
Building Codes Division



*Working with Oregonians
to ensure safe building
construction while
supporting a positive
business climate.*

Non-Boiler External Piping

June 2008

Agenda Item IV.B.

Background:

Senate Bill 193 was passed by the 2007 Oregon legislature. This bill was sponsored by the Building Codes Division and one of its purposes was to clarify the inspection responsibilities of the state and insurance companies. The state has often found it necessary to perform inspections of installations at insured sites because they are not completed by the insurance companies. In its role as an inspection provider, the state is the provider of last resort. The legislative intent of the bill was to correct the inefficient practice of state and insurance inspectors performing inspections at the same locations. The new law states that insurance company inspectors must perform all installation and operating inspections of boilers and pressure vessels insured by their employers for sites they cover.

After the bill became law, the insurance industry expressed concern about having to inspect non-boiler external piping. Although such piping is outside the code definition of a boiler, it is included in the statutory definition of a boiler in Oregon's statute (see ORS 480.515 (2)(c)). Insurance companies tell us that although they insure the boiler they do not insure the non-boiler external piping connected to the boiler. Their concern is unique to Oregon because of our law which will require insurance companies to inspect piping which they do not insure.

The Oregon Board of Boiler Rules at its December 4, 2007 meeting, suggested that a task force be formed to review and discuss the issue and to return to the legislative intent of SB 193. The task force met in February 2008. The issue presented to the task force by the insurance companies in attendance was concern over the requirement in the law that non-boiler external piping be inspected upon installation. Insurance company representatives indicated that they did not want to be inspecting piping which is not regulated in most states and which they do not insure. They stated that their inspectors are insufficiently trained to inspect welded piping. At the close of the meeting the division agreed to look into possible options the insurance industry might consider in seeking a solution to the problem. The division also agreed to provide training for the inspection of piping. A training class was given at Building Codes on April 29. The class was also webcast.

Discussion:

In examining the non-boiler external piping issue, the division looked at the boiler inspection programs of other states. We found that most other states do not regulate this piping. In addition, some states require licensing to do the work but no permits or inspections. Some require permits but no license. This is some of the feedback we received from other states:

- Hawaii requires companies that do NBEP to have a QC manual and program that gets reviewed every three years. They issue these companies a Jurisdictional Certificate authorizing them to conduct these activities. They require permits for installations, repairs, and alterations to NBEP, and they inspect this work.
- Iowa regulates boilers and pressure vessels to the stop valve. After the valve, code compliance is recommended.



- Michigan requires licenses to repair or replace NBEP. It does audit inspections checking for welding permits and material certification.
- Minnesota requires licenses to install NBEP for steam systems 15 psi and above. Permits and inspections are required.
- Oklahoma has no license or inspection requirements, except welders must hold a card and have welding inspections.
- Wisconsin inspects B31.1, B31.3, B31.5. There are no licensing requirements, but welding documents are checked.
- Colorado has adopted B31.1 Power Piping and they use that for non-boiler external piping (Section I boilers). Appropriate stamp/s are required for installation and repair. Other than initial inspections, they do not reinspect non-boiler external piping. For Section IV boilers, non-boiler external piping - no specific requirements, but typically installation and repair is performed by licensed plumbing contractor
- Kentucky requires licensing to install or repair non-boiler external piping, and the state requires permits and inspections of installations or repairs.

We also heard from Nebraska, Idaho, Utah and Washington, all of whom do not regulate, and many other states clearly do not regulate. This is consistent with what we were told by insurance providers. Insurance representatives at the task force meeting told us that most states do not regulate non-boiler piping because the risk to public safety is negligible, and this is also the reason their companies do not insure piping. This is consistent with what we have been told by boiler industry experts in Oregon. Inspecting non-boiler external piping does not require a National Board certification or any special additional training.

The division has determined that the following options should be considered by the board for the insurance industry in seeking to address their concern:

- Seek a legislative change in the statutory definition of a boiler. This option would make the Oregon boiler law consistent with the majority of other states.
- Propose administrative rule changes to allow non-boiler external piping inspections by local jurisdictions.
- Propose rule changes to exempt non-boiler external piping from inspections while retaining the requirements for licensure by installers.
- Seek to have non-boiler external piping treated as a “minor label.” This would reduce by 90% the number of required inspections.

The Building Codes Division would be happy to work with the insurance industry on a legislative solution or rule changes to clarifying the inspection requirements for piping consistent with our goal to operate efficiently.

We welcome feedback from the board.

Contact:

If you have questions or need further information, please contact the Statewide Inspection Services Manager Jim Denno, (dennojs@state.or.us or 503-378-8450).

