

**Draft minutes
State of Oregon**

**Agenda
Item
I.D.**

Board of Boiler Rules

**Regular meeting minutes
March 2, 2010**

Members present: Mike Bradley, Vice-chairman
Anthony Barsotti
Bruce Fellows
Jon Hooker
Greg Itoh *New member*
Vincent Leedy *Connected by teleconference*

Members absent: Dennis Coplin, Chairman
Robert Cowling
Edward Pitzrick
Mark Stenberg

Staff present: Chris Huntington, policy and technical services manager
Mike Graham, chief boiler inspector
Celina Patterson, statewide services manager
Brent Griffiths, lead enforcement officer
Jim Hanson, policy analyst
Ree Armitage, policy analyst
Debi Barnes-Woods, boards coordinator

Guests present: Thomas Perrit, former board member
Rodger Vignery, quality control professional, Temp Control
Russ Bartlet, Travelers Insurance
Ray Andrus, Travelers Insurance
Jerry Lanz, Lanz Industrial
Gary Penkava, Hartford Steam Boiler
Michael McClenahan, Hartford Steam Boiler
Dale McLouth

I. Board business

A. Call to order

Vice-chair Bradley called the Board of Boiler Rules board meeting to order at 9:30 a.m. The meeting was held at the Building Codes Division, Conference Room A, 1535 Edgewater Street NW, Salem, Oregon.

B. Roll call

Chairman Dennis Coplin, Robert Cowling, Edward Pitzrick and Mark Stenberg were all absent excused. Vincent Leedy was connected by teleconference.

C. Approval of the agenda and order of business

Vice-chair Bradley **RULED** the agenda approved.

D. Approval of the meeting minutes

Vice-chair Bradley **RULED** the regular meeting minutes of December 9, 2009 approved.

E. Date of the next regularly scheduled meeting

June 1, 2010

F. Farewell to Thomas Perritt, public member

Manager of Policy and Technical Services Chris Huntington thanked Mr. Perritt for his 9 years of service with the Board of Boiler Rules. He was presented with a plaque of appreciation from the governor and a letter of thanks from the division's administrator Patrick Allen.

G. Welcome new board member Greg Itoh, public member

Mr. Itoh introduced himself and noted that he is currently working at Garratt-Callahan Company and plans on bringing a lot of experience to the board.

II. Public comment - None

III. Reports

A. Building Codes Division report

Chris Huntington, policy and technical services manager noted that the board Chair/Vice-chair group met recently to discuss making modifications to the existing penalty matrix. He noted that in some cases first time violators are not willing to negotiate consent orders because of the amount of the fines, instead they are choosing to go to hearing. Because the Office of Administrative Services cannot change the penalty matrix, individuals are asking to plead their cases to the boards.

HB 3462 has two major components related to inspector certification:

- The first Phase, (Phase 1) included establishing renewal periods and fees for certifications. The rule will go into effect July 1, 2010 with the first renewal cycle beginning November 2010, then every 3 years.
- The second Phase (Phase II) authorizes the division to create a pilot program to develop specialized inspector certifications and training. A committee is being formed. Meetings are expected to begin in April.

Manager Huntington added that the key focus of the pilot is to allow jurisdictions to effectively expand the scope of work already allowed for some inspectors.

HB 2950 created the new Construction Industry Energy Board. The board had its first meeting in February. Roles and responsibilities were discussed. Manager Huntington noted that the new solar code will be brought to that board for review and recommendations.

Manager Huntington noted that SB 79, the governor's energy efficiency bill, accomplishes three things:

- Creates a task force on energy performance scores, which has begun its work and is staffed by the Oregon Department of Energy
- Requires an increase in the energy efficiency of 10-25 percent in commercial structures and at least 10-percent in residential structures by 2012
- Authorizes the development of a voluntary "reach code" containing construction methods for achieving higher levels of energy efficiency than under the statewide codes. A committee is scheduled to begin its work in April

B. Enforcement report

Lead Enforcement Officer Brent Griffiths discussed enforcement activities outlined in the [BCD Update packet](#). March through December 2009.

Anthony Barsotti questioned the methodology for licensing sweeps that have occurred in the past. Mr. Griffiths noted that enforcement officers are now assigned their own regions and continuously check licenses in the field.

B. Summary of enforcement actions previously taken by the division for the one case outlined on the enforcement report. (No board action required)

Mr. Griffiths noted that Praxair, Inc., installed two liquid argon tanks and one liquid nitrogen tank in a commercial building. The work was performed without a contractor's license, without a permit and an unlicensed individual was allowed to do the installation. A settlement agreement was reached using the penalty matrix with final approval by the board's enforcement sub-committee. The sub-committee asked the division to continue to research the company because they are a repeat violator.

The sub-committee asked the division to formalize a mission statement for the board concerning the sub-committee's responsibilities and report back to the board at its next meeting. The division will send the draft statement to the sub-committee for approval before sending it to the board. Board member Jon Hooker volunteered to be a member of the enforcement sub-committee in place of Thomas Perritt.

C. Program update

Manager of Statewide Services section Celina Patterson noted that the division publishes a [Local Building Department Newsletter](#) and the section will be taking advantage of that newsletter to get boiler related news out to industry. She noted a few other opportunities the section will be taking advantage of for permit and licensing checks.

Manager Patterson discussed the questions the boiler scoping committee developed and sent to the Assistant Attorney General's office for answers. Manager Patterson noted that there are unresolved issues and hopes that the committee will have a document to present to the board at its June meeting.

Manager Patterson noted that the overdue inspections are still high but the state inspectors are working hard to reduce the overdue inspection numbers.

Anthony Barsotti discussed the possibility of the board's overdue committee reconvening to discuss and assess the overdue issue since its meeting last summer. Manager Patterson said that the information needed to be extracted from the database is time consuming and takes a specialized individual. She noted that it would be best to know when the board would like to have the results. It was agreed to review the membership of the committee and come up with a timeframe at the June meeting.

Manager Patterson discussed the new system for the Statewide E-Permitting project. She reported that the elevator program and the boiler program would both utilize the system for overdues. The elevator project is scheduled to go live June 1, 2010 followed by the boiler project. Manager Patterson noted that it takes 6 to 8 months for database replacement.

IV. Communications - None

V. Appeals – None

VI. Unfinished business - None

VI. New business - None

VIII. Announcements

Chief Boiler Inspector Mike Graham will be attending the Oregon Boiler and Pressure Vessel Association meeting the end of March. Chief Graham will be presenting a continuing education presentation on Part 1 of the NBIC, installation requirements.

IX. Adjournment

Vice-chair Bradley adjourned the meeting at 10:45 a.m.

Respectfully submitted by,

Debi Barnes-Woods
Division Boards Coordinator