

State of Oregon
FINAL

OREGON STATE PLUMBING BOARD

Regular Meeting Minutes

December 17, 2004

MEMBERS PRESENT: Lewis Seagraves, Chairman
Robert Kimes, Vice-Chairman
Ken Carlson
Brett Cook
Mary Leverette
Jacob Polvi
Perry Shinn

MEMBERS ABSENT: None

STAFF PRESENT: Mark Long, Administrator of Building Codes Division
Terry Swisher, Chief Plumbing Inspector, and Board Secretary
Laurie Skillman, Manager of Enforcement and Licensing
Roseanne Nelson, Senior Enforcement Officer
Richard Baumann, Policy Analyst
Rick Blackwell, Policy Analyst
Casey Moyer, Policy Analyst
Debi Barnes-Woods, Division Boards Coordinator/Recorder

GUESTS PRESENT: Mark Cullington, Oregon DEQ
Tony Spencer, BOLI-ATP
Dave Hensley, City of Corvallis
Dwight Perkins, IAPMO
Shawn Eaton, TBD
Gib Secker, Representative for Cash ACME SharkBite™
Rick Giles, Western States Sales
Barbara Van Creveld, Edgewater Environmental
Robert Van Creveld, Edgewater Environmental
Jon Maupin

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

All members were present.

- I.C. Approval of Agenda and Order of Business**
Chairman Seagraves **RULED** the agenda approved as mailed.
- I.D. Approval of the October 15, 2004 Minutes**
Chairman Seagraves **RULED** the minutes for October 15, 2004 approved as submitted.
- I.E. Date of the Next Regularly Scheduled Meeting**
February 18, 2005, at **9:30** a.m.
- I.F. Review of the 2005 board meeting dates.**
The 2005 board meeting dates were reviewed with no comment. A change in the meeting time from 9:00 a.m. to 9:30 a.m. will occur for all boards in 2005.
- II. PUBLIC COMMENT**
Jon Maupin, former City of Salem Plumbing Inspector, offered his assistance to the division for the new pilot compliance program.
- III. REPORTS**
- A. Program update.**
Mark Long, Administrator of Building Codes Division, discussed several issues and updates related to BCD.
- BCD Budget.** The 2003 - 2005 budget was discussed briefly. The division experienced revenue expense problems in several programs in 2003. Updated data will be implemented into a new form for 2005. Now that those problems have been addressed, recruitment for vacant positions will begin.
- Licensing system.** Consistent licensing is a focus for the division. The division currently has 85 different license types that will be placed on the new licensing system over the next six months. The first phase includes electrical contractors, supervising electricians and plumbing contractors, which will be placed on the new system January 1, 2005.
- Legislative concepts.** The division has two bills in pre-session filing. The statutory requirement for elevator inspections is annually regardless of the type of elevator or use, or any safety issues. The draft concept allows elevator inspection frequency to be set by rule by the division so the division can focus resources on life safety issues. The other bill impacts all licensing. The intent is on licensing administrative procedures to make these procedures consistent across all program areas.
- Mechanical Board.** Senate confirmed all nine members and the first meeting is scheduled for March 2, 2005.
- Codes.** The Residential Specialty Code is scheduled to go back to the Residential Structures Board for its final review January 5, 2005.

Pilot compliance program. The division, plumbing contractors and journeymen plumbers have been working on a compliance pilot program in the metro area for enforcement. The pilot would mirror what is in place for the electrical program.

B. Enforcement Cases.

Repeat Violator, Action Builders, Inc., DBA Action Plumbing & Heating. A previous case for this company was before the board in June of 2004. Because this is the third occurrence for having an unlicensed individual perform plumbing work, the division recommended approval of the default order.

MOTION by Vice-Chairman Robert Kimes to adopt division recommendation.
MOTION CARRIED UNANIMOUSLY.

Ms. Nelson discussed the fact that this company has allowed unlicensed individuals to perform work three times. She asked if the board wanted enforcement to begin license revocation.

Perry Shinn said that even though one of the three violations was an electrical violation, the board should stay consistent with past practice.

MOTION by Vice-Chair Kimes to recommend that the division begin the license revocation process for Action Builders, Inc., DBA Action Plumbing & Heating.

MOTION CARRIED UNANIMOUSLY.

At a previous meeting the board moved to start revocation for Fourstar Development DBA Nelson Plumbing. Ms. Nelson informed the board that the company has hired a lawyer.

C. Summary of enforcement cases actions previously taken by the division for III.C.1. through 5. No board action required.

No discussion took place regarding this agenda item.

IV. COMMUNICATIONS

New Employees.

- Phil Johnson, an Enforcement Officer is a member of the Oregon State Bar Association and graduated from Willamette University Law School.
- Brent Griffiths, an Investigator. Mr. Griffiths most current position was working as a border patrol agent in Arizona. Mr. Griffith will start with the division January 3, 2005.

Hearings officer's report on the 2005 Oregon Plumbing Specialty Code.

The public hearing was held November 1, 2004 leaving the record open for comment until 5:00 p.m. November 19, 2004. One person attended the hearing but did not wish to speak.

Chief Swisher clarified concerns raised about OAR 918-750-0110(1)(d) Medical Gas and Vacuum Systems. The Standard is specifically referenced in Table 14-1 of the 2003 UPC and Chapter 13 provisions that address Medical Gas in the new code will reference the Standard NFPA 99C-2002 edition. The standard reference is being updated with the code change.

Dwight Perkins, IAPMO said that IAPMO would be supplying plumbing board members with complete code books including Oregon amendments.

V. APPEALS - None

VI. UNFINISHED BUSINESS

Request board recommend approval of Interpretive Ruling No. 04-2 for non-flush urinals.

Administrator Long reported on this issue. A memo from the division, Interpretive Ruling No. 04-2 for non-flush urinals, a report from the Oregon Parks and Recreation Department (OPRD) addressing the board's concerns from a previous meeting and technical reports, in favor of the non-flush urinals, were included in the late submission. Those reports were from the United States Environmental Protection Agency (EPA), Arizona State University, University of California Los Angeles' Department of Civil and Environmental Engineering, the Federal Energy Management Program and the State of Oregon Department of Environment Quality.

Administrator Long said that the division is representing the State of Oregon in allowing the products, based upon the standards in the ruling, to be used in city, county, state and federal government buildings in Oregon. The interpretive ruling is not mandated to use the products, it is a standard and guideline to follow if the product is chosen to be used.

Written testimony was received from Local 290 and made part of the permanent record. *Exhibit "A."*

The report from OPRD indicated that the “Duravit” product requires the least amount of maintenance for its use. Brett Cook questioned what were the differences in maintenance between products? The Duravit product has a built in P-trap. No mechanical device has to be removed for maintenance, which is easier to maintain.

The report also indicated odor due to installation problems. Mr. Cook asked what were the specific problems. Placement of the urinals against the existing drain line connection was the main problem. That caused the urinals to crack, which created odor problems.

Administrator Long talked about developing a matrix with data gathered from OPRD and other researched information on the products adding updated information as it is received. The Administrator also plans on scheduling a meeting with the State Architect and other purchasing organizations to share, from a manufactures installation instruction, the differences between the products so interested individuals could make an informed decision based on use.

Chairman Seagraves said that the board is charged with making decisions based on scientific and technical facts not opinions.

MOTION by Vice-Chairman Kimes to recommend accepting the proposed Interpretive Ruling No. 04-2 for non-flush urinals with the three suggestions listed in the written testimony by Local 290, *Exhibit “A.”*

- “1. *Waterless urinals be limited to federal, state and local government buildings, so that they can be monitored and are in structures where there is a greater chance of adequate maintenance being performed.*
2. *Waterless urinals not be permitted in schools until an evaluation of their success in other government buildings has been completed.*
3. *The division shall produce an information sheet on waterless urinals that provides objective information on product types and differences to assist government agencies in making decisions.”*

Roll call vote taken:

Aye: Polvi, Vice-Chair Kimes

Nay: Shinn, Leverette, Cook, Carlson, Chairman Seagraves

MOTION FAILS.

MOTION by Mary Leverette to recommend approval of Interpretive Ruling No. 04-2 for non-flush urinals as written.

Roll call vote taken:

Aye: Shinn, Polvi, Leverette, Vice-Chair Kimes, Chairman Seagraves.

Nay: Cook, Carlson.

MOTION PASSED.

VII. NEW BUSINESS

A. Board approval of 2005 examination questions.

100 new questions were created by the division which represent the new code provisions for the 2005 Oregon Plumbing Specialty Code and the 2005 Residential Structures Code plumbing sections. Committee experts reviewed all questions.

MOTION by Vice-Chair Kimes to approve the 2005 examination questions as proposed.

MOTION CARRIED UNANIMOUSLY.

B. Board approval of the International Association of Mechanical Officials (IAPMO) Interim Guide Criteria (IGC) 188-2004 Standard for the SharkBite® fitting system.

The manufacturer is seeking board approval of the interim guide criteria until the ASSE Standard can be completed and reviewed for approval. *Exhibit "B"* was distributed.

Gib Secker, Western State Sales, Representative for Cash ACME SharkBite® demonstrated the product.

Brett Cook asked if the fittings were made to the IGC or to the listed agreement with IAMPO? The fitting that was demonstrated did not contain the IAPMO logo only the IGC number, therefore the fitting is in violation of the listing agreement with IAMPO. There are two requirements in the State of Oregon; 1.) Meet and tested to an approved Standard and, 2.) Listed by an approved agency.

MOTION by Ken Carlson to postpone the issue until the February 18, 2005 meeting so the company can provide documentation of the manufacturers' installation standards on the product.

MOTION CARRIED UNANIMOUSLY.

C. Board approval of the International Association of Mechanical Officials (IAPMO) Interim Guide Criteria (IGC) 184-2003 Standard for the Bullthread® copper tubing female pipe thread outlet for fixture supply valves.

The manufacturer is seeking board approval of the interim guide criteria until the National Standard can be completed and reviewed for approval.

The product is a fitting adapter to adapt from ½" copper pipe to a ¾" iron pipe thread standard tapered National Pipe Thread.

MOTION by Vice-Chair Bob Kimes to approve the IGC 184-2003.
MOTION CARRIED UNANIMOUSLY.

D. Equivalency request from Shawn Eaton to sit for the plumbing inspector certification exam.

Shawn Eaton explained he has obtained the required training and experience to be eligible to sit for the plumbing inspector examination.

MOTION by Vice-Chair Kimes to approve equivalency for Shawn Eaton to sit for the plumbing inspector certification exam.
MOTION CARRIED UNANIMOUSLY.

E. Equivalency request from Rick Hopkins to sit for the plumbing inspector certification exam.

Chief Swisher explained that Mr. Hopkins applied twice for the plumbing inspector certification. On each application, Mr. Hopkins listed different experience, which the division asked him to clarify. Instead of an explanation, Mr. Hopkins requested to come before the board to request equivalency. Mr. Hopkins was not present.

MOTION by Vice-Chair Kimes to approve division recommendation to disapprove equivalence request from Rick Hopkins to sit for the plumbing inspector certification examination.
MOTION CARRIED UNANIMOUSLY.

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. Written testimony was received from Local 290, **Agenda Item VI.**
- B. Information provided by the manufacturer, **Agenda Item VII.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>