

**State of Oregon
Draft**

OREGON STATE PLUMBING BOARD

Regular Meeting Minutes

October 21, 2005

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

MEMBERS ABSENT: None

STAFF PRESENT: Andrea Simmons, Manager of Policy and Technical Services
Terry Swisher, Chief Plumbing Inspector, and Board Secretary
Joan Stevens-Schwenger, Interim Manager of Enforcement
and Licensing
Roseanne Nelson, Assistant Manager of Enforcement
and Licensing
Homer Humelbaugh, Assistant Chief Plumbing Inspector
Rick Blackwell, Policy Analyst
Casey Hoyer, Policy Analyst
Debi Barnes-Woods, Division Boards Coordinator/Recorder

GUESTS PRESENT: Bruce Wilde, BOLI-ATD
Sydney Mead, Ecotrust
Donald Kool, UA Local 290
Ron Murray, UA Local 290, American Society of
Sanitary Engineering (ASSE)
Dwight Perkins, IAPMO
John Endicott, UA Local 290
Steve Turner, SR Turner Construction
J.R. Brock, Aquatherm
Rick Hopkins, City of Bend

I. BOARD BUSINESS

I.A. Call to Order

Chairman Lewis Seagraves called the State Plumbing Board to order at 9:30 a.m. The meeting was held at the Building Codes Division, Conference Room "A," 1535 Edgewater NW, Salem, Oregon.

I.B. Roll Call

All members were present.

I.C. Approval of Agenda and Order of Business

Enforcement cases will be heard before Administrator's report.

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

I.D. Approval of the August 19, 2005 Oregon State Plumbing Board meeting minutes.

Chairman Seagraves **RULED** the Oregon State Plumbing Board meeting minutes for August 19, 2005 approved as submitted.

I.E. Date of the Next Regularly Scheduled Meeting

December 16, 2005 at 9:30 a.m.

I.F. Board review 2006 calendar board meeting dates.

Meeting dates were reviewed and accepted.

II. PUBLIC COMMENT - None

III. REPORTS

Roseanne Nelson, assistant manager of enforcement and licensing, introduced Joan Stevens-Schwenger, interim manager of enforcement and licensing. The assignment will continue until the position is filled.

(Item B and C heard before A)

B. Enforcement Cases.

Repeat violators may appear on the enforcement spreadsheet provided in the board packet due to a new process being used for first, second and third time violators.

1. **Final Order, John Allen Rigsby.** A referral from the Construction Contractors Board was received from the homeowner of work completed in the home. A hearing was held finding the respondent in violation. The division recommends approval of the final order.

MOTION by Vice-Chairman Robert Kimes to adopt division recommendation for approval of final order for John Allen Rigsby.

MOTION CARRIED UNANIMOUSLY.

C. Summary of enforcement cases actions previously taken by the division for III.D.1. through 12. No board action required.

No discussion for this agenda item.

A. Administrator's report.

Joanie Stevens-Schwenger, Interim Manager of Enforcement and Licensing, reported on the E-permitting system that allows contractors to apply and pay for over-the-counter plumbing, mechanical and electrical permits at buildingpermits.oregon.gov. The new pilot program has already proven to be a success. *Exhibit "A."*

Andrea Simmons, Manager of Policy and Technical Services continued with the Administrator's report.

Code Interpretations and Alternate Method Rulings. *Exhibit "B."* The statewide code interpretation rules went into effect July 1, 2005. The division is continuing to finalize the policies and procedures for statewide code interpretation, alternate method ruling, and site-specific code interpretation.

Board Chair Vice-Chair meetings. Discussions are currently focusing on the implementation of HB 2181, which requires consistent processes across all licensing programs.

Rule Advisory Committee. The division is re-evaluating the current code-adoption process. The intent is to have the processes consistent with all code programs.

Board Appointments. Conformation hearings are scheduled to occur 1:30 p.m., at the Capitol today. If confirmed, Jonathan Gray would replace Vice-Chairman Robert Kimes.

D. Program update.

Terry Swisher, chief plumbing inspector, reported surcharges on plumbing permits statewide will be consistent beginning January 1, 2006. He also reported that the NFPA 99C Medical Gas and Vacuum Systems Standard has been updated and published in a 2005 Edition. The division is in the process of reviewing the Standard.

BCD's E-mail Notification Service.

The BCD Website has a new is E-mail notification service to notify stakeholder when changes or updates are made to the web. A short registration process is required in order to receive notices from the division.

E. Plumbing code interpretations update.

Two code interpretations were brought forward from the committee; 1) Water hammer devices, and 2) Water heater seismic strapping. Both will be posted on BCD's web-site.

New plumbing code interpretations group.

Chief Swisher said that he is soliciting board members for an electronic interpretation advice group.

IV. COMMUNICATIONS - None

V. APPEALS

Appeal of City of Newberg's decision regarding licensing requirements for installation of medical facility manufactured wall assemblies.

Chief Swisher explained that the chief electrical inspector has a similar request from IBEW claiming that medical facility manufactured wall assemblies are electrical installation.

Medical gas installer licensing rules, OAR 918-695-0035, were distributed. *Exhibit "C."* The rules explain that installation and repair of electrical devices and other components not related or directly attached to the medical gas service equipment or distribution systems are exempt from plumbing licensing requirements.

Donald Kool, license number 3636JP, member of Local 290. Mr. Kool stated that the decision agreed to by the building official of the City of Newberg and the chief plumbing inspector is not consistent with state statute or administrative rule.

Mr. Kool said that he has filed a preliminary compliance report relating to alleged plumbing license violators. He said that the health risk at this facility is an issue.

Ron Murray, UA Local 290, American Society of Sanitary Engineering (ASSE), distributed a letter from the American Society of Sanitary Engineering, *Exhibit "D."*

Mr. Murray said that medical gas systems are installed using the ASSE Series 6000 Standard. The ASSE Series 6000 Standards states that only an individual who has been trained and certified as a medical gas system installer should be allowed to install any component of the medical gas and vacuum systems. Mr. Murray also noted that this installation is clearly a plumbing component, which is part of the medical gas unit.

ASSE has also consulted with the Oregon Health Division used their consultant, Chris Moulds, who specializes in medical-gas installations, believes that this component must be installed by a certified individual.

Perry Shinn said that as a plumbing contractor, he would be required to warranty the system, therefore he would demand to be involved in the installation.

Kathryn Mattimore asked if this issue had been forwarded to the Electrical and Elevator Board, and if so, what was the outcome? Chief Swisher replied no, the Electrical and Elevator Board has not seen the appeal.

Dwight Perkins, Western Regional Manager for IAPMO, referenced Chapter 13, Section 1301, 1301.2, and 1302.1. In the manufacturer's warranty document, which states that the medical gas contractor shall be responsible for all installations. 1310.7 was referenced. Mr. Perkins disagreed with the chief plumbing inspector's position.

John Endicott, Business Manager of Plumbing and Steamfitter Local 290, said that the safety of the public is very important. The specific unit is not a temporary unit. It is a solid unit secured to the wall. The installation is hard pipe solid inline-piece that is brazed. Such an installation should be done by licensed and certified individuals.

Ken Carlson said that anytime a piece of equipment is brazed to the piping system, it is considered part of the medical gas system and should be installed by a licensed certified individual. That is why that certification exists.

Brett Cook said that Oregon's licensing system is new for medical gas. Although the installation has electrical components, the plumbing board should take the responsibility in this issue after looking at the device.

MOTION by Ken Carlson to disapprove the chief plumbing inspector's decision.

Role call vote taken:

Aye: Shinn, Polvi, Mattimore, Carlson, Cook and Kimes

Nay: Seagraves

MOTION CARRIED.

Andrea Simmons, Manager of Policy and Technical Services, asked for further clarification.

AMENDED MOTION by Ken Carlson that, based on all information received, the Oregon State Plumbing Board, by majority vote, agreed that the installation of the medical gas head wall units would fall under the plumbing code and therefore should be installed by a licensed journeyman plumber who holds a medical gas certification.

MOTION CARRIED UNANIMOUSLY.

VI. UNFINISHED BUSINESS

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

Rick Hopkins said that he has 5,200 hours of work experience as a licensed journeyman plumber, which should meet the minimum requirements for the State of Oregon.

Mr. Hopkins explained that he had completed a plumbing apprenticeship in the State of California. Mr. Hopkins was unable to produce the document verifying completion of the apprenticeship program.

MOTION by Ken Carlson to disapprove the experience provided by Rick Hopkins as equivalent.

MOTION CARRIED.

VII. NEW BUSINESS

A. Board review and approval of revised journeyman plumber's license reciprocal agreement with the State of Idaho.

The division has recently updated the reciprocal plumbing licensing agreement with the State of Idaho. The division recommended approval of the new agreement.

MOTION by Vice-Chair Kimes to approve the new signed reciprocal plumbing licensing agreement with the State of Idaho.

MOTION CARRIED UNANIMOUSLY.

B. Consideration of petition for alternate method ruling for air admittance valves.

This item will be heard at the December meeting at the request of Jack Beuschel.

C. Board consideration of request to allow site-specific non-flush urinals in the Jean Vollum Natural Capital Center.

Chief Swisher explained that this request is site-specific.

Board member Ken Carlson, who is also a representative of the City of Portland, said that although the building in question is not a publicly owned building, there is a long term lease through their office of sustainable development. As a representative of the City of Portland, Ken Carlson recommended approval of the site-specific request of the non-flush urinals in the Jean Vollum Natural Capital Center as a one-time approval only.

MOTION by Vice-Chairman Kimes to approve the site-specific request of the non-flush urinals in the Jean Vollum Natural Capital Center as a one-time approval only. If the company is to relocate, they are to take the non-flush urinals with them and reinstall the flushometer urinals as per code.

Brett Cook said that these requests should go through the administrator because of the interpretive ruling already in-place. Mr. Cook felt that the City of Portland should appeal to the administrator to change the writing of the interpretive ruling. He said that such requests should not come through the plumbing board to alter the ruling that is in-place. He said that the request should be denied.

Roll call vote taken:

Aye: Shinn, Polvi, Mattimore, Carlson, Seagraves

Nay: Cook, Kimes

MOTION CARRIED.

D. Board consideration of ASTM F 2389-2004 Standard Specification for Pressure Rated Polypropylene (PP) Piping Systems for hot and cold potable water distribution application.

Jim Brock, Aquatherm, explained that his company wrote the standard because no standard existed. The standard was then submitted to National Sanitary Foundation, NSF tested the product against the standard and certified the product to the standard, and was then submitted to ICC. Polypropylene piping was added to the plumbing code and the specific product received an evaluation report of approval.

MOTION by Perry Shinn to approve the ASTM F 2389-2004 Standard.

MOTION CARRIED UNANIMOUSLY.

E. Board consideration of ASSE 1024-2004 Standard for Dual Check Valve Backflow Preventers for the use with pedicure spas.

Chief Swisher explained this request came from a pedicure spa manufacturer that is having issues on various backflow device installations.

Kathryn Mattimore distributed an article "Backflow Prevention Gains Momentum Through IAPMO," *Exhibit "E."* The article focuses on the cause of salon infections, which presumably enter the footbaths through the plumbing and multiply in the bits of hair and skin lodged in the baths' filter screens.

Ms. Matimore said that this standard is not the best because of health concerns and the ASSE Standard was for residential use.

MOTION by Kate Matimore to disapprove ASSE 1024-2004 Standard for Dual Check Valve Backflow Preventers for the use with pedicure spas because of the health hazards.

MOTION CARRIED UNANIMOUSLY.

F. Board consideration of ASSE 1055-1997 Performance Requirements for Chemical Dispensing Systems.

Chief Swisher said that the hose-connect product is not part of the plumbing system, which is not regulated by the Oregon State Plumbing Board. Therefore the division recommended disapproval of the standard.

MOTION by Vice-Chair Kimes to disapprove ASSE 1055-1997 Performance Requirements for Chemical Dispensing Systems.

MOTION CARRIED UNANIMOUSLY.

VIII. ANNOUNCEMENTS – None

IX. ADJOURNMENT

Chairman Lewis Seagraves adjourned the meeting at 12:15 p.m.

Respectfully submitted by,
Debi Barnes-Woods
Division Boards Coordinator

Exhibits:

- A. E-permitting statistics, **Agenda Item III.A.**
- B. Code interpretations and alternate method ruling document, **Agenda Item III.A.**
- C. OAR 918-695-0035, **Agenda Item V.**
- D. Information from the American Society of Sanitary Engineering, **Agenda Item V.**
- E. Article on “Backflow Prevention Gains Momentum Through IAPMO,” **Agenda Item VII.E.**

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>