



Oregon

Kate Brown, Governor

Department of Consumer and Business Services

Building Codes Division

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oregon.gov/bcd

Board of Boiler Rules

Meeting agenda

Meeting date: Tuesday, June 7, 2022

Time: 9:30 a.m.

In-person attendance: Building Codes Division Salem office in Conference Room A

Virtual connection and online streaming: View the live meeting or access the connection

Information for the Zoom meeting at: Oregon.gov/bcd/Pages/bcd-video.aspx

I. Board business

- A. Call to order
- B. Roll call
- C. Approval of agenda and order of business
- D. Approval of the draft board meeting minutes of [March 1, 2022](#)
- E. Date of the next scheduled meeting: Sept. 13, 2022, this meeting is on a Holiday scheduled

II. Public comment

The board will hear public testimony, including testimony from individuals who have signed up in advance.

III. Reports and updates

Boiler program update

IV. Communications

[Letter received from Clay Rhodes](#), Risk Control Specialist, to code M1E miniature boilers to M2E frequency to reduce the amount of time for inspections

V. Appeals

There are no appeals for this meeting.

VI. Unfinished business

There is no unfinished business for this meeting.

VII. New business

- A. [Request from Daryl Jude Rogers](#) for board decision on renewal extension for hardship or illness
- B. Review and approval of committee recommendations for new continuing education course and instructor applications (*This item is a late submission*)

VIII. Announcements

IX. Adjournment

State of Oregon

**Board of Boiler Rules
Virtual meeting minutes
March 1, 2022**

- Members present:** Chris Baier, steamfitter, Chair
Blake Alexander, boiler installation and repair
Jason Anderson, mechanical engineer registered in Oregon
Ryan Garvey, public member
Patrick Lamb, practical steam operating engineer
Paul Langley, owner/user high pressure boiler
Curtis Martin, owner/user low pressure boiler
- Members absent:** Roger Hendrix, mfr/owner of boilers or pressure vessels, Vice-chair
Gregory Moyer, insurance inspector
Vacant, boilermaker
Vacant, owner/user high pressure boiler
- Staff:** Alana Cox, Administrator, Building Codes Division
Thomas Clark, boiler program chief, Statewide Operations
Tyler Glaze, policy analyst, Policy and Technical Services (PTS)
Graham Roney, manager, Licensing Section
Teri Watson, senior policy analyst/legislative coordinator, PTS
Andy Boulton, senior policy advisor, PTS
Michael Mayorga-Hamilton, contested case representative,
Enforcement Services
Debi Barnes-Woods, boards administrator/coordinator, PTS
- Guests:** Jed Scheuermann, IAPMO Field Manager
Kenneth Hill, past board member

I. Board business

A. Call to order

Chair Chris Baier called the Board of Boiler Rules virtual meeting of March 1, 2022, to order at 9:30 a.m. The division continues to take extra precautions for public meetings given concerns regarding Coronavirus/COVID-19 having virtual GoToMeetings streamed live.

B. Roll call

Vice-chair Roger Hendrix and Member Greg Moyer were both excused.

The Board of Boiler Rules is an eleven-member board. Six members make a quorum. Currently, there are two vacant positions.

C. Approval of the agenda and order of business

Chair Baier **RULED** the agenda and order of business approved.

D. Approval of the draft meeting minutes

Chair Baier **RULED** the draft meeting minutes of Sept. 14, 2021, final.

E. Date of the next regularly scheduled meeting: June 7, 2022.

F. Board view the calendar for 2022 board meeting dates

G. Welcome new board members:

- Jason Anderson, registered mechanical engineer
- Paul Langley, user of high-pressure boilers in Oregon
- Curtis Martin, user of low-pressure boilers in Oregon

H. Farewell to board members:

- Thomas Engstrom, boilermaker
- Jeffery Rotert, practical experience with pressure vessels in Oregon

II. Public comment - None

III. Reports

A. Summary of enforcement cases previously resolved by the division as outlined in the enforcement board report (*No board action required*)

Mr. Mayorga-Hamilton, contested case representative, reviewed the two related cases before the board that the division resolved.

B. Program update

Thomas Clark, boiler program chief, Statewide Services, shared staffing changes within the division:

- Todd Smith, now manager of Policy and Technical Services
- Julia Hier, now manager of Enforcement Services
- Andy Boulton, now senior policy advisor
- Graham Roney, now manager of Licensing Section
- Teri Watson, new to the division has filled the position of senior policy analyst/legislative coordinator

Chief Clark went on to say the division has lost two boiler inspectors to retirements.

Chief Clark reported for September through November the state overdues stayed at 12-percent then dropped to 11-percent in December. January the overdues dropped to 10-percent and have maintained the 10-percent through February. The insurance inspection agencies started at 20-percent in September jumped to 22-percent then quickly averaged out and holding 19-percent through February.

An accident was reported in Hermiston with an on-going investigation, which prevents discussion at this time.

IV. Communications – None

V. Appeals - None

VI. Unfinished business - None

VII. New business

A. Board review and approval of proposed changes to Oregon Administrative Rule 918-225-0590

Tyler Glaze, policy analyst, Policy and Technical Services, said that prior to the COVID-19 health crisis, certain operators of large-scale steam and hot water boilers requested inspection cycle extensions. At the board’s June 2, 2020, meeting, proposed boiler inspection cycle extension program rules were discussed. On August 31, 2020, the division filed temporary rules creating a program that allowed these operators to request a six-month extension to their ordinary inspection cycle every four years. On October 1, 2020, the temporary rules became permanent.

At the board’s September 2021 board meeting, the board formally requested that the division convene a work group to discuss the possibility of extending boiler inspection cycles further for certain boilers operated in Oregon. On January 13, 2022, a workgroup was formed comprised of interested stakeholders and board members.

Chief Clark discussed the recommendations from the workgroup. The workgroup recommended several amendments to the inspection cycle extension program, including offering up to a 12-month extension and eliminating the limitation of one extension every four years. The proposed rule language was included the board packet.

The workgroup also requested that the board approve the division to engage in permanent rulemaking to amend OAR 918-225-0590 to align with the proposed rule changes.

Motion by Chair Baier to approve the workgroup’s proposed rulemaking and forward to the Administrator for rulemaking and subsequent adoption.

Roll call vote:

Yea: Curtis Martin; Paul Langley; Ryan Garvey; Jason Anderson; Blake Alexander and Chair Chris Baier.

Nay: Patrick Lamb.

Motion carried.

B. Board review and approval of proposed changes governing the content of the boiler license examinations

Policy Analyst Glaze said that the division intends to ensure all examination references in OAR 918-225-0691 are relevant and citable to current and future editions of the Oregon Boiler Pressure Vessel Specialty Code (OBPVSC). These rule changes will remove references to code books no longer adopted under the OBPVSC, code books no longer applicable to the license types they are listed for, and other general knowledge items not specifically referenced by the OBPVSC. Chief Clark went into detail of what references will be removed and what references will be added to current exam content rules.

Chief Clark used as an example that a Class 2 license holder is a pressure vessel installer license, which does not need to understand the code of construction, but those licenses need to understand statutes and Oregon Administrative Rules as well as the installation code NBIC Part 1 and Part 4.

Motion by Chair Baier to approve the division's proposed rulemaking and forward to the administrator for rulemaking and subsequent adoption.

Roll call vote:

Yea: Curtis Martin; Paul Langley; Patrick Lamb; Ryan Garvey; Jason Anderson; Blake Alexander and Chair Chris Baier.

Nay: None.

Motion carried unanimously.

C. Board review and approve committee recommendations on new continuing education course and instructor application

Tyler Glaze, policy analyst, Policy and Technical Services, reviewed committee recommendations of all new instructor and course applications since the committee's last meeting.

Motion by Chair Chris Baier to approve committee recommendations for approval or denial of courses or instructors.

Roll call vote:

Yea: Curtis Martin; Paul Langley; Patrick Lamb; Ryan Garvey; Jason Anderson; Blake Alexander and Chair Chris Baier.

Nay: None.

Motion carried unanimously

IX. Announcements - None

X. Adjournment

Chair Chris Baier adjourned the meeting at 10:00 a.m.

Respectfully submitted by Debi Barnes-Woods, boards administrator/coordinator.

**Agenda
Item
IV.**

DCBS/Building Codes Division
Policy and Technical Services
Boards Administrator/Coordinator

Subject matter: M1E miniature boilers/frequency

Action requested: Move sterilizer frequency on M1E to M2E if software would allow it.

Time Frame: 5 Minutes

Purpose: The reason the request is being made is the amount of time these inspections require in travel. With the price of fuel and the travel time to inspect one or two Sterilizers annually I would like to request these miniature power boilers be coded to a M2E.

CNA has several hospitals as clients. Lakeview; Bend; Burns; Bandon; La Grande; and Portland. It seems I was just there doing these Inspections and I was, but because a Sterilizer with a M1E I needed to go back and inspect the same Sterilizer that I looked at maybe 7 or 8 months ago. This Sterilizer was on the 2-year Frequency. When you inspect a Sterilizer on a 2-year frequency, the M1E Boiler is right in front of you being inspected at the same time.

The State Deputy Inspectors generally have inspectors in these areas when fully staffed of course. Insurance Inspectors, CNA, has one inspector with a helper out of Washington. It is very difficult to make these inspections on time annually.

Thank you for your consideration.

Clayton Rhodes, Risk Control Specialist
CNA Insurance

**Agenda
Item
VII.A.**

4/14/2022

Building Codes Department / Boiler Division
PO Box 14470
Salem OR 97309

To Whom It May Concern:

I regret that life got in the way and medical conditions distracted me from renewing my Class 5 license in a timely fashion.

In September of 2021, I contacted Ms. Deon about renewal and she informed me I had until early 2022 to make payment.

About this time, lower back and hip pain caused me to stop working and pursue a solution. Covid conditions provided almost daily obstacles, but I first visited my PCP on 10/18/21. *(Reference #1)* I was then referred to ROC Orthopedics on 10/26/21 and 11/4/21. *(Reference #2)*

After various visits for x-rays, an MRI, etc. it was determined that I needed to see a spine specialist.

On 11/23/21, I saw Dr. Ching at Oregon Spine Care. *(Reference #3)* Originally, my surgery was scheduled to be 1/15/2022. Two days prior, I tested positive for Covid, so the center rescheduled for 2/15/22. My surgery took place at the Oregon Outpatient Surgery Center. *(Reference #4)*

My 6-week post-op visit was very positive, and I started rehab to prepare for my return to work in May 2022. It was during this time that I realized I had allowed my Class 5 license to lapse.

Fortunately, the manager at the licensing board was gracious enough to advise me of this hardship request. The current opportunity for me to return to the workforce next month, requires me to have a current license. I will immediately enroll in continuing education required to resume my profession as a Class 5 Pipefitter.

Thank you for your time and consideration. Please feel free to contact me with any questions or concerns.

Sincerely,



Daryl Jude Rogers
10087 SE Bell Avenue
Portland OR 97222-2585
(985)710-0364

rogersdaryl@gmail.com

References Attached

Reference #1: NW Primary Care
Dr. Moravec
3033 SE Monroe Street
Milwaukie OR 97222
(503) 659-4988

Reference #2: ROC Orthopedics
1508 Division Street, Suite #105
Oregon City OR 97045
(503) 420-0210

Reference #3: Oregon Spine Care
19255 SW 65th Avenue, Suite #200
Tualatin OR 97062
(503) 828-1150

Reference #4: Oregon Outpatient Surgery Center
7300 SW Childs Road
Portland OR 97224
(503) 612-8452