



## Notice of Permanent Rule

January 1, 2012

### Boiler and pressure vessel definition changes, permit requirements, and minor repair permit establishment

#### Purpose of the rule:

These rules make various changes in the Oregon Boiler and Pressure Vessel Program. The rules amend and establish new definitions, change requirements for installation permits, and establish a minor repair permit.

#### Citation:

Adopt: OAR 918-225-0606, 918-225-0609, 918-225-0612 & 918-225-0618

Amend: OAR 918-225-0240 & 918-225-0600

These rules become effective January 1, 2012.

#### Effect of the rule:

These rules address a variety of issues that have arisen in administering the Boiler and Pressure Vessel Program. The following is an overview of those changes:

1. Clarifies the scope of repair activities and establishes three categories of repairs: welded repairs, non-welded major repairs, and minor repairs.
2. Establishes that an installation permit is required for work performed by owners of boilers and pressure vessels if their equipment is located in structures with certain occupancy classifications or occupant loads under the Oregon Structural Specialty Code.
3. Exempts owners of boilers and pressure vessels from obtaining installation permits if their equipment is in a location that is staffed twenty-four hours a day/seven-days a week by an knowledgeable person.
4. Does not affect the requirement that contractors must obtain an installation permit before installing, altering or repairing boilers or pressure vessels.
5. Creates a system of minor repair permits for certain repair tasks.
6. Clarifies that an installation permit is not required for minor repairs or non-welded major repairs to a pressure vessel containing liquefied petroleum gas that is under the jurisdiction of the State Fire Marshal

#### Contact:

If you have questions or need further information, please contact Chief Boiler Inspector Mike Graham at 503-373-7499, or [Mike.D.Graham@state.or.us](mailto:Mike.D.Graham@state.or.us).



Secretary of State  
Certificate and Order for Filing  
**PERMANENT ADMINISTRATIVE RULES**

I certify that the attached copies\* are true, full and correct copies of the PERMANENT Rule(s) adopted upon filing by the

Department of Consumer and Business Services, Building Codes Division	918
Agency and Division	Administrative Rules Chapter Number

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to become effective January 1, 2012. Rulemaking Notice was published in the December 2011 Oregon Bulletin.\*\*

**RULE CAPTION**

Boiler and Pressure Vessel Revised Definitions and Installation Permit Requirements; Establishment of Minor Repair Permits

**Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.**

**RULEMAKING ACTION**

List each rule number separately (000-000-0000)

Secure approval of new rule numbers (Adopted or Renumbered rules) with the Administrative Rules Unit prior to filing.

**ADOPT:** OAR 918-225-0606, 918-225-0609, 918-225-0612, 918-225-0615, and 918-225-0618

**AMEND:** OAR 918-225-0240 and 918-225-0600

**REPEAL:**

**RENUMBER:**

**AMEND & RENUMBER:**

Stat. Auth.: ORS 480.545, 480.630, 183.335

Other Auth.:

Stats. Implemented: ORS 480.630, 183.335

**RULE SUMMARY**

These rules establish new definitions for the Oregon boiler and pressure vessel program. These rules replace the current definition of "installer" with a definition of "installation" and adopt a definition of "repair" that establishes three categories of repairs: welded repairs, non-welded major repairs, and minor repairs.

These rules also establish a requirement that owners of boilers and pressure vessels must acquire an installation permit before installing, altering, or repairing equipment located in certain types of structures. Owners of boilers and pressure vessels that provide 24-hour manned operation of their equipment are exempt from the installation permit requirement. These rules provide that installation permits expire 18 months after purchase unless the purchaser requests an extension.

These rules also establish a system of minor repair permits for minor repairs made to boilers and pressure vessels.

Mark Long	
Authorized Signer	Date
Printed name	

## 918-225-0240

### Definitions

As used in OAR 918, division 225, unless the context requires otherwise:

- (1) "Agricultural Purposes" means:
  - (a) Sowing, tending, and harvesting of products of the soil grown under natural conditions;
  - (b) Raising of poultry or fowl;
  - (c) Pasturage or raising of livestock or other animals; or
  - (d) Original processing of the farm product, but not the processing of the product of a different operator, or reprocessing work as freezing, canning, or packing if performed substantially for commercial purposes.
- (2) "Available" to determine inspection fees at cost, means the vessels must be due for inspection in the year the notification is applicable, and must all be ready for inspection at the time designated by the inspector.
- (3) "Board" is defined in ORS 480.515(2).
- (4) "Boiler Room" means any enclosed room or designated space within a building, intended by design or by usage to contain a boiler that is connected and available for use. A boiler located in an area not meeting the definition of "boiler room" under OAR 918-225-0465 shall apply to any space within 20 feet of any burner.
- (5) "Building Service Piping" means piping systems operating at or less than 150 psig steam; and water at or less than 160 psig and 250° F as described in ANSI/ASME Standard B31.9.
- (6) "Chief Inspector" means the inspector appointed by the director pursuant to ORS 480.565(1).
- (7) "Farm" means an area of land:
  - (a) Located in a rural district;
  - (b) Of sufficient size to generally be considered as a farm in its locale; and
  - (c) Devoted primarily to tillage and raising crops under natural conditions, or to raising animals, fowl, or poultry.
- (8) "Emergency" as used in ORS 480.630(6) means an unplanned circumstance requiring immediate repair, installation, replacement, or shutdown because of risk to health, life, or property.
- (9) "Hobby" or "Demonstration" means recreational or other noncommercial use.
- (10) "Immediate Safety Hazard" means hazardous conditions exist requiring immediate correction to a boiler, pressure vessel, or pressure

piping system to preserve the safety of people or property.

(11) "Installation" means, but is not limited to, permanently placing in its final operating position, assembling, or connecting a boiler, pressure vessel, boiler controls, or related appurtenances for service or use. Installation includes, but is not limited to, connecting water, steam, air, refrigerant, fuel source, or other product piping to or from a boiler or pressure vessel. Merely transporting, moving or temporarily positioning a boiler or pressure vessel is not an installation. For the purposes of these rules, an electrical power supply connection to a boiler or pressure vessel is not an installation.

(12) "National Board" means the National Board of Boiler and Pressure Vessel Inspectors.

(13) "Operating" means any vessel connected and ready for service.

(14) "Person" means any individual, partnership, corporation, association, governmental subdivision, or public or private organization of any character.

(15) "Place of Public Assembly" means a building used or held for use, in whole or in part, for worship; health treatment; rest, recuperation, or retirement living; child care nurseries or institutions; public meetings; education; instruction; entertainment; eating; recreation; or awaiting transportation.

(16) "Pressure Piping" means piping systems and components under the scope of ASME B31.1, B31.3, B31.5, and B31.9.

(17) "Pressure Relief Valve" means a valve activated by inlet static pressure which opens in proportion to the increase in pressure over the opening pressure range. Only ASME approved valves are allowed under the boiler rules.

(18) "Pressure Vessel" is defined in ORS 480.515(12).

(19) "Process Piping Inspector" means the owner's inspector, for the inspection of ASME B31.3 Process Piping, Category "M" fluid service only.

(20) "Psig" means pounds per square inch gauge pressure.

(21) "Related Appurtenance" is defined in ORS 480.515(13).

(22) "Repair" means:

(a) Welded or Riveted Repairs, meaning welding or riveting within or on the pressure boundaries of a boiler, pressure vessel or related appurtenance to restore the vessel or appurtenance

to a safe and satisfactory operating condition, or any work that might impair the integrity of the pressure retaining item;

(b) Non-welded Major Repairs, meaning work performed on a boiler or pressure vessel and its related appurtenances by non-welded means to restore the vessel or appurtenance to a safe and satisfactory operating condition, including but not limited to the replacement of burners, tubes and cast iron sections; and

(c) Minor Repairs, meaning the non-welded replacement of safety devices, including but not limited to, low water cut-offs, pressure relief valves, safety valves, safety switches, rupture discs, high pressure or temperature limits, low pressure or temperature limits, fuel train components, flame detectors, flame safeguards, heat exchanger elements, and burner components.

(23) "Safety Valve" means a valve activated by inlet static pressure and characterized by rapid opening or pop action. Only ASME approved valves are allowed under the boiler rules.

(24) "Same Location," to determine inspection fees at cost, means that all vessels are within 2,000 feet of one another.

(25) "Service of Process" means deposit in the U.S. mail a copy of a notice addressed to the respondent at the respondent's last known address.

(26) "Single Family Dwelling" means a one-family dwelling structure.

(27) "Structure" means a building or shed with a roof and enclosed on the sides 75 percent or more.

(28) "Traction Boiler" means a boiler constructed before January 1, 1961, designed to operate or pull equipment, or to convert steam power into a flywheel energy driving apparatus such as a thresher, road roller, or grinding equipment.

(29) "Vessel That is Considered Subject to Corrosion or Erosion" means the vessel contains or is intended to contain contents having a corrosive or erosive effect on any portion of the vessel. The use of glass linings leaves a vessel subject to corrosion unless all portions of the vessel are impervious to the corrosive or erosive effects of the contents.

Stat. Auth.: ORS 455.030 & 480.545

Stats. Implemented: ORS 480.525, 480.545, 480.550, 480.560 & 480.565

Hist.: DC 17, f. 7-31-72, ef. 8-15-72; DC 3-1982, f. & ef. 2-3-82; DC 1-1984, f. & ef. 1-5-84; BCA 4-

1989, f. & cert. ef. 4-17-89; Renumbered from 814-025-0003; BCA 4-1989, f. & cert. ef. 4-17-89; BCA 5-1991, f. & cert. ef. 3-15-91; BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94; Renumbered from 918-225-0005; BCD 18-1997, f. 12-3-97, cert. ef. 1-1-98; BCD 26-1998, f. 12-30-98, cert. ef. 1-1-99; BCD 36-2000, f. 12-29-00, cert. ef. 1-1-01; BCD 4-2003, f. & cert. ef. 3-14-03; BCD 17-2005(Temp), f. & cert. ef. 7-12-05 thru 9-30-05; BCD 20-2005, f. 9-15-05, cert. ef. 10-1-05; BCD 14-2007, f. 12-28-07 cert. ef. 1-1-08; BCD 9-2009, f. 12-30-09, cert. ef. 1-1-10; BCD 36-2011, f. 12-30-11, cert. ef. 1-1-12

## **918-225-0600**

### **Permits**

(1) Except as otherwise provided in this rule, an installation permit is required before installing, altering, or repairing a nonexempt boiler or pressure vessel.

(2) Notwithstanding section (1) of this rule:

(a) An installation permit is not required for minor repairs performed under a minor repair permit in accordance with OAR 918-225-0606 to 918-225-0618.

(b) An installation permit is not required for minor repairs or non-welded major repairs to a pressure vessel containing liquefied petroleum gas that is under the jurisdiction of the State Fire Marshal.

(c) If the installation, alteration, or repair will be performed by the owner of the boiler or pressure vessel or an employee of the owner, an installation permit is only required if the boiler or pressure vessel is located in a structure that:

(i) Is classified as an Education Group "E" Occupancy under the Oregon Structural Specialty Code;

(ii) Is classified as an Institutional Group "I-2" Occupancy under the Oregon Structural Specialty Code; or

(iii) Has an occupant load greater than 100, as calculated under the Oregon Structural Specialty Code.

(d) Notwithstanding subsection (c) of this rule, an installation permit is not required for a boiler or pressure vessel that is installed, altered, or repaired by its owner or an employee of its owner in a location that is staffed 24 hours a day, seven days a week, by individuals knowledgeable in the operation and maintenance of the boiler or pressure vessel.

(3) An operating permit or a temporary operation authorization is required before placing a nonexempt vessel into operation.

(4) An installation permit fee includes two inspections of the boiler or pressure vessel. An operating permit fee includes one external inspection of the boiler or pressure vessel and one internal inspection when both are required. If an inspection is scheduled, and the inspector is at the site but the boiler or pressure vessel is not ready or cannot be accessed, the rescheduled inspection will be at an additional cost. The fee for such inspections is the hourly rate specified in ORS 480.605.

(5) Permits to operate boilers or pressure vessels shall be issued periodically according to vessel type, based on the schedule established by the division in [Table 1-A](#).

(6) Operating and installation permit fees are as shown in [Table 3-B](#).

(7)(a) Operating permit fees not received within 90 days of the billing date may be considered delinquent and subject to a late penalty of double the fee amount. It is the equipment owner's responsibility to maintain a current operating permit. This responsibility includes notifying the division of address and other billing information changes. Late penalties may only be waived under exceptional circumstances.

(b) All waiver requests must be submitted in writing and must clearly state the reason for the request. A waiver may be granted for all or part of the additional fee.

(8) Where an installation permit is required, the equipment owner or, if the work will be performed by a contractor, the contractor, must acquire the installation permit prior to beginning the intended installation, repair, or alteration, and notify the deputy or special inspector who will inspect the work. Work may not begin until the inspector has reviewed and approved the work to be performed.

(a) The installation permit must be posted at the job site before beginning the work.

(b) This rule does not change the provisions for emergency permits in ORS 480.630(6). It is recommended, but not required, that emergency permits be reviewed and coordinated with the inspector responsible for inspecting the completed work.

(c) Commissioning of a boiler by a commissioning agent or manufacturer's representative does not require a separate installation permit.

(9) An installation permit or operating permit issued under this rule is not transferable.

(10) An installation permit automatically expires 18 months from the date of issuance unless the installation, alteration, or repair begins before the end of the 18<sup>th</sup> month.

(a) The holder of an un-expired installation permit may submit a written request for an unconditional six-month extension of the expiration date. The division may not extend an installation permit more than twice.

(b) An expired installation permit may not be extended or renewed. A new application and fee will be required. The division will not refund the fees for an expired installation permit.

(c) Fees for installation permits are non-refundable.

**NOTE:** Boiler and Pressure Vessel Operating Permit Periods can be found in [Table 1A](#) and Boiler and Pressure Vessel Permit Fees can be found in [Table 3-B](#).

Stat. Auth.: ORS 480.585, 480.595, & 480.605

Stats. Implemented: ORS 480.585, 480.595, 480.605, & 480.630

Hist.: BCA 36-1993, f. 12-30-93, cert. ef. 1-1-94; BCD 18-1997, f. 12-3-97, cert. ef. 1-1-98; BCD 14-2007, f. 12-28-07 cert. ef. 1-1-08; BCD 9-2009, f. 12-30-09, cert. ef. 1-1-10; BCD 36-2011, f. 12-30-11, cert. ef. 1-1-12

#### **918-225-0606**

##### **Issuance and Purchase of Minor Repair Permits**

(1) Beginning January 15, 2012, the Building Codes Division will issue minor repair permits in lots of five at a cost of \$175 per lot. Each lot of minor repair permits is valid for one year from the date of purchase.

(2) The following persons may purchase minor repair permits:

(a) Contractors holding a verified Construction Contractors Board license and a valid boiler contractor license under ORS 480.630; or

(b) Owners of boilers and pressure vessels and their designated representatives.

(3) Minor repair permits are not transferable.

Stat. Auth.: ORS 480.595, 455.154 & 455.155

Stats. Implemented: ORS 480.595, 455.154 & 455.155

Hist.: BCD 36-2011, f. 12-30-11, cert. ef. 1-1-12

## **918-225-0609**

### **Use of Minor Repair Permits**

(1) Only those minor repairs described in OAR 918-225-0612 may be performed under a minor repair permit.

(2) A minor repair permit authorizes work on a single boiler or pressure vessel. Multiple minor repairs may be performed under a minor repair permit provided that each minor repair is completed within the five day period that begins when the first minor repair is completed.

(3) All work performed under a minor repair permit must conform to the Oregon Boiler and Pressure Vessel Specialty Code.

(4) An individual performing work under a minor repair permit must:

(a) Hold the appropriate license, if required, under ORS 480.630 and OAR 918-225-0691 for the type of work performed;

(b) Fill out the information required on the minor repair permit; and

(c) Post the minor repair permit in a secure and visible location near the site of the repair.

(5) Within five business days of work being completed, the purchaser of the minor repair permit is responsible for ensuring that all work that was performed under the minor repair permit is recorded in the manner approved by the division.

[Publications referenced are available from the agency.]

Stat. Auth.: ORS 480.595, 455.154 & 455.155  
Stats. Implemented: ORS 480.595, 455.154 & 455.155

Hist.: BCD 36-2011, f. 12-30-11, cert. ef. 1-1-12

## **918-225-0612**

### **Scope of Work Allowed under Minor Repair Permit**

(1) Only minor repairs may be performed under a minor repair permit. Minor repairs include, but are not limited to, the non-welded replacement of the following:

(a) Low water cut-off;

(b) Pressure relief valve;

(c) Safety valve;

(d) Safety switch;

(e) Rupture disc;

(f) High pressure or temperature limit;

(g) Low pressure or temperature limit;

(h) Fuel train component;

(i) Flame detector;

(j) Flame safeguard;

(k) Heat exchanger element; and

(l) Burner components.

(2) Nothing in this rule prohibits purchasing an installation permit to ensure that a minor repair will be individually inspected.

(3) A minor repair permit is not required for minor repairs made to pressure vessels containing liquefied petroleum gas that are under the jurisdiction of the State Fire Marshal.

Stat. Auth.: ORS 480.595, 455.154 & 455.155

Stats. Implemented: ORS 480.595, 455.154 & 455.155

Hist.: BCD 36-2011, f. 12-30-11, cert. ef. 1-1-12

## **918-225-0615**

### **Inspection of Minor Repair Permits**

(1) The division will randomly inspect at least one permit from each lot of minor repair permits

(2) The division will initially select one minor repair permit from each lot for inspection. If the division determines that the work done under the first permit does not comply with the Oregon Boiler and Pressure Vessel Specialty Code, the division will inspect a second permit from the same lot. If the division determines that the work done under the second permit is also non-compliant, the division will individually inspect all remaining permits from the same lot.

(3) The purchase price for each lot of minor repair permits includes the fee for one inspection. The division will charge for any additional inspections at its hourly inspection rate.

(4) If the division determines that work performed under a minor repair permit did not comply with the Oregon Boiler and Pressure Vessel Specialty Code, the division will require corrections to bring the boiler or pressure vessel into code compliance. Such corrections may not be performed under a minor repair permit. Installation permit and inspection requirements apply.

(5) Work performed under a minor repair permit that is not randomly inspected in accordance with this rule will be inspected during the boiler or pressure vessel's next regularly scheduled inspection.

Stat. Auth.: ORS 480.595, 455.154 & 455.155

Stats. Implemented: ORS 480.595, 455.154 & 455.155

Hist.: BCD 36-2011, f. 12-30-11, cert. ef. 1-1-12

**918-225-0618**

**Misuse of Minor Repair Permits**

(1) An individual performing work under a minor repair permit misuses the minor repair permit if the work performed does not conform to the Oregon Boiler and Pressure Vessel Specialty Code.

(2) The purchaser of a lot of minor repair permits misuses minor repair permits if:

(a) Two or more repairs performed under the lot do not conform to the Oregon Boiler and Pressure Vessel Specialty Code; or

(b) In the case of a purchaser who has purchased and used ten or more lots of minor repair permits, more than 5% of all repairs performed under minor repair permits issued to the purchaser did not conform to the Oregon Boiler and Pressure Vessel Specialty Code.

(3) If the division determines that a person or entity has misused minor repair permits, the division may immediately suspend that person or entity from purchasing, using, or performing work under minor repair permits for not less than one year. In the case of a purchaser, the period of suspension may be extended until all unused minor repair permits have been returned to the division.

(4) Violations of the minor repair permit rules may also be subject to civil penalties and license revocations.

Stat. Auth.: ORS 480.595, 455.154 & 455.155

Stats. Implemented: ORS 480.595, 455.154 & 455.155

Hist.: BCD 36-2011, f. 12-30-11, cert. ef. 1-1-12