

**Building Codes Division
Board of Boiler Rules Compliance Report
Compliance Actions
As of 2/5/04**

2003-0340

Boiler/Pressure \$6,000.00

Director of the Department of Consumer and Business Services \$2,500.00

Respondent:

Apollo Sheet Metal, Inc.

Bruce Ratchford

Kennewick

WA

Complaint Source: Thomas League Building Codes Division

Final Action: Findings of Fact, Conclusions of Law, Stipulation and Waiver, and Final Order

Compliance Achieved: Yes

Type of Violator: Egregious violator-2 previous violations

Alleged Violations:

During all relevant times, the Respondent held a valid Oregon Boiler/Pressure Business license, number B99-2083.

On or about March 6, 2003, at 1070 West Elm, Hermiston, Oregon, Respondent engaged in the business of installing a TACO pressure vessel, National Board number 222692, for the account of another, without first having obtained a valid installation permit, in violation of ORS 480.630(6).

On or about March 6, 2003, at 1070 West Elm, Hermiston, Oregon, Respondent engaged in the business of installing a Lockinvar boiler, National Board number 00150784, for the account of another, without first having obtained a valid installation permit, in violation of ORS 480.630(6).

On December 5, 2000, the Board of Boiler Rules of the State of Oregon entered into a Consent Order with the Respondent in case number 2000-0460, finding the Respondent in violation of four separate installation permit violations, and assessed a \$2,000.00 civil penalty. The Consent Order stayed the entire \$2,000.00 civil penalty with the provision that there be no further violations in the next three year period. The current violations are a violation of the previous Consent Order and the \$2,000.00 civil penalty is due and payable.

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On June 15, 2001, the Plumbing Board of the State of Oregon entered into a Consent Order with the Respondent in case number 2000-0577, finding the Respondent in violation of allowing an unlicensed individual to make a plumbing installation, and assessed a \$1,000.00 civil penalty. The Consent Order stayed \$500.00 of the civil penalty for a three year period. The Order further delineated that if there were additional violations in the next three year period, the \$500.00 stayed civil penalty would become due and payable. The current violations are a violation of the previous Consent Order and the \$500.00 civil penalty is now due and payable.

Other Comments:

Respondent has been before the Board on two previous occasions. This being the third case, Respondent entered into a Stipulated Order with the Board. Respondent was assessed a total civil penalty of \$8,500. The Respondent will pay a total of \$7,000, \$4,500 for the current violations and \$2,500 for violating previous final orders.

End