

1 **BEFORE THE BOARD OF BOILER RULES OF THE STATE OF OREGON**

2 **IN THE MATTER OF:**

3 **DENNIS WIX, AN INDIVIDUAL,**

4  
5 **RESPONDENT**

) **NOTICE OF PROPOSED ASSESSMENT**  
) **OF A CIVIL PENALTY**

) **CASE NO. 2006-0046**  
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8 Pursuant to ORS 455.895(1)(c), ORS 480.670, and OAR 918-001-0036, the Board of Boiler Rules proposes to impose a civil penalty against you in the amount of \$1,000.

9 **FINDINGS OF FACT**

- 10 1. At all relevant times Respondent was employed by Siemens Logistics and Assembly  
11 Systems Inc., a company engaged in the business of installing, repairing or altering  
12 2. On or about March 2, 2005, at 1455 SE Feedville Road, Hermiston, Oregon, Respondent  
13 engaged in the business of installing one Steel Fab. pressure vessel, national board  
14 number 375203 and two Silvan pressure vessels, national board numbers 439534 and  
15 439535 for the account of another, without a valid Oregon boiler/pressure vessel  
16 certification.

15 **CONCLUSIONS OF LAW**

- 16 1. Installing one Steel Fab. pressure vessel, and two Silvan pressure vessels, as outlined in  
17 the Findings of Fact, are boiler installations under ORS 480.515(2).  
18 2. By making three (3) pressure vessel installations without a valid Oregon boiler/pressure  
19 vessel certification, as outlined in the Findings of Fact, Respondent violated ORS  
20 480.630(2).

19 **ORDER**

20 Pursuant to ORS 455.895(1)(c) and OAR 918-001-0036, Respondent is found in violation of  
21 ORS 480.630(2) for installing three (3) pressure vessels and shall be assessed a \$1,000 civil  
22 penalty.

22 **NOTICE OF RIGHT TO HEARING**

23 You are entitled to a hearing as provided by the Administrative Procedures Act, Oregon Revised  
24 Statutes, Chapter 183. If you wish to receive a hearing you must file a written request for a  
25 hearing with the Board no later than 20 days from the date of service of this notice. If a request  
for hearing is not received within the 20-day period your right to a hearing shall be considered  
waived unless the failure to request a hearing was beyond your reasonable control. Hearing  
requests shall be mailed to Building Codes Division, Enforcement and Licensing Section, PO

1 Box 14470, Salem, Oregon, 97309.

2 You have the right to be represented by legal counsel. ORS 183.457 provides a corporation may  
3 be represented by an authorized representative at the hearing. If you request a hearing the Board  
4 and Director will notify you of the time and place of the hearing. The Board and Director will  
5 give you information on the procedures, right of representation and other rights of parties  
6 relating to the conduct of the hearing before commencement of the hearing.

7  
8 Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2006

9  
10 BY \_\_\_\_\_  
11 HEATH M. LAWSON, Enforcement Officer  
12 Enforcement and Licensing Section  
13 Building Codes Division  
14 PO Box 14470  
15 Salem, Oregon 97309-0404  
16 (503) 378-3102  
17 FAX: (503) 378-2322  
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