

State of Oregon

OREGON STATE BOILER BOARD

Special Teleconference Meeting Minutes

May 15, 2002

MEMBERS PRESENT: Rodger Vignery, Chairman
Dale McLouth, Vice Chairman
Dennis Coplin *(new member)*
Robert Cowling *(teleconferencing connection)*
John Endicott
Russell Williams

MEMBERS ABSENT: Michael Gibson *(excused)*
Steve Nelson *(excused)*
Thomas Perritt *(excused)*
John Pyle *(excused)*
Nelson White

STAFF PRESENT: Mark Long, Manager of Policy & Technical Services
Ray Andrus, Chief Boiler Inspector & Board Secretary
Richard Baumann, Project Coordinator
Debi Barnes-Woods, Division Boards Coordinator

GUESTS PRESENT: Allan Clair, Clair Company, Inc.
Roger Bergman, Georgia Pacific
Shawn Miller, ABC
Gary Eshelby, Washington County
Mike Garside, Intel
John Caul, OSFM Office
Ron Staub, IDT
Doug Fred, Hewlett Packard
David Walls, FST Consulting
Ed Coghlan LSI
Michael Callahan, Local 290
Steve Paulsen, Hewlett Packard
Alan LaJimodierte, City of Gresham
Jacqueline Lescott, ABC

I. BOARD BUSINESS

I.A. Call to Order

Chairman Rodger Vignery called the Oregon Board of Boiler Rules *special teleconference meeting* to order at 9:00 a.m. The *special teleconference meeting* was held at the Building Codes Division, 1535 Edgewater NW, Salem, Oregon.

I.B. Roll Call

Michael Gibson, Steve Nelson, Thomas Perritt, and John Pyle were all absent (excused). Nelson White was absent (not excused).

II. NEW BUSINESS

A. Board approve B31.3 Process Piping draft rules for public hearing.

Mark Long, Manager of Policy and Technical Services, gave a brief overview of the proposed draft rules. He brought to the board's attention all the changes the B31.3 Rule Advisory Committee had made at their last scheduled meeting, May 8, 2002. It is the divisions' intent to have all work related to the implementation of these rules completed by October 1, 2002.

Latest changes made to the proposed draft rules were as follows:
Page 4., The advisory committee proposed the creation of a phased period for licensing requirements. Due to the proposed completion date of the rules October 1 of this year, the committee recommended that the licensing requirements go into effect July 1, 2003. The process piping requirement would be installed according to code, the special inspection system would be in effect. The permitting would be handled through local government and then as of July 1, 2003, the individuals conducting this type of installation would be required to have the appropriate license.

Page 5., The word "*special*" before process piping inspector, had the potential to conflict with other statutory provisions and code provisions within the system. The suggestion was to omit "*special*" and use "process piping inspector". It was explained that the standards or the scope of work would not be changed due to the editorial correction.

Page 11., The new Class 7 license was established. Under sub-section (9)(c) Standard language was inserted that had been used with the process piping inspector that had allowed an individual who may, or may not meet the specific criteria in section (9). This would allow the individual to come before the board to present additional experience or education.

If the board chooses to approve the draft rules, the notice of hearing would be filed today, May 15, 2002, with the hearing occurring in June.

Chairman took this time to make sure all board members and members of the rule advisory committee that were present, had sufficient time to review the proposed rules. All members were satisfied.

Shawn Miller, Associated Builders and Contractors, Inc. Pacific Northwest Chapter, distributed copies of "In Opposition to the B31.3 Process Piping Rule Draft 6" *Exhibit "A"*.

One of the components of the proposed rules his company (ABC) was opposed to was the licensing portion. HB 3383 did not give legislative authority to create a new license under process piping. The specific language of the bill states that it “adopts 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 B31.3.” The statutory language within HB 3383 is silent on licensing requirements for contractors and installers of process piping.

The new Class 7 process piping mechanic license proposed on page 7., and page 11., of the rules does not fall within the purview of the statutory language. ABC believes that the Board of Boiler Rules and the Building Codes Division should seek an Attorney General’s opinion on the legality of this proposal before adopting it.

Mr. Miller said that ABC was in support of the proposed rules, absent the new Class 7 process piping mechanic.

Allan Clair, Clair Company, Inc., was concerned whether a financial impact review had been conducted for stakeholders providing services and the individuals who would be completing inspections.

Manager Long stated that in this provision the Board of Boiler Rules has the authority to write proposed rules and send those proposed rules to public hearing. The division’s ability to analyze the financial impact will come later as part of the process.

Roger Bergman, Georgia Pacific, suggested that on page 12., (4) delete “*items*” and insert “*material*”. All members agreed.

Gary Eshelby, Washington County, said that on page 4., (3) last sentences the *owner user* should be further clarified. It was suggested that the language “*unless they meet the requirements of these rules under OAR 918-225-0690*” be used. Chairman and committee members agreed.

MOTION by John Endicott to approve proposed draft rules with the recommended amendments to public hearing.

MOTION CARRIED UNANIMOUSLY

Addition to the Agenda

B. Approve task force to review rules for licensing.

Chairman Vignery explained that the purpose of formulating a group was to review rules for licensing. The committee would consist of board members and stakeholders. He explained that the criteria for licensing might need some modifications.

MOTION by Vice-Chairman Dale McLouth to grant boards' authority for a task force to review rules for licensing which would consist of board members and stakeholders.

MOTION CARRIED UNANIMOUSLY

III. ADJOURNMENT

Chairman Rodger Vignery adjourned the meeting at 11:05 a.m.

Debi Barnes-Woods
Division Boards Coordinator/Recorder

Exhibits:

- A. "In Opposition to the B31.3 Process Piping Rule Draft 6"