fees, establishing permit cycles and setting terms and conditions for permit validity.

(2) Upon timely receipt of an installation permit fee, the department may issue an installation permit, perform an installation inspection and issue a temporary operating authorization.

(3) Upon timely receipt of an operating permit fee, the department may issue or renew an operating permit and may perform a periodic inspection if required during the operating permit cycle.

(4) Except as provided in ORS 480.525 and 480.600, installation permit fees are as follows:

(a) For boilers, \$175.

(b) For pressure vessels, \$125.

(5) Except as provided in ORS 480.600, maximum operating permit fees per year are as follows:

(a) Power boilers of 15 horsepower or less	\$110
(b) Other boilers of 15 horsepower or less	\$ 55
(c) Power boilers greater than 15 horsepower to 100 horsepower	\$110
(d) Other boilers greater than 15 horsepower to 100 horsepower	\$ 55
(e) Power boilers greater than 100 horsepower to 500 horsepower	\$110
(f) Other boilers greater than 100 horsepower to 500 horsepower	\$ 55
(g) Power boilers greater than 500 horsepower	\$110
(h) Other boilers greater than 500 horsepower	\$ 55
(i) Notwithstanding paragraphs (a) to (h) of this subsection, all cast iron boilers	\$ 55
(j) Pressure vessels having a product volume of 20 cubic feet or less	\$ 50
(k) Pressure vessels having a product volume greater than 20 cubic feet	\$ 50

(6) For a reinspection, the fee is \$75.

(7) For the submission of plans and other pertinent data when required, for each boiler or pressure vessel, the fee is \$78. [1961 c.485 §19; 1967 c.447 §3; 1969 c.582 §16; 1973 c.830 §6; 1973 c.832 §18a; 1974 c.36 §17; 1981 c.566 §2; 1983 c.676 §16; 1991 c.201 §3; 2001 c.162 §1; 2007 c.487 §9; 2009 c.696 §17]

480.600 Special provisions on permit and inspection fees; notice from insurer.

(1) For a quantity of boilers or pressure vessels operated at the same locations, each operating permit fee under ORS 480.595 issued at the same location is \$75.

(2) Notwithstanding ORS 480.595 and except as provided in this subsection, the installing, altering or repairing contractor or the owner or user of any boiler or pressure vessel that is inspected under ORS 480.570 (1) or (2) shall pay an installation permit fee of \$40 and an operating permit fee of \$40. The Department of Consumer and Business Services may establish operating permit cycles by rule. The department may require payment of an installation or operating permit fee as provided in ORS 480.595 if the department finds that the boiler or pressure vessel is in violation of the minimum safety standards.

(3) If an insurance company notifies its insured that the insurance company will no longer insure a boiler or pressure vessel, or that insurance on a boiler or pressure vessel is no longer in force, the insurance company shall also notify the chief boiler inspector, in a form and manner prescribed by the chief boiler inspector, of the description and vessel registration numbers of the boilers or pres-

sure vessels for which insurance is canceled or suspended or is not to be renewed.

(4) If an owner or user of a boiler or pressure vessel fails to pay any fee required by this chapter within 90 days after the billing date, the department may consider the fee delinquent and double the amount of the fee. The court may award reasonable attorney fees to the department if the department prevails in an action to collect a fee required by this chapter. The court may award reasonable attorney fees to a defendant who prevails in an action to collect a fee required by this chapter if the court determines that the department had no objectively reasonable basis for asserting the claim or no reasonable basis for appealing an adverse decision of the trial court. [1961 c.485 §21; 1967 c.447 §4; 1969 c.582 §17; 1973 c.830 §7; 1973 c.832 §18b; 1974 c.36 §18; 1981 c.566 §3; 1981 c.897 §57; 1983 c.676 §17; 1991 c.201 §4; 1991 c.518 §18; 1995 c.696 §25; 1999 c.711 §1; 2007 c.487 §10; 2009 c.696 §18]

480.605 Miscellaneous fees. The Department of Consumer and Business Services may:

(1) Collect fees for shop inspections, or for inspections, testing, consultations, site visits or other services for which no fee is otherwise specified, in the amount of \$75 per hour of travel and inspection time.

(2) Collect a fee for welding and inspectors' examinations and for the renewal of inspectors' certifications. The Board of Boiler Rules shall fix the amount of the fee. [1961 c.485 §22; 1969 c.582 §18; 1973 c.830 §8; 1993 c.744 §145; 2007 c.271 §9; 2009 c.696 §19; 2011 c.9 §69]

480.607 [1983 c.676 §20b; 1991 c.703 §16; 2001 c.678 §2; 2005 c.758 §35; 2007 c.487 §11; repealed by 2009 c.696 §26]

480.610 Disposition of fees. All receipts from fees, charges, costs and expenses under ORS 480.510 to 480.670 shall be collected by the Department of Consumer and Business Services and paid into the Consumer and Business Services Fund created by ORS 705.145. Such moneys shall be used only for the administration and enforcement of ORS 480.510 to 480.670. [1961 c.485 §23; 1973 c.834 §42; 1983 c.676 §18; 1993 c.744 §146]

480.615 Appeals. (1) The Board of Boiler Rules shall hear the appeal of an appellant who:

(a) Has filed a timely written request and:

(A) Has received notice that a restraining order or injunction will be sought;

(B) Has received notice that an installation permit or operating permit will be suspended or revoked; or

(C) Is affected by either of such notices; or

(b) Has filed a written request and who has reason to desire a change in the minimum safety standards or the rules.

(2) The board shall set the time and place for hearing and give the appellant 10 days' written notice.

(3) The board shall hear an appeal within three months after receipt of the request. However, if an immediate menace to health or safety is involved, the board shall hear the appeal within 20 days after receipt of the request.

(4)(a) Two or more appeals may be consolidated for hearing, if based upon substantially the same facts.

(b) The board and the appellant may subpoena witnesses, who shall receive the same compensation and mileage pay as circuit court witnesses.

(c) The board shall keep a written or recorded record. [1961 c.485 §26; 1983 c.676 §19; 1991 c.518 §10; 2007 c.71 §167; 2007 c.487 §12; 2009 c.696 §20]

480.630 Licensing of boiler contractors and persons installing, altering or repairing boilers or pressure vessels; installation permits; fees; continuing education. (1) A person engaging in the business of installing, repairing or altering boilers or pressure vessels must possess a boiler contractor license issued by the Department of Consumer and Business Services.

(2) A person who installs, repairs or alters boilers or pressure vessels as the employee or agent of a business engaged in the installation, repair or alteration of boilers or pressure vessels must possess an employee or agent license issued by the department.

(3) The chief boiler inspector may conduct examinations for licensing an employee or agent of a business to establish the competency of the applicant.

(4) Upon payment of the applicable application fee, the department shall issue a license to an applicant who qualifies as provided in rules adopted under ORS 455.117 by the Board of Boiler Rules. Upon payment of the applicable renewal application fee, the department shall renew the license of a person who complies with ORS 480.510 to 480.670 and the rules adopted by the board under ORS 455.117 or 480.545. The fee to apply for or renew a license is:

(a) \$27.50 per year for an employee or agent license.

(b) \$165 per year for a boiler contractor license.

(5) A person required to be licensed under this section may not install, alter or repair a boiler or pressure vessel unless an installation permit is first secured from the

department. The department shall issue permits only to persons possessing a valid boiler contractor license or as provided by the department by rule.

(6) If an emergency exists, a permit under subsection (5) of this section is not required in advance for boiler or pressure vessel installations or repair, provided that an application accompanied by the appropriate fee for the permit is submitted to the department within five days after the commencing of the boiler or pressure vessel work.

(7) The license and examination requirements of this section and ORS 480.632 do not apply when a person is brought in from out of state to repair or alter a boiler or pressure vessel utilizing special tools or a special process for which that person is uniquely qualified. The activity shall be limited solely to the special process and the person performing the work shall have qualifications that meet or exceed license standards as determined by the chief boiler inspector. The chief boiler inspector shall be notified prior to performance of any work under this subsection.

(8) If a license issued under subsection (4) of this section is of a class that authorizes a person to perform work equivalent to that performed by pressure vessel installers, building service mechanics, boilermakers or pressure piping mechanics, the person must comply with continuing education requirements. [1973 c.830 §4; 1983 c.676 §20; 1987 c.414 §36; 1991 c.201 §5; 2001 c.678 §3; 2005 c.758 §36; 2007 c.71 §168; 2007 c.487 §§13,13a; 2009 c.696 §21]

480.632 Employment of unlicensed worker prohibited. A person licensed, or required to be licensed, under ORS 480.630 to engage in the business of installing, repairing or altering boilers or pressure vessels may not employ any person to work on a boiler or pressure vessel unless the employed person has a valid license issued under ORS 480.630. [1983 c.676 §24; 2005 c.758 §37; 2007 c.306 §4]

480.634 Exemption of journeyman plumber for certain activities. (1) A person who has a valid journeyman plumber license does not have to obtain a license under ORS 480.630 (2) to work as an employee of a business engaged in installing or replacing by nonwelded means a potable domestic water heater that:

(a) Is not used for space heating;

(b) Has a capacity that does not exceed 180 gallons;

(c) Has a water temperature that does not exceed 210 degrees Fahrenheit;

(d) Has a pressure that does not exceed 150 pounds per square inch gauge pressure; and

(e) Has a heat input that does not exceed 750,000 BTU per hour.

(2) Subsection (1) of this section does not allow construction, repair or alteration of the domestic potable water heater. [1991 c.518 §15; 2005 c.758 §38]

480.635 [1973 c.830 §5; 1983 c.676 §21; repealed by 2005 c.758 §56]

480.640 When court action not available. A person providing services connected with boilers or pressure vessels may not bring or maintain an action in the courts of this state to recover for those services unless the person alleges and proves that, at the time the services were performed, the person performing the services held a license issued under ORS 480.630. This section does not apply to a person exempted from licensing by ORS 480.630 (7). [1983 c.676 §25; 1991 c.518 §11; 2005 c.758 §39; 2007 c.487 §14]

480.645 Standardized examination; administration. (1) The Board of Boiler Rules shall cause to be prepared examinations that are standardized. In standardizing examinations under this subsection, the board may adopt standardized examinations prepared by nationally recognized bodies.

(2) The board shall allow any person who takes an examination to review the examination and test results of that person. [1983 c.676 §26; 1991 c.518 §12]

480.647 Quality control procedures for welding on nonboiler external piping; rules. (1) The Board of Boiler Rules may adopt rules creating quality control procedures for welding on nonboiler external piping and may adopt its own Oregon welded stamp symbol.

(2) The board may not require the adoption of "R" stamp provisions of the National Board of Boiler and Pressure Vessel Inspectors or the American Society of Mechanical Engineers Certification of Authorization requirements related to boilers for welding on nonboiler external piping.

(3) The board shall accept an "R" stamp certificate of authorization by the National Board of Boiler and Pressure Vessel Inspectors or the American Society of Mechanical Engineers as meeting the requirements of subsection (1) of this section and may accept any other quality control program for welding that is at least equivalent to the Oregon quality control procedures adopted under subsection (1) of this section.

(4) All review by the Department of Consumer and Business Services for individual approval of quality control procedures and requirements shall be charged at the shop inspection rates under ORS 480.605. [1991 c.518 §16; 1993 c.744 §148; 2009 c.696 §22]

480.660 Notice of violation; correction; when use prohibited; appeal. (1) If an inspector determines that any condition exists that is a violation of the safety standards prescribed pursuant to ORS 480.510 to 480.670, the inspector shall post a notice in plain view on or near the affected boiler or pressure vessel that specifies the defective condition, and shall provide a copy of the notice to the owner or user of the affected boiler or pressure vessel, or to a representative of the owner or user.

(2) If no immediate hazard to health and safety is evident, the notice shall state that correction of the defective condition is required within 30 days of the date of the inspection. If the correction is not completed within the 30-day period, the owner or user of the boiler or pressure vessel may apply to the chief boiler inspector for extension of the time for making the correction. If the chief boiler inspector determines that corrective action was commenced within the time period specified in the notice, an extension may be granted for such time as is required to complete corrective action.

(3) If an immediate hazard to health and safety is evident, the notice shall prohibit further use of the boiler or pressure vessel. The inspector immediately shall report that action to the chief boiler inspector.

(4) If any person is aggrieved by a determination made upon inspection under this section, the person first shall appeal that determination to the chief boiler inspector and then to the Board of Boiler Rules. Subsequent appeal shall be as provided in ORS 183.480 to 183.540. [1983 c.676 §28]

480.665 [1983 c.676 §27; 1991 c.734 §47; 1999 c.846 §3; repealed by 2001 c.411 §31]

480.670 Civil penalty for Boiler and Pressure Vessel Law violations; disposition of penalty moneys. The Board of Boiler Rules may impose a civil penalty for a violation of ORS 480.510 to 480.670 or rules adopted for the administration and enforcement of those sections. Moneys received by the Department of Consumer and Business Services or the board from civil penalties imposed under this section or ORS 455.895 (1)(c) shall be deposited to the Consumer and Business Services Fund created under ORS 705.145 and used only for the administration and enforcement of ORS 480.510 to 480.670 and 480.990 (8). [2001 c.411 §10; 2007 c.898 §2]

PENALTIES

480.990 Penalties. (1) Violation of any provision of ORS 480.010 to 480.040 is a Class B violation.

(2) Violation of any provision of ORS 480.050, 480.060 or 480.290 is a Class C misdemeanor.

(3) Violation of ORS 480.070 is a Class A misdemeanor.

(4) Violation of ORS 480.085 is a Class B violation.

(5) Violation of any provision of ORS 480.111 to 480.165 is a Class B misdemeanor. Violations thereof may be prosecuted in state or municipal courts when violations occur within the municipality served thereby. Justice courts shall have concurrent jurisdiction with circuit courts in all proceedings arising within ORS 480.111 to 480.165.

(6) Subject to ORS 153.022, violation of any provision of ORS 480.210, 480.215, 480.235 and 480.265 or of any rule or regu-

lation adopted under ORS 480.280 (1) is a Class B misdemeanor.

(7) Violation of any provision of ORS 480.420 to 480.460 is a Class B violation.

(8) Subject to ORS 153.022, violation of any provision of ORS 480.510 to 480.670, or any rule promulgated pursuant thereto, is a Class A misdemeanor. Whenever the Board of Boiler Rules has reason to believe that any person is liable to punishment under this subsection, it may certify the facts to the Attorney General, who may cause an appropriate proceeding to be brought. [Subsection (4) of 1963 Replacement Part enacted as 1961 c.722 §3; subsection (10) enacted as 1961 c.485 §24; subsection (4) enacted as 1963 c.384 §3; 1965 c.602 §24; subsection (3) enacted as 1967 c.417 §22; subsection (7) enacted as 1971 c.518 §25; 1983 c.676 §22; 1985 c.165 §3; 1987 c.158 §111; 1991 c.863 §59; 1999 c.1051 §193]

PROTECTION FROM FIRE



Request for Variance



Department of Consumer
and Business Services

Oregon Board of Boiler Rules

March 2025 Board Meeting

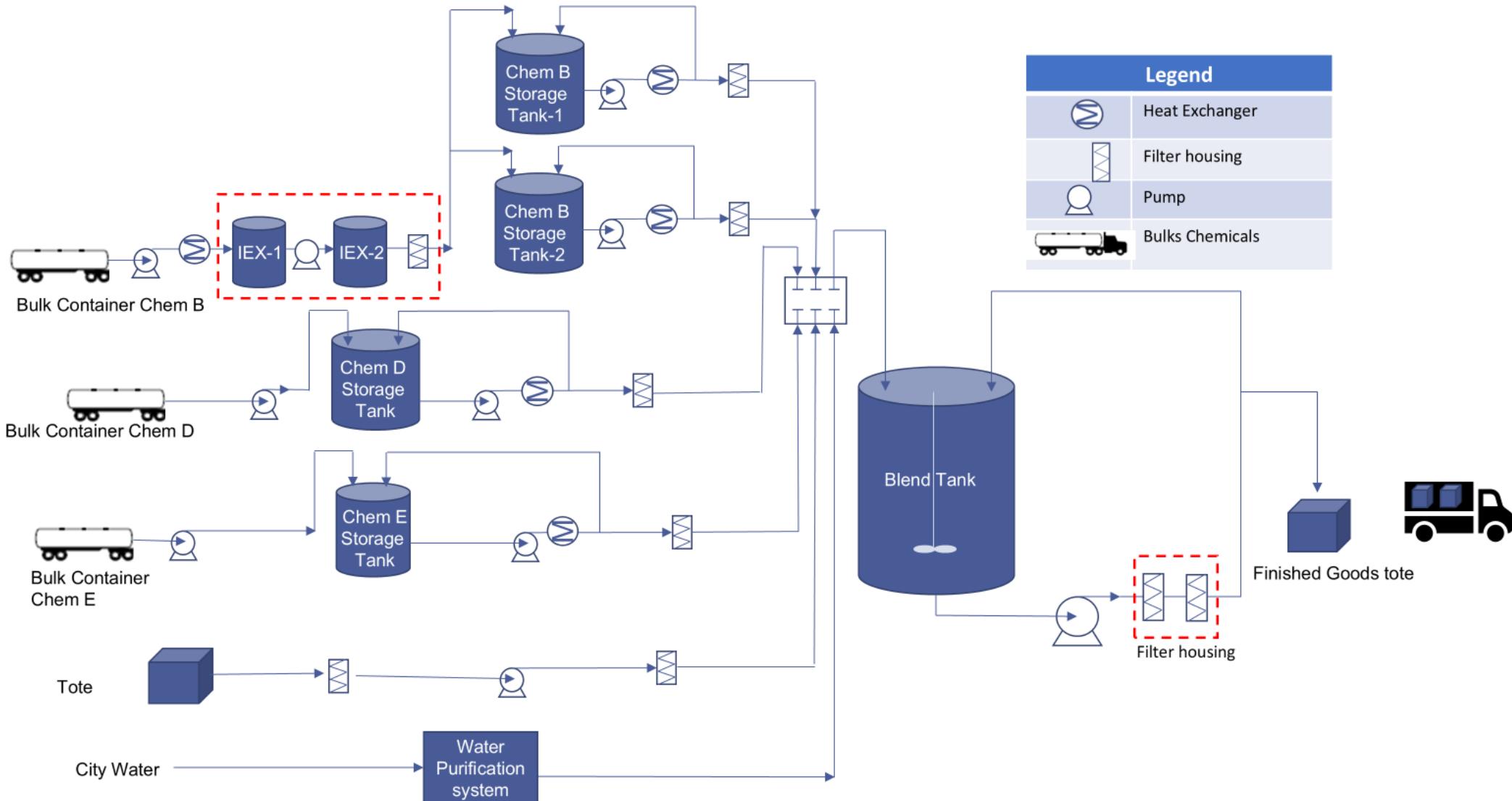


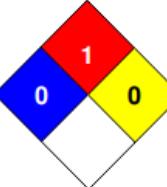
Claiming Exemptions to Oregon Administrative Rule 918-225-0445:

Oregon Administrative Rule 918-225-0445 sets forth specific rules for the operation, maintenance, and inspection of pressure vessels, which could apply to the Ion Exchange Vessel (IEX) and Blend Filter Housings. An exemption could be sought on the following grounds:

- **Non-applicability:** Demonstrate that the Ion Exchange Vessel (IEX) and Blend Filter Housings are not subject to the operational requirements of OAR 918-225-0445 due to their design or intended use (e.g. do not fall within the scope of regulated vessels under this rule).
- **Alternative Safety Measures:** Provide documentation or certifications for any alternative safety systems, inspections, or testing methods that ensure the vessels' safety without adhering strictly to the prescribed requirements in OAR 918-225-0445.

JSR Tank System Schematic



Exclamation
mark

- Chemical: Propylene Glycol
- **HAZARD COMMUNICATION STANDARD:** This material is not a "Hazardous Chemical" as defined by the OSHA Hazard Communication Standard, 29 CFR 1910.1200.
- **NFPA:** 1 - Materials that must be preheated before ignition can occur
- **GHS CLASSIFICATIONS**
 - EYES: Moderately irritating to the eyes (H320).
 - SKIN: No acute affects in normal industrial use. (H316) Causes mild skin irritation.
 - INGESTION: Very low toxicity if swallowed. Harmful effects not anticipated from swallowing small amounts. (H305)
 - INHALATION: Mists may cause respiratory irritation.
- **REGULATORY INFORMATION:** **TSCA (TOXIC SUBSTANCE CONTROL ACT) TSCA STATUS:** All components of this product are on the TSCA Inventory
- **FIRE-FIGHTING MEASURES:** Containers exposed to intense heat from fires should be cooled with water to prevent vapor pressure buildup which could result in container rupture. Container areas exposed to direct flame contact should be cooled with large amounts of water



- Chemical: JSR JIN-032C3
- NFPA: 2 - Materials that must be moderately heated or exposed to relatively high ambient temperatures before ignition can occur.

- **GHS US CLASSIFICATION:**

H227 - Combustible liquid

H290 - May be corrosive to metals.

H301+H311 - Toxic if swallowed or in contact with skin

H314 - Causes severe skin burns and eye damage.

H318 - Causes serious eye damage.

H360 - May damage fertility or the unborn child.

H370 - Causes damage to organs (Central nervous system).

H372 - Causes damage to organs (Liver, thymus) through prolonged or repeated exposure (Dermal).

- **REGULATORY INFORMATION:**

All of the compounds in this product are on the TSCA Inventory and/or are subject to a Low Volume Exemption.

This product or mixture is not known to contain a toxic chemical or chemicals in excess of the applicable de minimis concentration as specified in 40 CFR §372.38(a) subject to the reporting requirements of section 313 of Title III of the Superfund Amendments and Reauthorization Act of 1986 and 40 CFR Part 372.

- **FIRE-FIGHTING MEASURES:**

Combustible liquid. Vapors may cause fire/explosion if source of ignition is present. This product is flammable. The vapors are denser than air and may travel along the ground. Distance ignition possible. Reactivity : (See section 7: Handling and Storage). To our knowledge, the product does not present any particular risk, under normal conditions of use.

Procedures

- Filter Housing.

Procedure	Frequency of use
Filter Bleeding	Less Than 10 times/year
Filter Replacement and LOTO	Every 2 Years
Packaging of Product through filter housing	Every Day
Tank Draining through filter housing	~ 5 times a year

- Ion Exchange (Iex).

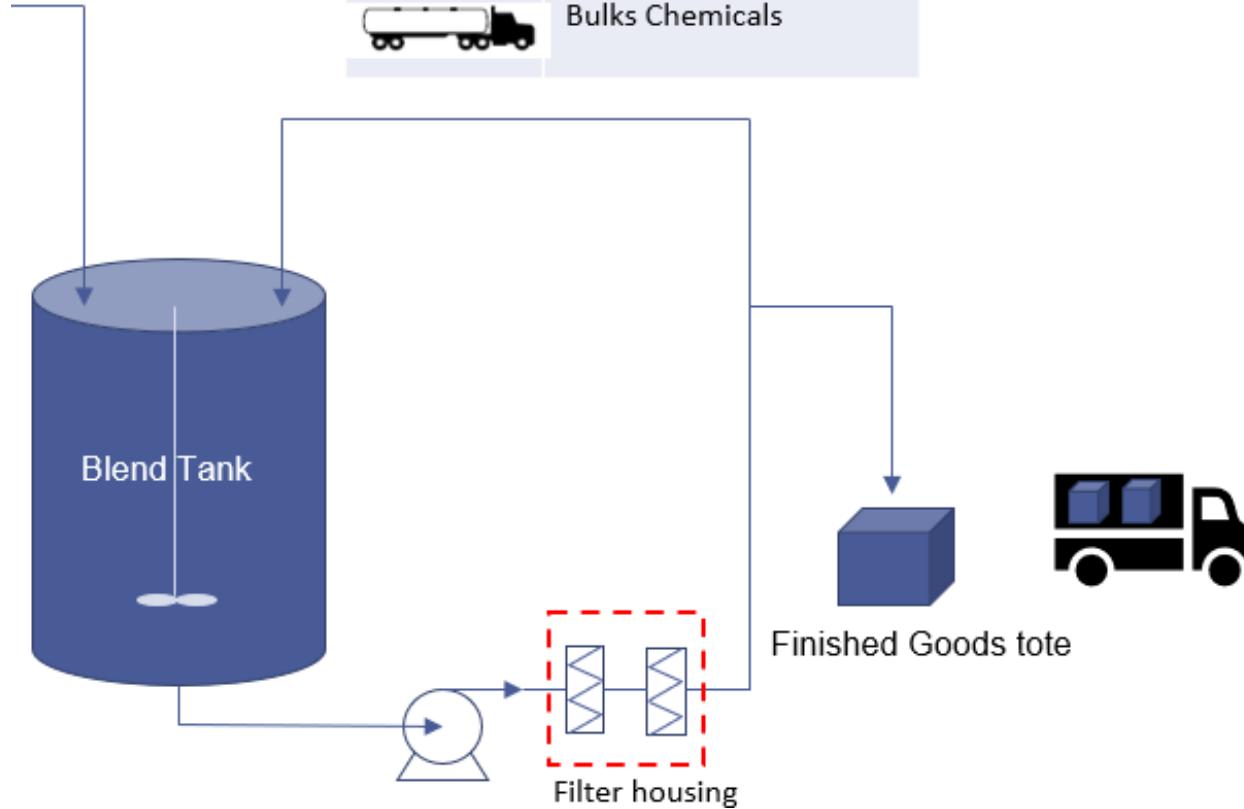
Procedure	Frequency of use
Material purification	Twice a week
IEX Resin replacement and LOTO	Once every 3 years

Blend Filter Housing



Blend System Schematic

Legend	
	Heat Exchanger
	Filter housing
	Pump
	Bulks Chemicals



Blend Filter Housing

6.5. General Hazards

Potential Hazards	Hazard
Chemical/Gas	Chemical spill/exposure during chemical dispense and sampling
Electrical	N/A
Ergonomic	Awkward posture/ heavy object during filter installation
Mechanical	N/A
Pressure	N/A
Radiation/Laser	N/A
Thermal	N/A
Other	Nitrogen leaks can cause asphyxiation

6.8. Consequences of Departure

Equipment	Departure	Consequences	1) Automated Control 2) Emergency Control 3) Manual Intervention
Pre-Filter Housing [F-001] [Blend Tank 3]	Pres High	Overpressure Resulting in Flange Joint Integrity Failure / Chemical Release (MAWP 150 psi)	High High Alarm, Leak Sensor, and Interlock
			N/A
			Manual [HMI] IGNITION Flow Control
Pre-Filter Housing [F-001] [Blend Tank 4]	Pres High	Overpressure Resulting in Flange Joint Integrity Failure / Chemical Release (MAWP 150 psi)	High High Alarm, Leak Sensor, and Interlock
			N/A
			Manual [HMI] IGNITION Flow Control
Final Filter Housing [F-002] [Blend Tank 3]	Pres High	Overpressure Resulting in Flange Joint Integrity Failure / Chemical Release (MAWP 150 psi)	High High Alarm, Leak Sensor, and Interlock
			N/A
			Manual [HMI] IGNITION Flow Control
Final Filter Housing [F-002] [Blend Tank 4]	Pres High	Overpressure Resulting in Flange Joint Integrity Failure / Chemical Release (MAWP 150 psi)	High High Alarm, Leak Sensor, and Interlock
			N/A
			Manual [HMI] IGNITION Flow Control
Discharge Pump [P-001] [Blend Tank 3]	Pres High	Overpressure Resulting in Flange Joint Integrity Failure / Chemical Release (MAWP 150 psi)	High High Alarm, Leak Sensor, and Interlock
			N/A
			Manual [HMI] IGNITION Flow Control
Discharge Pump [P-001] [Blend Tank 4]	Pres High	Overpressure Resulting in Flange Joint Integrity Failure / Chemical Release (MAWP 150 psi)	High High Alarm, Leak Sensor, and Interlock
			N/A
			Manual [HMI] IGNITION Flow Control

6.6. Chemicals within Process

Chemical Name	Hazards	Task	Amount
[REDACTED]	Highly Toxic Skin, Toxic Oral, Corrosive	Section 8.7 Sampling	< 1 gallon
[REDACTED]	Highly Flammable	Section 8.7 Sampling	< 1 gallon
[REDACTED]	N/A	Section 8.7 Sampling	< 1 gallon
[REDACTED]	Toxic Oral	Section 8.7 Sampling	< 1 gallon
[REDACTED]	Combustible, Toxic Oral, Toxic Skin, Corrosive	Section 8.7 Sampling	< 10 gallons

6.7. IGNITION/BMS Control Logic

Equipment	Parameter	Interlock	LL (Safe)	L / H (Std)	HH (Safe)
Flow Control Valve [REDACTED]-FV-002) [Blend Tank 3]	Flow	Flow Control Valve [REDACTED]-FV-002) [HMI] Interlock 1 for Discharge Pump or Filter Skid Leak Sensor Alarm	N/A	N/A	N/A
Flow Control Valve [REDACTED]-FV-002) [Blend Tank 4]	Flow	Flow Control Valve [REDACTED]-FV-002) [HMI] Interlock 1 for Discharge Pump or Filter Skid Leak Sensor Alarm	N/A	N/A	N/A
Pre-Filter Inlet Pressure Sensor [REDACTED]-PIT-03A) [Blend Tank 3]	Pres	N/A	[REDACTED] psi	[REDACTED] psi to [REDACTED] psi	72 psi
Pre-Filter Inlet Pressure Sensor [REDACTED]-PIT-03A) [Blend Tank 4]	Pres	N/A	[REDACTED] psi	[REDACTED] psi to [REDACTED] psi	72 psi
Pre-Filter Differential Pressure [REDACTED]-DPT-03A) [Blend Tank 3]	Pres	N/A	[REDACTED] psi	[REDACTED] psi to [REDACTED] psi	30 psi
Pre-Filter Differential Pressure [REDACTED]-DPT-03A) [Blend Tank 4]	Pres	N/A	[REDACTED] psi	[REDACTED] psi to [REDACTED] psi	35 psi
Final Filter Inlet Pressure Sensor [REDACTED]-PIT-03B) [Blend Tank 3]	Pres	N/A	[REDACTED] psi	[REDACTED] psi to [REDACTED] psi	32 psi

BLEND FILTER HOUSING PROCEDURE REFERENCES



7.1. Required PPE:

PPE Description	Part Number (if applicable)	Amt / #	Picture
Nitrile Gloves (layer 1)	N/A	2	N/A
Microflex chemical gloves (layer 2)	N/A	2	N/A
PE gloves	N/A	1	N/A
Safety Glasses	N/A	1	N/A
Safety Shoes	N/A	1	N/A
Full-Face Respirator	N/A	1	N/A
Tychem Smock	N/A	1	N/A

BLEND FILTER HOUSING FMEA



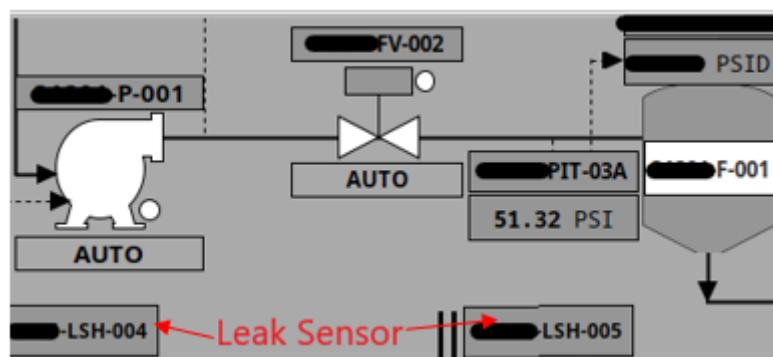
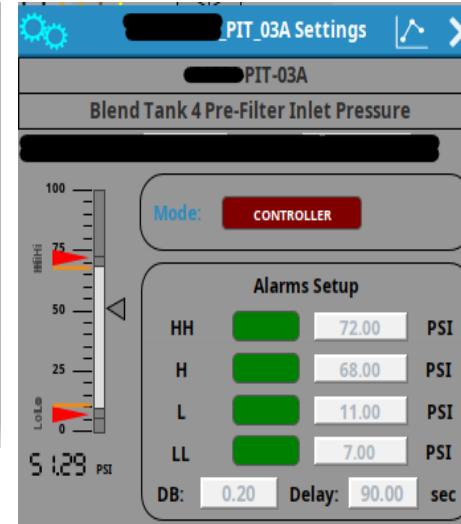
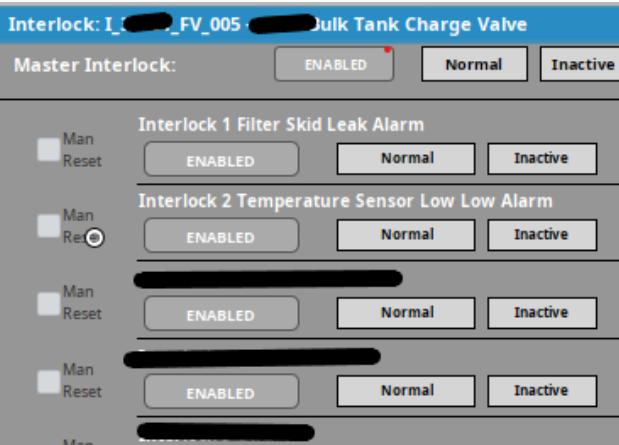
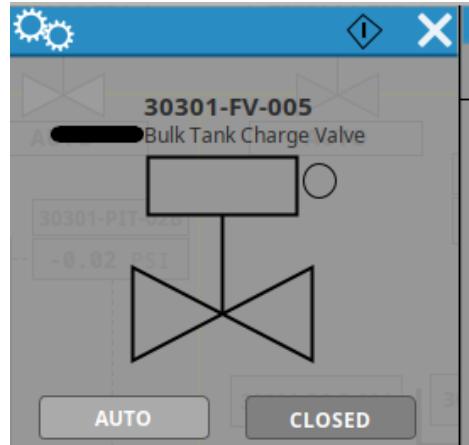
Overpressure Scenarios for FMEA	Risk level after mitigation (Low/Moderate/High/Extreme)	Counter Measures
Thermal Expansion and contraction	Low	Temperature interlocks to prevent charging material higher or lower than the temperature setpoints. Relief devices present on the connected Blending Tank
Over speeding of the pump	Low	PID Control loop, pressure control valve with “minimum open” setpoint, pump VFD controls
External fire	Low	Fire suppression system
Incorrect filter elements	Low	ERP system
Deadheading of the pump	Low	Interlocks (from multiple pressure sensors) and pump VFD, Leak sensor

BLEND FILTER HOUSING FMEA



RISK LEVEL and CRITERIA				
ZONES	RPN	RISK LEVEL	DEFINITION	REQUIRED ACTIONS
	35+	EXTREME	Risk is significant and intolerable	Immediate mitigating action must be considered as first response. Eliminate the risk/hazard or build in systems and control measures to lower the risk.
	26-34	HIGH	Risk is significant and unacceptable .	Risk must be reduced or controlled to an acceptable level. Mitigating action is recommended as soon as possible. Contingency plan should be prepared with an agreed deadline.
	13-25	MODERATE	Risk is either acceptable or unacceptable on the basis of prioritization or judgment after considering all factors.	If <u>acceptable</u> : monitor and maintain strict measures. If <u>unacceptable</u> : consider the need for mitigating actions or need for a contingency plan.
	1-12	LOW	Risk is acceptable .	No reduction or new controls/measures are required. Can be managed by routine process but further monitoring or periodic review is recommended.

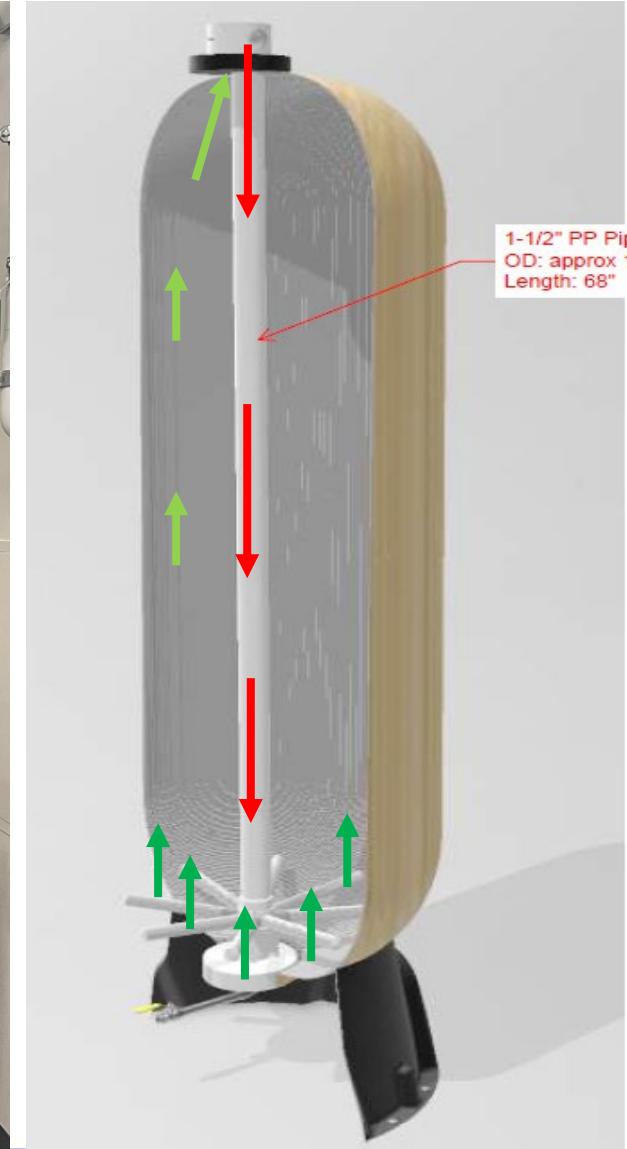
Blend Control System

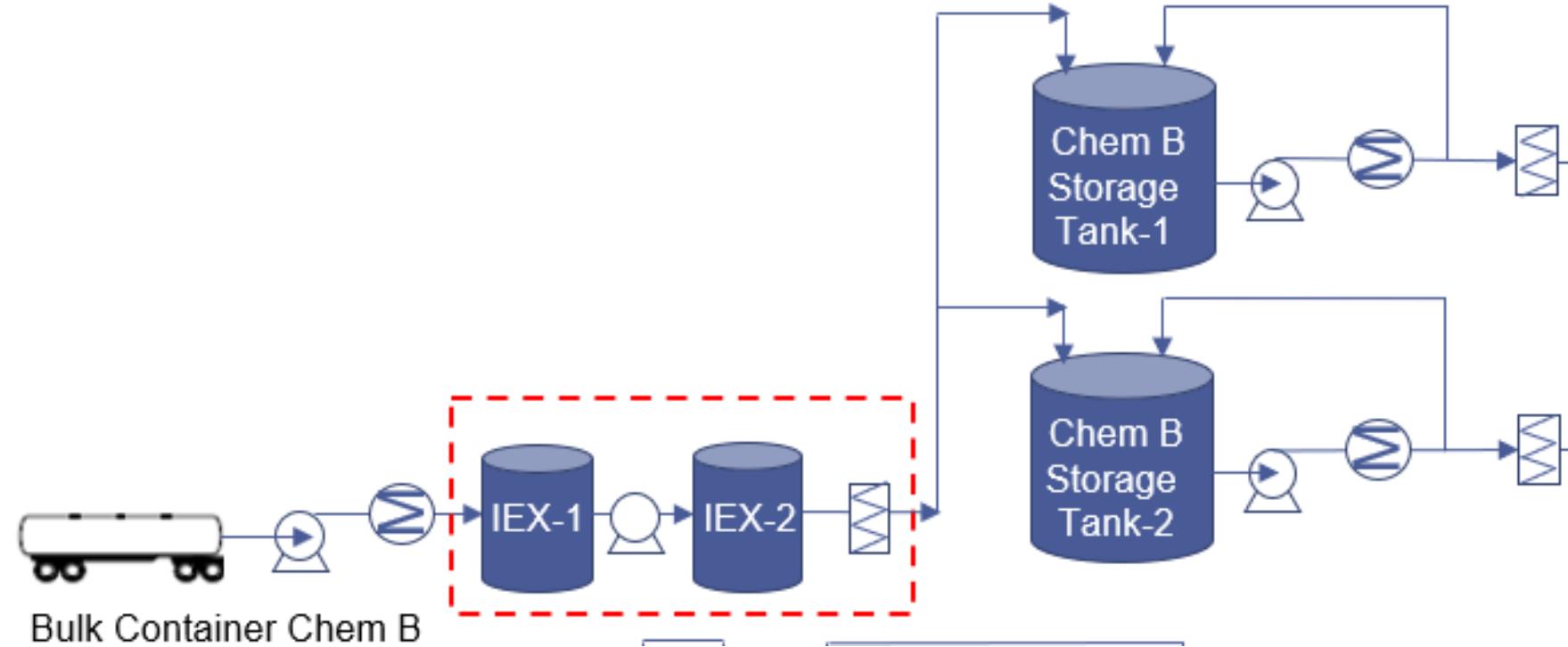


- **Process Safeguards:**
- Pump high pressure through interlocks
- PID (Feedback) control loop, VFD and pressure control valve for over speeding of pump
- Blend Tank connected to the filter housing has conservation vent relief and blanketing
- Valve configuration misalignment
- Leak sensor

IEX (Ion Exchange)

- Safety factor – 4:1
- Minimum burst at 600 psi





Process safeguards:

- Valve configuration misalignment
- High pressure from pumps in the system
- PRV for protection against thermal expansion and pump overpressure
- Leak sensor
- PID (Feedback) control loop, VFD to prevent over speeding.

Interlock: I_30201_P_002 - PARAGON Bulk Tank 1 Discharge Pump					
Master Interlock:		ENABLED	Normal	Inactive	
Man	Reset	Interlock 1 Bypass Valve Misalignment	ENABLED	Normal	Inactive
Man	Reset	Interlock 2 Not in "Bypass Mode" and Controlling Bulk Tank Level BAD	ENABLED	Normal	Inactive
Man	Reset	Interlock 3 Not in "Bypass Mode" and Bulk Tank Outlet Valve Closed	ENABLED	Normal	Inactive
Man	Reset	Interlock 4 Recirculation and Charge Valve Closed	ENABLED	Normal	Inactive
Man	Reset	Interlock 5 Discharge Pump Pressure High High Alarm	ENABLED	Normal	Inactive
Man	Reset	Interlock 6 Bulk Tank Low Low Level Alarm	ENABLED	Normal	Inactive
Man	Reset	Interlock 7 Charge Valve Open & Filter Inlet Pressure High High Alarm	ENABLED	Normal	Inactive
Man	Reset	Interlock 8 Discharge Pressure Low Low During IEX Offload - Air in Line	ENABLED	Normal	Inactive
Man	Reset	Interlock 9 Discharge Pump Pressure Low Low Alarm	ENABLED	Normal	Inactive
Man	Reset	Interlock 10 IEX Offload in Progress & IEX Flow Meter Low Low Alarm	ENABLED	Normal	Inactive
Man	Reset	Interlock 11 IEX Offload in Progress & FV-001 Closed/Faulted	ENABLED	Normal	Inactive
Man	Reset	Interlock 12 Bulk Tank High High Alarm	ENABLED	Normal	Inactive
Man	Reset	Interlock 13 Tank in Bypass Mode & ISO Offload Valve Closed	ENABLED	Normal	Inactive
Man	Reset	Interlock 14 N2 Head Flow less than 0.1 scfm (Tank In Bypass Mode)	ENABLED	Normal	Inactive

Overpressure Scenarios for FMEA	Risk level after mitigation (Low/Moderate/High/Extreme)	Counter Measures
Thermal Expansion and contraction	Low	PRV's installed setpoint at 60 psi.
Over speeding	Low	PID Control loop, pump VFD controls
External fire	Low	Fire suppression
Deadheading of the pump	Low	1. High pressure interlock@60 psi, PRV @60 psi at the inlet of IEX vessel. 2. PRV for pumps on the connected storage tank system is set at 110 psi

PRV's and Location:

1. Located at the IEX Vessel inlets: set at 60 psi
2. Located after the raw material tank and AODD pump outlet line: set at 110 psi

Conclusion



JSR respectfully requests an exemption from the Oregon Administrative Rules (OAR) 918-225-0445, which governs the operation, maintenance, and inspection of pressure vessels. Our request is on the following grounds.

- We have provided evidence that the Ion Exchange Vessel (IEX) and Blend Filter Housings are not subject to the operational requirements of (OAR) 918-225-0445, based on their design, intended use, and other characteristics that make them fall outside the scope of vessels regulated under this rule.
- These vessels do not meet the criteria for pressure vessels as defined by the rule, this has formed the basis for our exemption request.
- We have additionally provided evidence that alternative safety measures, control systems, inspections, and testing procedures have been implemented to ensure vessel safety.
- Our goal is to demonstrate that the vessels are adequately safeguarded beyond the rules prescribed and solidified organizational precautions are in place to ensure all safety practices are being met.
- This has been demonstrated by the running this system successfully for four years without any related incidents.

APPENDIX

Enhanced Techniques/Optional Next Steps if required:

- Lock all the valves on the blend filter housings in the required open or close position
- Formalize operations of these valves using procedures which will indicate:
 - Approval process to operate the valves
 - Correct combination of the valves
 - Authorized personnel
 - Consequences of deviation and contingencies
 - Current interlocks and safety measures
 - Hazards, Startup, normal operations, temporary operations, normal shutdown and emergency shutdown.

Enhanced Techniques/Optional Next Steps if required:

- Installation Inspection and hydrostatic testing.
- Operational testing:
 - Safety and pressure testing
 - Controls and systems.
- Temporary operational permits followed by Operational Permits
- Periodic vessel inspections as per the OBPVSC.

Enhanced Techniques/Optional Next Steps if required:

- Installation permits and inspection.
 - NDT and Hydrostatic Testing if required
- Operational inspection and testing of vessels/CSD
- Temporary operational permits followed by Operational Permit.
- Periodic vessel inspections as per the OBPVSC.

Intel Hot Water Boiler Internal Inspection Proposal

Subject: Staggering Internal Inspection Due Dates for Intel's Gordon Moore Park at Ronler Acres Campus

Intel has thirty-two ASME Section IV hot water boilers supporting seven standalone boiler/heating water systems at the Ronler Acres campus. Each system has limited redundancy, thus restricting when and how many boilers we can take down simultaneously without impacting factory production. This condition requires us to adhere to tight operational tolerances and capacity availability on a continuous basis. Each internal inspection results in upwards of a week of boiler downtime due to cooling, draining, inspection, refilling, and tuning (also dependent on 3rd party contractor scheduling).

Currently, boiler internal inspection due dates are generated based on zip codes through the Oregon BCD Vessels (Boilers) database. As a result, with internal inspections being every six years, the internal due dates for boilers at the Ronler Acres campus all fall in the same year requiring Intel to complete thirty-two internal inspections within the span of one year. The last six-year internal due date occurred in 2024.

Action/Result Requested: As a large-scale hot water boiler site critical to support operations, Intel requests the board's approval to allow Intel-Ronler Acres to stagger internal inspections and subsequent due dates by pulling a subset of the inspection dates forward, versus the next 2030 due dates on the Oregon BCD Vessels (Boilers) database zip code generated due dates. Specifically, Intel requests:

1. Approval to stagger the internal inspection due dates for the thirty-two boilers at Ronler Acres.
2. Update the Oregon BCD Vessels (Boilers) database to reflect boiler internal inspection due dates six years from the last internal inspection or earlier, rather than based on zip codes.

Time Requested: We request that this proposal be reviewed and approved within the next few months, to accommodate budgeting and scheduling to bring 19 boilers down for internal inspection following the internal inspection extensions granted at the end of 2024. NOTE: The boiler inspections that Intel is currently staggering were last inspected less than six years from the proposed new inspection date.

Relevant Documents: Staggered Internal Due Dates Example

See attached Excel spreadsheet for an example of the proposed staggered inspection dates.

Thank you for your consideration of this proposal. Intel believes that staggering the internal inspection due dates will allow for timely inspections at regular six-year intervals while maintaining operational efficiency and avoiding impact and/or interruption to continuous production.

Boiler Name	CUB	NB#	Permit #	Site Name
F20-BLR115-1-200	CUB1	9072	63382	INTEL RA FAB 20 / CUB-1
F20-BLR115-2-200	CUB1	9073	63352	INTEL RA FAB 20 / CUB-1
F20-BLR115-3-200	CUB1	9074	63353	INTEL RA FAB 20 / CUB-1
F20-BLR115-4-200	CUB1	18151	110293	INTEL RA FAB 20 / CUB-1
CUB2-BLR115-1-210	CUB2	13876	71343	INTEL D1C CUB
CUB2-BLR115-2-210	CUB2	13877	71342	INTEL D1C CUB
CUB2-BLR115-3-210	CUB2	13913	72604	INTEL D1C CUB
CUB2-BLR115-4-210	CUB2	11031	80058	INTEL D1C CUB
CUB2-BLR115-5-210	CUB2	17648	110160	INTEL D1C CUB
CUB2-BLR115-6-210	CUB2	17785	107887	INTEL CUB 2
BLR-115-1-210	CUB3	11520	83002	INTEL D1D CUB 3
BLR-115-2-210	CUB3	11525	82743	INTEL D1D CUB 3
BLR-115-3-210	CUB3	11528	82744	INTEL D1D CUB 3
BLR-115-4-210	CUB3	16508	103036	INTEL D1D CUB 3
BLR-115-5-210	CUB3	16158	110082	INTEL D1D CUB 3
CUB4-BLR115-1-10	CUB4	17882	108735	INTEL CUB 4
CUB4-BLR115-2-10	CUB4	17884	108809	INTEL CUB 4
CUB4-BLR115-3-10	CUB4	17875	108736	INTEL CUB 4
CUB4-BLR115-4-10	CUB4	17880	108808	INTEL CUB 4
CUB4-BLR115-5-10	CUB4	17348	110222	INTEL CUB 4
CUB4-BLR115-6-10	CUB4	17351	110223	INTEL CUB 4
CUB5-BLR115-1-10	CUB5	21425	124819	INTEL CUB 5
CUB5-BLR115-2-10	CUB5	21418	124820	INTEL CUB 5
CUB5-BLR115-3-10	CUB5	21416	124821	INTEL CUB 5
CUB5-BLR115-4-10	CUB5	21421	124822	INTEL CUB 5
CUB5-BLR115-5-10	CUB5	21434	124823	INTEL CUB 5
CUB5-BLR115-6-10	CUB5	21432	124824	INTEL CUB 5
RP1-BLR115-1-210	RP1	17337	117999	INTEL RA-4
RP1-BLR115-2-210	RP1	10394	79227	INTEL RA RP 1
RP1-BLR115-3-210	RP1	11573	81761	INTEL RA RP 1
RA2-BLR115-1-300	RA2	9404	67866	INTEL RA ADMINISTRATIVE BUILDINGS
RA2-BLR115-2-300	RA2	9403	67863	INTEL RA ADMINISTRATIVE BUILDINGS

Date of Last Internal	Proposed Date of Next Internal (Intel)	Year
2023	2029	2025
2024	2030	2026
2022	2025	2027
2023	2027	2028
2022	2026	2029
2024	2029	2030
2019	2025	
2021	2027	
2024	2030	
2023	2028	
2024	2030	
2021	2026	
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2022	2025	
2023	2029	

Internal Inspections
5
5
5
5
6
6

Request for Exemption

Agenda
Item
VI.C.

**Oregon Boiler Board Meeting
March 4, 2025**

Dear Oregon Boiler Board,

My name is Roy Hofer I am here today to represent Oregon Flowers Inc. in Aurora, Oregon. Oregon Flowers Inc. is a family run business growing Lilies and Tulips for cut flowers since 1985. I have been with the company for the past five years assisting with maintenance and operations. We currently operate four other boilers, three for hot water and one for steam.

The boiler in question today was purchased from our reputable supplier W. Bergen Heating Ltd. in British Columbia, Canada as a quality reconditioned boiler.

Once it arrived here, Oregon Flowers Inc. only received a partial Manufacturers Data Report for the boiler. After much research with Cleaver Brooks and Oregon Chief Boiler inspector Tom Clark reaching out the boiler inspector in British Columbia, Canada the correct original MDR is no longer in existence.

The boiler was installed during the COVID years amid shut downs and was ultimately never put into service. I am here today to ask for this boiler to receive immediate exemption from Oregon Administrative Rule.

**Included is the partial MDR Oregon Flowers Inc. did receive.
I am happy to answer any questions the Oregon Boiler Board may have.**

Respectfully,

**Roy Hofer, roy@oregonflowers.com
Oregon Flowers Inc.**

CLEAVER-BROOKS PROCESS SHEET

FILE CODE

C16-68CA REV 2/69

P/N	QTY	P/N	UNIT OR FAB NO.	DUF DATE	P/S NO.								
				S-69288									
P/N	SCRCE CODE	W/L OF MEAS.	PROD. UNIT	LAST OPR.	P/S CODE	P/S NO.	P.C. P.L.	CHANGE CODE		PRESSURE			
SALES ORDER 79552 ST	CUSTOMER GRAY BEVERAGE (ISLAND) LTD.	/ VICTORIA, B.C.		MODEL CB	100	150	15# STM.						
DESCRIPTION				DELETE	STANDARD PART NO.	QTY.	ADD	RT. NO.	SO. CD.	OPR. NO.	STD. TIME	RT. CD.	
Boiler Assembly (607-D 7140)					607-7141	1							
Boiler Shell and Base Frame (524-D 768) LINDY COIL BOX					524-769	1		1	119-117				
Insulation and Lagging (465-D 197)					465-186	1							
Furnace Liner and Bricking (459-B 167)					459-167	1							
Installation, Rear Head (656-C 1570)					656-1571	1							
Burner Housing and Intermediate Head (465-B-86)					465-86	1							
Installation, Front Head and Burner (656-C-3478)					656-3479	1							
Front Head (457-D 2171) Motor 70.5 H.P. Impeller					457-2176	1							
Burner Drawer (429-D 263)					894-2420	1							
					192-43	1							
ORIG. ISSUE DATE	BY	REVISION DATE	REVISION NO.	JOB ISSUED	PROCESSED BY	CHECKED BY				SHEET			
				1-11-81	SM					1 OF 4			

CLEAVER-BROOKS PROCESS SHEET

C. T. GROGAN REC'D 2-16

271

CLEAVER-BROOKS PROCESS SHEET

CINECA REVIEWS

CLEAVER-BROOKS PROCESS SHEET																	
CATERGORY		REV		P/N		UNIT		P/S									
P/N		SOURCE		UNIT OF PROD.		UNIT FAB NO.		P/S NO.									
SALES ORDER		CUSTOMER		UNIT CLASS		UNIT FAB NO.		P/S NO.									
79552 ST		GRAY BEVERAGE (ISSUED) LTD		P/N: 79552		LAST DRN		P/S CODE									
DESCRIPTION		MODEL		SERIES		P.C.		P.C.									
Volts 575		PH. 3		100		HP		CHANGE CODE									
Wiring Diagram - WD-80 - 79552		HZ. 60		150		PRESSURE											
Installation - Entrance Cabinet (65UE2447)		656-3447		1													
Control Panel																	

CLEAVER-BROOKS PROCESS SHEET

FILE
COPE

CERTIFICATE OF BOILER SHOP INSPECTION

Insurance Company's Serial Number..... H.S.B.

BOILER WORKS OF **Chapman-Brooks Company**..... at Lebemon, Pennsylvania

I, the undersigned, inspector of steam boilers employed by **Hartford Steam Boiler Inspection & Insurance Co.** of **Hartford, Conn.**, have inspected the boiler referred to as data items.....

1-9, 11, 16, & 19-24

None

..... and have examined manufacturers' data for items..... and certify that the material, construction, and workmanship..... is in accordance with ASME Boiler Code Rules.

DATE.....

19.....

Inspector..... Commissioner..... N.B.

Date or Mail Board and No.....

CERTIFICATE OF FIELD ASSEMBLY INSPECTION

I, the undersigned, inspector of steam boilers employed by..... of..... have compared the statement in this manufacturer's report with the completed boiler and certify that parts referred to as data items.....

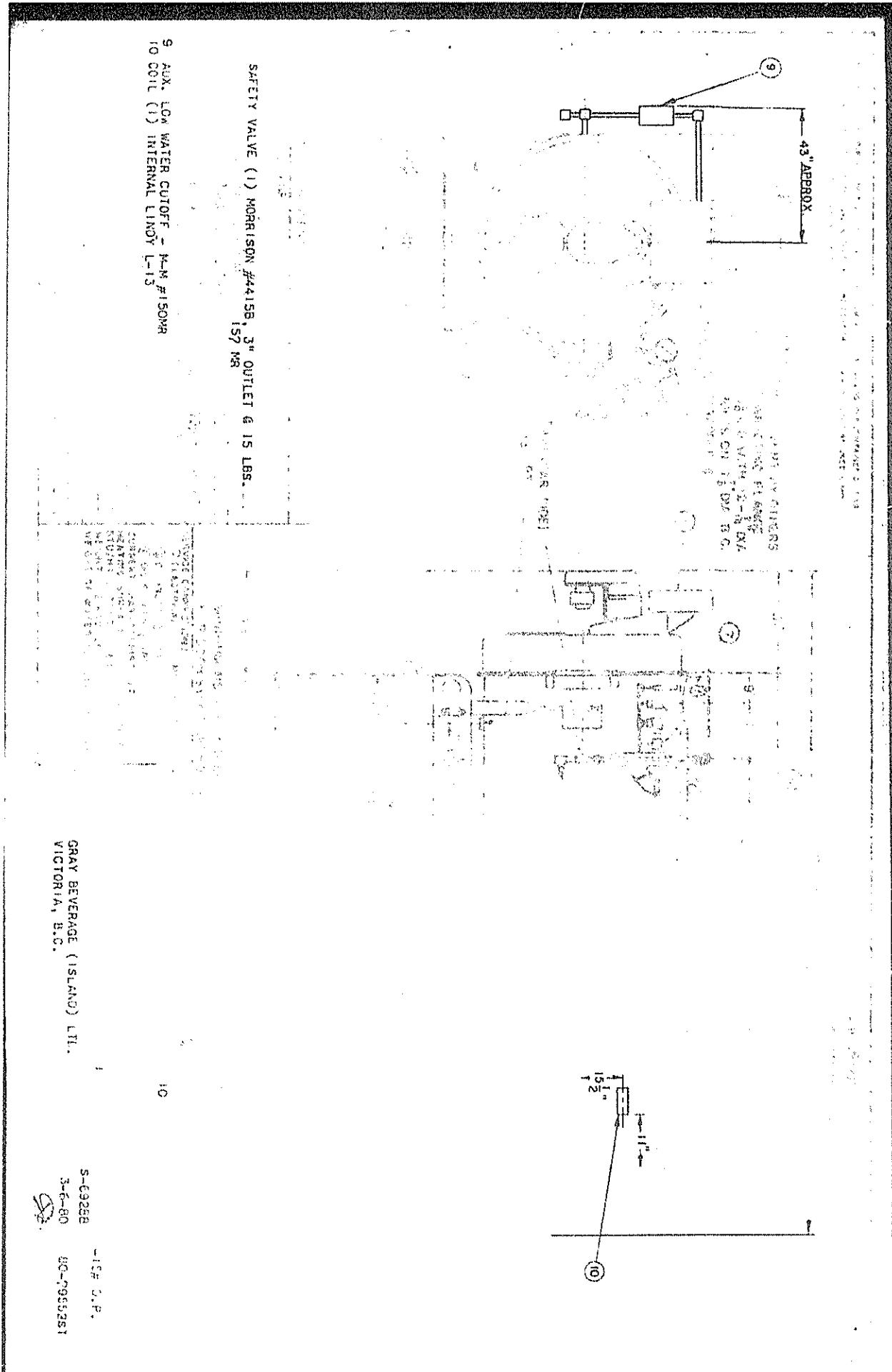
....., not included in certificate of shop inspection, are in accordance with the requirements of the ASME Boiler Code. The completed boiler was inspected and subjected to a hydrostatic test of..... Psi

DATE.....

19.....

Inspector..... Commissioner.....

Date or Mail Board and No.....



Agenda
Item
VI.D.

DATE: December 24, 2024

RE: Gary Ford – Journeyman Plumber license 4623JP
Boiler Class Three license 5245CL3
Boiler Class One license 4581CL1

To Whom It May Concern:

I am asking that I would be allowed to renew these licenses by paying the fee required. I was working out of the state of Oregon for the last 2 years, and did the required continuing education for the renewal of these licenses, but somehow the fee for the renewal was not paid.

I have had the Oregon journeyman plumber license since 1992 and it has never lapsed. I really thought that I had renewed these licenses but somehow I apparently didn't pay the fees.

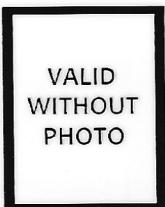
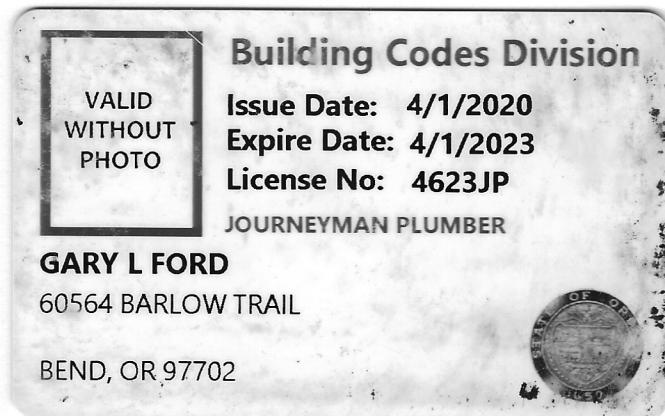
I am prepared to pay all fees required immediately to get these licenses back in force. I plan to keep these licenses active for many years to come.

Please let me know what you can do.

Sincerely,



Gary Ford
60564 Barlow Trail
Bend, OR 97702
(541) 410-1655



Building Codes Division

Issue Date: 6/24/2020
Expire Date: 7/1/2023
License No: 4581CL1
BOILER CLASS ONE

GARY L FORD

60564 BARLOW TRAIL

BEND, OR 97702



Building Codes Division

Issue Date: 1/20/2021
Expire Date: 7/1/2023
License No: 5245CL3
BOILER CLASS THREE

GARY L FORD

60564 BARLOW TRAIL

BEND, OR 97702



Rulemaking Advisory Committee Meeting

Boiler Inspection Cycle Extension Program

The Building Codes Division, on behalf of the Department of Consumer and Business Services (DCBS), is considering a rulemaking to amend the boiler inspection cycle extension program rules.

To assist in the rulemaking process for this program update, the division is soliciting input from a Rulemaking Advisory Committee (RAC).

The RAC will discuss the potential fiscal, economic, and racial equity impacts of this rulemaking.

Meeting information

Date: March 4, 2025

Time: 9:30 a.m.

Location: This meeting will be open to the public virtually.

Virtual connection only: Access the connection information for the Zoom meeting at: Oregon.gov/bcd/Pages/bcd-video.aspx.

RSVP

If you or someone in your organization is interested in participating, please email the boards coordinator at debra.j.woods@dcbs.oregon.gov with the participant's name, email address, and organization. Instructions for providing testimony will be sent to you.

Contact

For questions about this rulemaking, contact Tom Clark, Chief Boiler Inspector, at 971-209-9082, or at thomas.g.clark@dcbs.oregon.gov.



Oregon

Kate Brown, Governor



Rulemaking advisory committee

Agenda and committee information

Boiler Inspection Cycle Extension Program

The purpose of this rulemaking advisory committee is to assist the Building Codes Division in considering a rulemaking on the boiler inspection cycle extension program rules. This rulemaking is intended to discuss consideration of an amendment to clarify an inconsistency in the rule on the documentation of the scheduled shutdown date.

We look forward to hearing the committee's feedback on the issues outlined below.

Meeting information

Date and time: March 4, 2025 at 9:30 AM

Location: This meeting will be open to the public virtually.

Virtual connection:

This hearing will be hosted virtually through Zoom. The connection information will be posted on the [View live meetings](#) webpage.

Facilitator: Ian Paik, analyst

Agenda:

- A. Welcome and Introductions
- B. Discussion of issues
- C. Additional Discussion
- D. Summary of next steps
- E. Adjournment



1535 Edgewater St. NW
P.O. Box 14470
Salem, OR 97304



503-378-4133



bcd.info@dcbs.oregon.gov



oregon.gov/bcd

Topics for discussion

Background:

At the December 3, 2024, Board of Boiler Rules meeting, Chief Clark, outlined the division's outreach and work considering this proposed rulemaking. This rulemaking advisory committee (RAC) is intended to discuss consideration of an amendment to the boiler inspection cycle extension program. The Boiler Inspection Cycle Extension Program was adopted in 2020, and it was amended in 2022 to offer up to a 12-month extension to the normal boiler inspection cycle and eliminated the limitation of one extension every four years. Currently, there is an inconsistency within the rule, but the division has proposed an amendment that would remove the inconsistency and maintain a uniform twelve month time frame for the documented scheduled shutdown date and the extended internal inspection due date.

This RAC will discuss three topics. The first topic will be substantive and the committee will discuss the proposed rule language. The final two topics will be discussions of the potential fiscal, economic, and racial equity impacts of the proposed rulemaking.

Topic 1: Should the division amend the boiler inspection cycle extension program rules?

Discussion: The division is considering this rulemaking to amend the Boiler Inspection Cycle Extension Program to clarify an inconsistency within the rule by amending OAR 918-225-0590(3)(e) to change the documented shutdown date to be within twelve months instead of six months in order to be consistent with the extension timeframe allowed by paragraph (1) (a).

Possible solutions:

- The division should amend the boiler inspection cycle extension program rules and the current amendment should continue the rulemaking process.
- The division should amend the boiler inspection cycle extension program rules, but the current amendment should not continue the rulemaking process until amended. (please note amendments)
- The division should not amend the boiler inspection cycle extension program rules and the current amendment should not continue the rulemaking process.

Topic 2: What are the potential fiscal and economic impacts of this rulemaking?

Discussion: With any rulemaking the division is required to make particular note of the potential fiscal and economic impact that might result from the new rules. The division is requesting input from the committee on the nature and extent of any fiscal or economic impact that may be caused by this rule. Some examples of potential fiscal or economic impact would be:

- Are there additional costs or requirements on local municipalities?
- Are there additional costs or requirements on particular types of businesses?
- Will the new rule require additional training to implement, comply with, or enforce?
- Will the new rule make particular actions or products more or less expensive?

This is just a list of just some examples, any thoughts on fiscal and economic impact that go beyond the items detailed in this list are welcome.

Do members of the committee have thoughts on the possible fiscal or economic impact of this new rule?

Topic 3: What are the potential impacts on racial equity in the state?

Discussion: With any rulemaking the division is required to make particular note any potential impact on racial equity in the state that might result from the new rules. The division would welcome any input from the committee on the nature and extent of any impact this rule may have on racial equity in Oregon.

Additional topics to discuss from the committee

This is an opportunity for the committee to discuss any additional issues that we have not previously brought up. It is also an opportunity for the committee to return to any previous issues that were discussed but where additional discussion may be beneficial.

State of Oregon

Board memo

Building Codes Division

March 4, 2025

To: Board of Boiler Rules

From: Ian Paik, policy analyst, Policy and Technical Services

Subject: Boiler Inspection Cycle Extension Program Rulemaking

Action requested:

Review and approve the division's proposed amendments to the boiler inspection cycle extension program rules, and the board's recommendation that the Administrator proceed with rulemaking.

Background:

The Boiler Inspection Cycle Extension Program was adopted in 2020, and it was amended in 2022 to offer up to a 12-month extension to the normal boiler inspection cycle and eliminated the limitation of one extension every four years. Currently, there is an inconsistency within the rule with the documentation of the scheduled shutdown date. The proposed amendment would remove the inconsistency and maintain a uniform twelve month time frame for the documented scheduled shutdown date and the extended internal inspection due date.

The division, along with Chief Boiler Inspector Clark, are recommending this amendment for clarity and consistency in the division's boiler inspection cycle extension program.

Rule Summary:

Amends OAR 918-225-0590, "Inspection Cycle Extension Program"

- Amends paragraph (3) (e) to change the documented shutdown date to be within twelve months instead of six months in order to be consistent with the extension timeframe allowed by paragraph (1) (a).

Options:

- Approve the division's amendments to the boiler inspection cycle extension program rules and forward to the Administrator for rulemaking and subsequent adoption.

- Amend and approve the division's amendments to the boiler inspection cycle extension program rules and forward to the Administrator for rulemaking and subsequent adoption. (Please include what the amendments are in the motion)
- Disapprove the proposed rulemaking. (Please include the reason for disapproval in the motion)

Inspection Cycle Extension Program

(1) The division shall evaluate written requests from the equipment's owner or their agent for inspection cycle extensions pursuant to the following criteria:

- (a) An extension shall be granted for up to twelve (12) months from the existing inspection date;
- (b) Extensions shall only be granted for large-scale steam and hot water boilers normally operated continuously that are critical to the business or organization; and
- (c) Extensions shall apply to internal inspections only.

(2) The division shall incorporate a monitoring system for inspection cycle extensions to ensure compliance with the requirements of this rule.

(3) Extensions must be applied for in writing on a division approved form, and must include:

- (a) The specific equipment for which the extension is requested;
- (b) The reason for the requested extension;
- (c) How boiler safety is preserved with the requested extension;
- (d) Written concurrence of the special, deputy, or chief inspector assigned to the equipment; and
- (e) Scheduled date of shutdown and internal inspection within twelve (12)six months.

(4) Prior to approval of an inspection cycle extension, an inspection utilizing alternate inspection methods, including but not limited to ultrasonic thickness testing, water chemistry analysis, x-ray inspections, or other similar engineering evaluations, shall be performed to ensure conditions are safe to grant an extension.

(5) Applications for inspection cycle extensions must be received and approved prior to the equipment's existing inspection date.

State of Oregon

Board memo

Building Codes Division

March 4, 2025

To: Board of Boiler Rules

From: Ian Paik, policy analyst, Policy and Technical Services

Subject: Continuing Education Applications

Action requested:

Board of Boiler Rules consideration of the Chief Boiler Inspector's recommendations regarding continuing education courses and instructors.

Background:

The Board of Boiler Rules establishes continuing education requirements for all boiler 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 continuing education courses available to licensees.

The Chief Boiler Inspector has been evaluating courses and instructors on the board's behalf. In February, the Chief reviewed four applications from two organizations:

- Three courses were recommended for approval.
- One instructor was recommended for approval.

See attached summary for more information.

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

- For correspondence courses – Provider must submit complete course and some method of verification that student has completed course.
- For online courses – Provider must submit a log-on or screen shots of course content.
- OSHA 10 and 30 courses are eligible for a maximum of 10 hours code-related credit.
- First Aid, CPR, AED, and OSHA related safety courses are eligible for a maximum of eight hours code-related credit.

Options:

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

Board of Boiler Rules
Chief Boiler Inspector on Continuing Education Course and Instructor Review
March 4, 2025

Courses

	Applicant	Course Name	Chief Boiler Inspector Recommendation	Board Action
1	Local 290	Boiler Fundamentals 8 CR, Live	Approve for 2024 Code Cycle	
2	Local 290	Oregon Rule and Law 8 CR, Live	Approve for 2024 Code Cycle	
3	MPP Piping	First Aid/CPR 8 CR, Live	Approve for 2024 Code Cycle	

Instructor

	Applicant	Chief Boiler Inspector Recommendation	Board Action
1	Shad Wallen MPP Piping	Approve for 2024 Code Cycle	