



## Notice of Public Hearing

December 20, 2011

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

#### Opportunity for public input:

Those who would like to provide testimony may attend a public hearing on December 20, 2011 at 10:00 a.m. The hearing will be located at the Building Codes Division, Conference Room A. Written comments may also be submitted to the contact below. The last day to submit written comments is 5:00 p.m. December 23, 2011.

#### Live broadcast via the internet:

To view the public hearing live, click on "[View live meeting](#)"

#### Purpose of the rule:

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

#### Citation:

Adopt, Amend, and Repeal: OAR 918-225

If adopted, these proposed rules and the codes would become effective January 1, 2012.

#### History:

The proposed rules address a variety of issues that have arisen in administering the Boiler and Pressure Vessel Program. The division worked closely with the Board of Boiler Rules' Scoping Sub-Committee to get recommendations on these issues, develop solutions, and provide preliminary rule language. The division further developed the proposed rule language in conjunction with a rules advisory committee consisting of members of the board, stakeholders, and interested parties. The following is an overview of those changes:

1. Confusion existed over the term "repair" as it is not currently defined in statute or rule. These proposed rules establish three categories of repairs: welded repairs, non-welded major repairs, and minor repairs.
2. Currently owners of boilers and pressure vessels are not required to obtain an installation permit prior to installing, altering, or repairing their equipment unless the work is performed by a contractor. Under these proposed rules, owners will be required to obtain an installation permit regardless whether the work is performed by the owner or a contractor.
3. The proposed rules establish a system of minor repair permits for certain repair tasks.

The Board of Boiler Rules, at its October 4, 2011 meeting, considered and approved these proposed rules for public hearing.

#### Contact:

If you have questions or need further information, please contact Hearing Officer Michael Schopf at 503-378-2859, or [Michael.D.Schopf@state.or.us](mailto:Michael.D.Schopf@state.or.us).



Secretary of State  
**NOTICE OF PROPOSED RULEMAKING HEARING\***

A Statement of Need and Fiscal Impact accompanies this form.

Department of Consumer and Business Services, Building Codes Division	918
Agency and Division	Administrative Rules Chapter Number
Stephanie Snyder	PO Box 14470, Salem, OR 97309
Rules Coordinator	Address
	(503) 373-7438
	Telephone

**RULE CAPTION**

Boiler and Pressure Vessel Revised Definitions and Installation Permit Requirements; Establishment of Minor Repair Permits  
Not more than 15 words that reasonably identify the subject matter of the agency's intended action.

December 20, 2011	10 a.m.	1535 Edgewater Street NW, Salem, OR 97304	Michael Schopf
Hearing Date	Time	Location	Hearings Officer

*Auxiliary aids for persons with disabilities are available upon advance request.*

**RULEMAKING ACTION**

**ADOPT:** OAR 918-225

**AMEND:** OAR 918-225

**REPEAL:** OAR 918-225

**RENUMBER:**

**AMEND & RENUMBER:**

Stat. Auth.: ORS 480.545, 480.630, 183.335

Other Auth.:

Stats. Implemented: ORS 480.630, 183.335

**RULE SUMMARY**

The proposed rules establish new definitions for the Oregon boiler and pressure vessel program. The proposed 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.

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

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

December 23, 2011 by 5 p.m.

**Last Day for Public Comment** (Last day to submit written comments to the Rules Coordinator)

	Mark Long	
Signature	Printed name	Date

**STATEMENT OF NEED AND FISCAL IMPACT**

A Notice of Proposed Rulemaking Hearing or a Notice of Proposed Rulemaking accompanies this form.

Department of Consumer and Business Services, Building Codes Division

918

Agency and Division

Administrative Rules Chapter Number

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

Rule Caption (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

**In the Matter of:** Adopting, Amending, and Repealing OAR 918-225**Statutory Authority:** ORS 480.545, 480.630, 183.335**Other Authority:****Stats. Implemented:** ORS 480.630, 183.335

**Need for the Rule(s):** The division's statewide boiler and pressure vessel program is intended to protect Oregonians and their property from the hazard of explosions and fires caused by boilers and pressure vessels. In the past several years, the division has investigated several catastrophic boiler explosions, including one that destroyed a fraternity house on the OSU campus in Corvallis. The division has determined that untrained individuals performing work on privately-owned boilers and pressure vessels contributed to these events. To address this, these rules will require certain owners of boilers and pressure vessels to purchase permits before performing work on their equipment. Because each permit will be individually inspected, these rules will provide a mechanism to ensure that these owners are performing work on their equipment correctly.

In addition, the proposed rules also address several other programmatic issues that have arisen in administering the division's statewide boiler and pressure vessel program. The 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 definitions clarify the scope of work covered by the program. The rules also establish an expiration date for installation permits.

The rules also establish a system of reduced-fee minor repair permits that allow boiler owners and business contractors perform low-risk minor repairs at a reduced cost while also allowing more efficient use of state inspectors.

**Documents Relied Upon, and where they are available:** Minutes from rules advisory committee meetings held on August 11, 2011, August 17, 2011, and September 8, 2011 and the October 4, 2011 Board of Boiler Rules Meeting where the proposed rule changes were considered are available on the Building Codes Division website. Draft rules are available from the division's rules coordinator located at 1535 Edgewater Street NW, Salem, Oregon, and are available on the division's website at: [www.bcd.oregon.gov](http://www.bcd.oregon.gov).

**Fiscal and Economic Impact:** The division's does not expect a significant fiscal and economic impact to the boiler and pressure vessel program. Businesses that perform minor repairs and their customers will benefit from the reduced cost of minor repair permits. As described below, a limited number of boiler and pressure vessel owners may experience fiscal or economic impacts. Actual fiscal and economic impacts cannot be quantified at this time.

Owners of boilers and pressure vessels that install, alter, or repair their equipment in locations that are staffed around the clock are exempt from the rule changes and will not experience a fiscal or economic impact. Similarly, boiler and pressure vessel owners that contract with boiler businesses for installations, alterations, and repairs will not be impacted by these rules, though these owners may derive a cost savings from the reduced fees for minor repair permits.

These rules will require owners of boilers and pressure vessels who do not staff their equipment around the clock but that perform their own installations, alterations and repairs to purchase a permit before performing work on their equipment. Installation, alteration or repair permits cost \$175 for boilers and \$125 for pressure vessels. The division

estimates that there are approximately ten thousand boiler and pressure vessel owners in the state. However, the division cannot determine how many of these owners perform their own work, the amount of work performed, or whether this equipment is supervised 24-hours a day. The availability of low-cost minor repair permits will mitigate the fiscal and economic impact on such owners when performing minor repairs to their equipment. In addition, because the work performed under each installation, alteration and repair permit will be inspected by a commissioned state inspector, the rules may reduce long-term maintenance and repair costs resulting from incomplete or improperly performed work. These inspections will also reduce the risk of catastrophic failure, which has the potential to yield tremendous cost savings to equipment owners.

Minor repair permits will reduce the cost of permits for minor repairs to boiler and pressure vessels. Minor repair permits will be sold to boiler owners and boiler businesses in lots of five at a cost of \$175 (\$35 per permit). This represents a substantial savings from the current cost of installation, alteration and repair permits (\$175 for boilers, \$125 for pressure vessels.)

**Statement of Cost of Compliance:**

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):

The Building Codes Division does not expect a significant fiscal impact on state agencies. Any increased revenue from the sale of installation permits to equipment owners will likely be offset by a reduction in the total number of installation permits issued as contractors begin purchasing lower-cost minor repair permits. Because the division is the only agency involved with the boiler program, no units of local government will be impacted. Boiler and pressure vessel owners who do not staff their locations around the clock but that service their own equipment will be required to purchase a permit for installations, alterations and repairs. Other equipment owners will not be affected. Equipment owners and boiler contractors, as well as their customers, will benefit from the reduced cost of minor repair permits.

2. Cost of compliance effect on small business (ORS 183.336):

a. Estimate the number of small businesses and types of business and industries with small businesses subject to the rule: As described above, small businesses that alter or repair boilers and pressure vessels that they own and that are not staffed around the clock may have increased costs of compliance. Because these businesses are not currently regulated, the division is not able to reliably estimate the number of affected small businesses. Approximately 350 licensed Oregon boiler contractors will experience reduced costs when performing minor repairs. The division is not able to determine how many of these boiler contractors are small businesses.

b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services:

As described above, small businesses that alter or repair their boilers and pressure vessels that are not staffed around the clock may incur increased administrative costs resulting from the acquisition and tracking of installation permits. No additional reporting, recordkeeping, or other administrative activities are placed on small businesses.

c. Equipment, supplies, labor and increased administration required for compliance:

Aside from the administrative costs described in (b) above, these rules do not impose any additional equipment, supplies, labor, or increased administration requirements on small businesses.

How were small businesses involved in the development of this rule? Both the rules advisory committee that was consulted in development of these rules and the Board of Boiler Rules that reviewed and recommended the proposed rules have members who are small business owners and employees who represent a large cross section of industry.

**Administrative Rule Advisory Committee consulted?:** Yes

If not, why?:

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Signature Mark Long  
Printed name Date

Boiler Definitions and Minor Repair Permits  
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**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.

Boiler Definitions and Minor Repair Permits  
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(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) "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."~~

**(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.

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(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.**

~~(22)~~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.

~~(23)~~24 "Same Location," to determine inspection fees at cost, means that all vessels are within 2,000 feet of one another.

~~(24)~~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.

~~(25)~~26 "Single Family Dwelling" means a one-family dwelling structure.

~~(26)~~27 "Structure" means a building or shed with a roof and enclosed on the sides 75 percent or more.

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(~~27~~**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.

(~~28~~**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

## **918-225-0600**

### **Permits**

(1) An installation permit is required before installing, altering, or repairing a nonexempt boiler or pressure vessel unless: ~~Fees for installation permits are non-refundable.~~

**(a) The work is a minor repair for which a minor repair permit is allowed under OAR 918-225-0612; or**

**(b) The boiler or pressure vessel will be installed, altered, or repaired by its owner or the owner's employee in a location that is staffed 24 hours a day, seven days a week, by individuals who are trained in the operation and maintenance of the boiler or pressure vessel.**

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

(3) 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.

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(4) 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.

(5) Operating and installation permit fees are as shown in Table 3-B.

(6)(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.

(7) ~~Prepaid permit application forms do not authorize work until the contractor provides the required information to the division for review and approval. Prior~~ **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, ~~the contractor must~~ **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.

~~(8) Upon receipt of permit approval:~~

~~(a) The installation permit must be posted at the job site before beginning the work; or,~~

~~(b) The approved permit number must be posted at the job site and signed by the contractor. **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) 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.~~

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**(9) 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: ~~Table 1-A, Boiler and Pressure Vessel Operating Permit Periods can be found in Table 1A; and Table 3-B, Boiler and Pressure Vessel Permit Fees can be found in Table 3-B, are located at the end of Division 225 and are available on the division's website at <http://www.bcd.oregon.gov/rules.html#oar>.~~

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

**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.:**

Boiler Definitions and Minor Repair Permits  
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**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.:**

**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;**

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**(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.**

**Stat. Auth.: ORS 480.595, 455.154 & 455.155**

**Stats. Implemented: ORS 480.595, 455.154 & 455.155**

**Hist.:**

**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**

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**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.:**

**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.:**