



October 21, 2008

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**Recognizing boilers and pressure vessels  
built to certain international standards**

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**Opportunity for public input:**

Those who would like to provide public testimony may attend a public hearing on October 21, 2008 at 11:30 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. October 24, 2008.

**Live broadcast via the internet:**

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

**Purpose of the rule:**

These proposed rules will allow Oregon business access to a broader range of technology and products by allowing boilers and pressure vessels built to certain international standards to be installed in Oregon. Access to a broader range of technology and products will be a cost effective solution for some businesses and may encourage innovative approaches to energy usage, which helps Oregon in its goal of reducing energy consumption.

If adopted, these rules would become effective January 1, 2009.

**Citation:**

Adopts: OAR 918-225

**History:**

The division has become concerned about the various limitations placed on the use of international equipment, particularly with respect to products supporting "green building" construction. Currently, the range of approved boilers and pressure vessels is limited to those meeting American Society of Mechanical Engineers (ASME) standards.

The division held discussions with the Board of Boiler Rules at the board's March and June 2008 meetings. The division asked the board to consider options for allowing the installation of boilers and pressure vessels in Oregon that are built to International Code Standards that are comparable to ASME standards.

At the National Board level, new approaches to approving international standard are underway, but the outcome is uncertain and will need to be evaluated and reviewed. The National Board previously reviewed select international standards for comparability to ASME standards. The division recommended that the Board of Boiler Rules allow boilers and pressure vessels built to those previously reviewed standards to be installed in Oregon. Those international standards organizations are: British Standards Institute; Canadian Standards Association; European Committee for Standardization; or Syndicat National de la Chaudronnerie de la Tuyauterie & de la Maintenance Industrielle (SNCT).

The Board of Boiler Rules, at its September 9, 2008 meeting, considered and approved the proposed rules for public hearing and subsequent adoption.

**Contact:**

If you have questions or need further information, please contact Hearing Officer Celina Patterson at 503-373-0855, or [Celina.R.Patterson@state.or.us](mailto:Celina.R.Patterson@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
Shauna M. Parker	PO Box 14470, Salem, OR 97309
Rules Coordinator	Address
	(503) 373-7438
	Telephone

**RULE CAPTION**

Allows boilers and pressure vessels constructed to certain international standards to be installed in Oregon.

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

October 21, 2008	11:30 a.m.	1535 Edgewater Street NW, Salem, OR 97304	Celina Patterson
Hearing Date	Time	Location	Hearings Officer

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

**RULEMAKING ACTION**

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

**ADOPT:** 918-225-0445

**AMEND:**

**REPEAL:**

**RENUMBER:**

**AMEND & RENUMBER:**

Stat. Auth.: ORS 480.545 & 480.560

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Other Auth.:

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Stats. Implemented: ORS 480.545 & 480.560

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**RULE SUMMARY**

The proposed rules allow for Oregon installation of boilers and pressure vessels constructed to the standards of the following international organizations: British Standards Institute; Canadian Standards Association; European Committee for Standardization; or Syndicat National de la Chaudronnerie de la Tuyauterie & de la Maintenance Industrielle (SNCT).

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing the negative economic impact of the rule on business.

Friday, October 24, 2008 at 5:00 p.m.

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

	Mark Long	
Signature	Printed name	Date

\*Hearing Notices published in the Oregon Bulletin must be submitted by 5:00 pm on the 15<sup>th</sup> day of the preceding month unless this deadline falls on a weekend or legal holiday, upon which the deadline is 5:00 pm the preceding workday. ARC 920-2005

**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

Allows boilers and pressure vessels constructed to certain international standards to be installed in Oregon..

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

In the Matter of: Adopting 918-225-0445

Statutory Authority: ORS 480.545 & 480.560

Other Authority:

Stats. Implemented: ORS 480.545 & 480.560

Need for the Rule(s):

Contractors working on renewable energy projects for schools, industries, or other customers need to have access to a broad range of technology and products. Currently, the range of approved boiler and pressure vessel products is limited to only those meeting ASME standards. Access to a broader range of technology and products will be cost effective and encourage innovative approaches to energy usage, assisting contractors in meeting Oregon's goal of reducing energy consumption.

Documents Relied Upon, and where they are available: Board of Boiler Rules minutes from September 9, 2008; and draft rules are available from the division's rules coordinator located at 1535 Edgewater Street NW, Salem, Oregon 97304 and are available on the division's Web site at: [www.bcd.oregon.gov](http://www.bcd.oregon.gov).

Fiscal and Economic Impact:

Contractors and consumers should see a positive economic impact from the proposed rules, because they will allow access to a broader array of products and competitive pricing for Oregon businesses constructing boilers and pressure vessels. Increased competition caused by the broader range of acceptable products may effect individual businesses' profit margins.

Statement of Cost of Compliance:

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

Based on the information available to the division, the division has determined that these proposed rules will have no foreseeable significant fiscal impact on state agencies, units of local government, or the public.

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: The division licenses approximately 350 boiler businesses, however the division is unable to determine how many of these licensed boiler businesses are small businesses, since boiler construction facilities are unlikely to meet the definition of small business. The proposed rule, however, should not impose any additional costs on small businesses. The proposed rule may provide a cost savings to small businesses because there will be more boiler and pressure vessel options for installation in the state of Oregon.

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

The proposed rule does not impose any additional reporting, record keeping, or other administrative activities on small businesses.

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

The proposed rule does 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? Small businesses are represented on the Board of Boiler Rules that reviewed and approved these rules at its September 9, 2008 meeting.

Administrative Rule Advisory Committee consulted?: No

If not, why?: The Board of Boiler Rules reviewed and approved these rules. The board represents a wide segment of the boiler and pressure vessel industry.

Mark Long

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Signature

Printed name

Date

Administrative Rules Unit, Archives Division, Secretary of State, 800 Summer Street NE, Salem, Oregon 97310. ARC 925-2007

**918-225-0445**

**Other Installation Standards**

**(1) Boilers or pressure vessels not designed or constructed in accordance with the Boiler and Pressure Code of the American Society of Mechanical Engineers (ASME) may be installed in Oregon if the boiler or pressure vessel was designed or constructed in accordance with the applicable standards issued by one of the following organizations:**

**(a) British Standards Institute;**

**(b) Canadian Standards Association;**

**(c) European Committee for Standardization; or**

**(d) Syndicat National de la Chaudronnerie de la Tuyauterie & de la Maintenance Industrielle (SNCT).**

**(2) Boilers and pressure vessels constructed in accordance with the standards listed in (1)(a) through (d) of this rule must:**

**(a) Have controls and safety devices that are comparable to the controls and safety devices outlined in ASME CSD-1, Controls and Safety Devices for Automatically Fired Boilers, including, but not limited to, data plates and warning labels that are written in English;**

**(b) Be fitted with pressure relief valves that are built to ASME standards; and,**

**(c) Be installed, operated, maintained, and repaired in accordance with the provisions of ORS 480.510 to 480.670 and these rules.**

**Stat. Auth.: ORS 480.545 & 480.560**

**Stats. Implemented: ORS 480.545 & 480.560**

**Hist.: New**