

State of Oregon
Final

OREGON STATE PLUMBING BOARD

Regular Meeting Minutes

August 20, 2004

MEMBERS PRESENT: Lewis Seagraves, Chairman
Ken Carlson
Brett Cook
Mary Leverette
Jacob Polvi *(New member)*
Perry Shinn

MEMBERS ABSENT: Robert Kimes, Vice-Chairman

STAFF PRESENT: Andrea Simmons, Manager of Policy and Technical Services
Terry Swisher, Chief Plumbing Inspector, and Board Secretary
Laurie Skillman, Enforcement and Licensing Manager
Roseanne Nelson, Senior Enforcement Officer
Allen Aschim, Enforcement Officer
Richard Baumann, Policy Analyst
Heather Gravelle, Administrative Assistant
Debi Barnes-Woods, Division Boards Coordinator/Recorder

GUESTS PRESENT: Sandra Coleman, Legislative Advocates
Tony Spencer, BOLI-ATP
Jack Beuschel, Studor Inc.
Dave Hensley, City of Corvallis
Jerod Broadfoot, PMCA

I. BOARD BUSINESS

I.A. Call to Order

Chairman Lewis Seagraves called the State Plumbing Board to order at 9:00 a.m. The meeting was held at the Building Codes Division, 1535 Edgewater NW, Salem, Oregon.

I.B. Roll Call

Robert Kimes, Vice-Chairman, was absent, excused.

I.C. Approval of Agenda and Order of Business

Amended: VI.B., heard before VI.A.

Chairman Seagraves **RULED** the agenda approved as amended.

I.D. Approval of the June 18, 2004 Minutes

Chairman Seagraves **RULED** the minutes for June 18, 2004 approved as submitted.

I.E. Date of the Next Regularly Scheduled Meeting
October 15, 2004.

Jacob Polvi, gave a brief history of his experience. He worked two years for a general contractor, then for ODOT, he was working as a bridge construction inspector, and now he is working in Bend as a private consultant specializing in water resources.

II. PUBLIC COMMENT - None

III. REPORTS

A. Summary of enforcement cases actions previously taken by the division for III.A.1 through 10. No board action required. – New format for reporting cases.

Laurie Skillman, Manager of Enforcement and Licensing, explained the streamlined version for enforcement cases that are presented to the board. All document for cases that require board action will be included in the board packet and listed on the new report. Cases that the division has acted on prior to the board meeting will be summarized on the new report.

Although the board members had a considerable number of questions, they agreed with using the new process.

B. Withdrawal and Reconsideration/Orders on Trimble Commercial Contractors Inc.

At the February board meeting, the Oregon State Plumbing Board approved a final order in the case and adopted the hearings officer's proposed order for Trimble Commercial Contractors, Inc., an Oregon Corporation, and William V. Trimble. Mr. Trimble and Trumble Commercial Contractors, Inc., appealed to the Court of Appeals. The division asked the board to withdraw the final order from the Court of Appeals for reconsideration.

Manager Skillman explained that the Assistant Attorney General assigned to this case asked that the board issue an order for the Court of Appeals, withdrawing the final order for reconsideration and allowing 60 days to issue a final order.

MOTION by Ken Carlson to adopt the order withdrawing the final order for reconsideration for Trimble Commercial Contractors, Inc., an Oregon Corporation, and William V. Trimble, President, and allowing 60 days to issue a final order.

MOTION CARRIED UNANIMOUSLY

C. Program update.

Andrea Simmons, Manager of Policy and Technical Services, explained that the draft rules for plan review of complex plumbing are not completed at this time. Manager Simmons requested the item be considered at a later meeting. The board agreed to remove the item from the agenda.

The Low-Rise Residential Specialty Code (ORSC). Manager Simmons said the Residential Structures Board reviewed the proposed Low-Rise Residential Specialty Code at its last meeting. She explained that the Code Coordination Committee reviewed the plumbing provisions of the proposed code. The recommendation from the board is with the Administrator of Building Codes Division who has 30-days by statute to determine whether the Administrator will adopt the Low-Rise Residential Specialty Code, modify the Residential Structures Board's recommendation, then adopt, or deny the proposed code for further review.

Legislative Concepts. Two concepts the division intends to move forward to legislation:

- Consistency within the licensing standards from an administrative standpoint.
- Consistency within the elevator program for inspections.

Meetings with Chairman/Vice-Chairman of BCD boards. These meetings will begin in September to discuss uniformity throughout the division boards.

New staff members within Policy and Technical Services.

Twyla Knowles, Senior Policy Advisor

Rick Blackwell, Policy Analyst

IV. COMMUNICATIONS - None

V. APPEALS - None

VI. UNFINISHED BUSINESS

B. Board approval of Revised Interpretive Ruling No. 01-4 for Non-Flush Urinals in Oregon Parks and Recreation Facilities.

The division recommends approval of the revised Interpretive Ruling No. 01-4 regarding non-flush urinals in Oregon Parks and Recreation facilities.

Perry Shinn questioned why Total Kjeldahl Nitrogen (TKN) was left out for the results of the testing of septic disposal system when Biochemical Oxygen Demand Total Suspended Solids (BOD/TSS) testing is included.

Mary Leverette referred to the handout provided at the last board meeting; an e-mail to Ms. Leverette from Cynthia Gains, Oregon Department of Health. In Ms. Gains reference to TKN, she sites two out of three parks had TKN levels below the specified in an Oregon Administrative Rule. The third park she was referring to had an elevated level. In order to evaluate the effectiveness of the testing, Ms Leverette was in support of the question. After discussion, it was found that TKN is a measurement of total nitrogen.

Interpretive Ruling No. 01-4 was revised at the meeting to include the sampling of TKN when required under the Oregon DEQ Wastewater Pollution Control Facilities (WPCF) permit.

Brett Cook asked if there would be a penalty if the parks department exceeded the ruling of a maximum of 26 waterless urinal devices installed at 13 sites. Chief Swisher said the parks department has not stated that they intend to exceed the amount specified in the ruling.

Mr. Cook reminded that board before voting, that the parks department, at a previous meeting, said they do not intend on removing the waterless urinals no matter what the vote.

Chairman Seagraves, read a letter from Debra Minar Driscoll, a citizen expressing her support for the waterless urinals. *Exhibit "A."*

MOTION by Mary Leverette to approve revised Interpretive Ruling No. 01-4 with the amendment to include the evaluation of TKN in the report from the Oregon State Parks Department to the Oregon State Plumbing Board in January 2005.

MOTION CARRIED

(Break)

A. Board review of recommendations by the Plumbing Code Change Committee for the 2005 Oregon Plumbing Specialty Code for public hearing.

Ken Carlson, Chairman of the Plumbing Code Change Committee, reported on the work. The committee recommends that Section 704.3 in the 2003 Uniform Plumbing Code be deleted.

The Plumbing Code Change Committee's recommendation to delete Section 704.3 from the 2005 Oregon Plumbing Specialty Code is to be consistent with health code and agricultural department requirements.

MOTION by Ken Carlson to approve the Plumbing Code Change Committee's recommendations for the 2005 Oregon Plumbing Specialty Code to forward to public hearing with the finding that the added cost, if any, is necessary to the health and safety of the occupants or the public or necessary to conserve scarce resources.

Jack Beuschel, Studor Inc., proponent for air-admittance valves, (ORSC-04-175 through ORSC-04-178) proposed that those submittals be included in the 2005 Low-Rise Residential Specialty Code. He agreed that he did have the opportunity to address the issue to the Plumbing Code Change Committee, but was unhappy with the recommendation for disapproval.

Mr. Beuschel was advised that if he has issues with the recommendation for specific code change submittals, they should be addressed at public hearing.

Mr. Beuschel stated for the record that he did not have the opportunity at this time to speak on his code change proposals to the Oregon State Plumbing Board.

MOTION CARRIED UNANIMOUSLY

VII. NEW BUSINESS

Board approval of Statewide Minor Label Rules for public hearing.

Manager Simmons explained that currently Oregon has two minor label programs, Tri-County label program administrated out of the service center and a statewide program administrated out of the same office. The scope of work and the way the permits are purchased are the same. The intent of the proposed rules, is to eliminate the Tri-County minor label program and go to one minor label system, a statewide minor label program that could be used throughout the state. The division is recommending that the board support this rulemaking activity.

Mary Leverette asked if there is a fiscal impact. Manager Simmons explained that a jurisdictional impact would occur when going to a statewide commercial plumbing minor label. Some jurisdictions may lose permit revenue, although cost savings may occur and will make the program simpler to use by the division, local jurisdictions, contractors, and industry.

Although a motion was not necessary, Chairman Seagraves suggested that on page two of the Statewide Minor Label proposed rule 918-100-0000(1) insert “for” after programs and before statewide.

VIII. ANNOUNCEMENTS - None

IX. ADJOURNMENT

Chairman Lewis Seagraves adjourned the meeting at 12:30 p.m.

Respectfully submitted by,
Debi Barnes-Woods
Division Boards Coordinator

Exhibits:

- A. Letter from Debra Minar Driscoll concerning waterless urinals, ***Agenda Item VI.B.***

TO OBTAIN COPIES OF EXHIBITS, A PUBLIC RECORD REQUEST MUST BE COMPLETED BY CLICKING ON THE LINK PROVIDED.

<http://www.cbs.state.or.us/external/bcd/pdf/2568.pdf>