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Proposed Workgroup to Revise Installation Definitions

Agenda Item IV.B.

Overview: The division would like to convene a workgroup to discuss possible revisions to boiler/pressure vessel program definitions. This workgroup will include board members, licensees (contractors and labor) and related non-boiler contractors who rely on these definitions and whose ongoing industry participation is integrally impacted by them. The workgroup will specifically address issues raised during the July 29th Board of Boiler Rules Scoping Committee meeting. During that meeting the committee discussed certain licensing and enforcement issues stemming from current definitions of what constitutes boiler work, and specifically the definition of “installer” under OAR 918-225-0240(11):

"Installer," as used in the boiler or pressure vessel laws and rules, means the person making the water, steam, air, refrigerant, or other product piping connection to the boiler or pressure vessel. A person who transports or merely positions the boiler or pressure vessel is not an "installer." An electrician making electrical connections is not an "installer."

The Scoping Committee is concerned that this definition does not accurately encompass the boiler and pressure vessel work for which licenses, permits, and inspections are required. In the past, this definition has been interpreted to cover only those individuals making a final boiler or pressure vessel connection, and has excluded other individuals performing work to position, assemble, and otherwise install this equipment. Additionally, use of the term “installation” rather than “installer” throughout the boiler regulations creates inconsistency between regulatory compliance by boiler and pressure vessel workers and corresponding enforcement activities by BCD.

BCD Action: To address these issues, BCD has developed several draft definitions to cover specific boiler and pressure vessel work. Overall, the workgroup may consider revising the existing “installer” definition to cover a broader spectrum of work, replacing the existing “installer” definition with a new “installation” definition that captures regulated boiler and pressure vessel work, or creating detailed definitions of boiler and pressure vessel “installations,” “repairs,” and “maintenance” to clarify the specific work covered or exempt from the existing regulations.

Whatever solution the workgroup develops, it will affect the scope of work performed by licensed and non-licensed workers, and enable BCD to more effectively enforce existing boiler and pressure vessel regulations. Therefore revision or addition of any work-related definitions should be accompanied by a plan for the Board of Boiler Rules, the Scoping Committee, and BCD to communicate these changes to industry, applicable consumers, and individual licensees.

Draft Definitions:

- **Revised Definition of “Installer”:** As used in the boiler or pressure vessel laws and rules, means the person setting up, permanently placing in its final operating position, assembling, connecting or activating a boiler, pressure vessel, or related appurtenances for service or use, including but not limited to making the water, steam, air, refrigerant, or other product piping connection to or from the boiler or pressure vessel. A person who transports, moves, or temporarily positions the boiler or pressure vessel is not an "installer." An electrician making electrical connections is not an "installer."



- **New Definition of “Installation”:** Installation means the setting up, permanently placing in its final operating position, assembling, connecting or activating a boiler, pressure vessel, or related appurtenances for service or use. Installation includes but is not limited to the connection of water, steam, air, refrigerant, or other product piping to or from the boiler or pressure vessel. Merely transporting, moving, or temporarily positioning a boiler or pressure vessel is not an installation. An electrical connection to a boiler or pressure vessels is not an installation.
- **New Definition of “Maintenance”:** Means the repair, replacement, or preservation of an existing boiler, pressure vessel, or related appurtenances for the purpose of restoring the boiler, pressure vessel, or related appurtenances to a safe and compliant operating condition.
- **New Definition of “Repair”:** Means to restore a boiler, pressure vessel, or related appurtenances to a compliant operating condition by replacing a part or putting together a broken component.