

State of Oregon

OREGON STATE PLUMBING BOARD

Regular Meeting Minutes

February 19, 1999

MEMBERS PRESENT: Lewis Seagraves, Chairman
Judy Bauman
Ken Carlson
Christopher Hughes
Robert Kimes
Perry Shinn

MEMBERS ABSENT: Henry McDonald - Excused

STAFF PRESENT: Terry Swisher, Chief Plumbing Inspector and Board Secretary
Jim Hanson, Hearings Officer
Harold DePue, Assistant Chief Plumbing Inspector
Brad Morris, Chief Compliance Officer
Roseanne Nelson, Compliance Officer
Marilyn Benton, Boards Coordinator/Recorder

GUESTS PRESENT: Ken Browne, City of Eugene
Jim Muir, Washington County
Brad Roast, City of Beaverton
G. F. Scheuermann, City of Portland
Lynn Hanson, Washington County
Dennis Larios, Clackamas County
Fred Sutton, City of Medford
George Psomas, Jackson County
Tony Spencer, Bureau of Labor and Industries/Apprenticeship and
Training Division (BOLI/ATD)
Linda Lindsten, Oregon Association of Plumbing, Heating and
Cooling Contractors (OAPHCC)
H. Duke Armstrong, Chemeketa Community College
John Watts, Attorney for DeTemple Company, Inc.
Pete Larsen, City of Gresham
Sonny Mauldin, City of Salem
Jon Maupin, City of Salem
Joe McNelly, City of Hillsboro

I WORK SESSION

Final Action on Proposed Plumbing Code Changes for the 1999 Oregon State Plumbing Specialty Code

Chairman Seagraves called the work session to order at 9:00 a.m. The work session and following board meeting were held at the Building Codes Division, 1535 Edgewater NW, Salem, Oregon.

Recommendations made by the board move forward to the Administrator of the Building Codes Division. The Administrator formally adopts the State Plumbing Specialty Code through administrative rule and reserves the right to make changes or to present counter recommendations to the board.

Chief Plumbing Inspector Swisher explained that the hearing docket proposes to change the current Oregon State Plumbing Specialty Code to the 1997 edition of the Uniform Plumbing Code (UPC) with new Oregon amendments. The 1997 edition of the UPC is an amalgamation of the 1994 edition, which occurred in 1996. It brought in provisions from other codes, creating a substantially different code in size, format and detail. The Plumbing Code Change Committee reviewed the material section by section and looked at all changes occurring between the 1994 and 1997 editions. The committee reviewed every existing Oregon amendment to determine whether or not it applied to the new edition of the code, and made the necessary changes. Several new amendments were created because of language in the code; *e.g.*, sizing tables for drainage and venting systems and fixture unit values. The committee reviewed all of the code change submittals over the last three-year code cycle. That material is reflected in the hearing docket.

Input was brought to the Code Change Committee from the Standards Committee. That committee reviewed each of the 495 standards adopted for plumbing product approval. The code book will contain reference to all adopted plumbing product standards.

Mr. Swisher distributed copies of a suggested reference to be added to the storm drain section to meet Department of Environmental Quality (DEQ) concerns (Exhibit "A"). This language would appear in a box as reference only and would not be part of the code:

"Sumps, drywells, catch basins, industrial wastewater drainage wells, stormwater disposal wells, and automotive service bay floor drains are regulated by DEQ under the Federal Underground Injection Control Program (UIC). The purpose of this program is to protect groundwater sources of drinking water from potential sources of contamination. Use of such infiltration devices is regulated under the Oregon Administrative Rules Chapter 340,

Division 44. Siting requirements include, for example, a 500-foot set back from domestic drinking water wells. Automotive service bay floor drains have been banned from use due to discharge of toxics and petroleum products.

"All of the infiltration devices or wells (existing or new) are required to be registered with DEQ, as the delegated agency, under the Safe Drinking Water Act (see 40 Code of Federal Regulations 144). Some devices may qualify as rule authorized. Others will need general permits or individual WPCF permits. Visit the DEQ UIC Internet site at: <http://waterquality.deq.state.or.us/wq/groundwa/uihome.htm> for registration forms. For more information contact Barbara Priest at (503) 229-5945 or Martin LaFrenz at (503) 229.6162."

Staff recommends adoption of the Standard Committee's recommendations. In addition to items listed in the hearing docket, staff recommends adoption of the nationally recognized two-part standard for testing and manufacturing gas-fired water heaters. A copy will be available prior to publication/adoption of the plumbing code.

MOTION by Robert Kimes to close hearing docket.
MOTION CARRIED UNANIMOUSLY.

MOTION by Robert Kimes to adopt the hearing docket with modifications presented by staff.
MOTION CARRIED UNANIMOUSLY.

The Administrator has not made a decision about whether the actual publication and effective date will be October 1, 1999, or April 1, 2000. Board members urged approval October 1. Staff will convey the October 1 request to Administrator Brewer.

II BOARD BUSINESS

II.A Call to Order

Chairman Seagraves called the State Plumbing Board to order following the work session.

II.B Roll Call

Henry McDonald was absent (excused).

II.C Approval of Agenda and Order of Business

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

II.D Approval of the December 18, 1999, Board Minutes

Chairman Seagraves **RULED** the minutes approved as submitted.

II.E Date of the Next Regularly Scheduled Meeting

April 16, 1999

III PUBLIC COMMENT

No one indicated a desire to speak

IV REPORTS

IV. A Compliance Cases - Roseanne Nelson

License Suspension

1. Ferrando Plumbing, Inc. - Suspension of plumbing business certification of registration 24-195PB.

Division recommends suspension of Respondent's Business Certificate of Registration for a period of two years.

The Final Order directs that: "Ferrando Plumbing shall not reapply for a Plumbing Business Certificate of Registration for a period of two years from the date of this Order." In response to several questions by board members regarding the effect of this suspension, Ms. Nelson explained that staff will notify the local jurisdiction, which will in turn notify the general contractor.

MOTION by Robert Kimes to adopt division recommendation.

MOTION CARRIED UNANIMOUSLY.

Default Orders

- 2. Gary D. Knight dba Knight Mechanical - Assessment of \$500 civil penalty for making an installation without a permit in Burns.**

Division recommends a \$500 civil penalty for violation of OAR 918-785-0200(1)(a) for engaging in the business of making a plumbing installation without first having obtained a valid plumbing permit.

MOTION by Judy Bauman to adopt division recommendation.
MOTION CARRIED UNANIMOUSLY.

- 3. David Sass dba Northwest Plumbing Services - Assessment of \$500 civil penalty for making an installation without a permit in St. Helens.**

Division recommends the violation of ORS 447.040 for engaging in the business of making a plumbing installation be dismissed and the matter closed. Division recommends a \$500 civil penalty for violation of OAR 918-785-0030(3)(b), for engaging in the business of making a plumbing installation without first having obtained a valid plumbing permit.

MOTION by Perry Shinn to adopt division recommendation.
MOTION CARRIED UNANIMOUSLY.

Final Orders

- 4. J. F. Edmonds - Dismiss proposed civil penalty assessment and close case.**

Division recommends the Notice of Proposed Assessment of a Civil Penalty, dated January 12, 1998, be dismissed and the matter closed.

There was not a preponderance of evidence that Respondent made a plumbing installation.

MOTION by Ken Carlson to adopt division recommendation.
MOTION CARRIED UNANIMOUSLY.

- 5. Richard T. Newcomb - Assessment of \$500 civil penalty for making an installation without a certificate of competency in Salem.**

Division recommends a \$500 civil penalty against Respondent for violation of ORS 693.030(1) for making a plumbing installation without a valid Oregon Plumbing Journeyman's Certificate of Competency.

MOTION by Robert Kimes to adopt division recommendation.
MOTION CARRIED UNANIMOUSLY.

Division recommends adoption of the Unanimous Consent Calendar.

MOTION by Robert Kimes to adopt division recommendation.
MOTION CARRIED UNANIMOUSLY.

Unanimous Consent Calendar

Consent Orders

6. **DeTemple Company, Inc. - Assessment of \$500 civil penalty for employing an unlicensed individual to make installations in Portland.**
7. **Guy William Andrews - Assessment of \$500 civil penalty for making an installation without a certificate of competency in Portland.**

Default Orders

8. **Aquameter, Inc. - Assessment of \$1,000 civil penalties for making installations without a business registration in Hermiston (two violations).**
9. **Steve Oellien - Assessment of \$500 civil penalty for making an installation without a certificate of competency in Hermiston.**
10. **Ferrando Plumbing, Inc. - Assessment of \$1,000 civil penalties for employing unlicensed individuals to make installations in Keizer (two violations).**

Citation

11. **Northwest Environmental and Recycling, Inc. - Dismiss proposed civil penalty assessment and close case.**

IV. B Staff Reports - Status Report on Photo Licensing - Harold DePue

Applications for photo identification license cards are being included with journeyman plumber renewal notices. New plastic journeyman license cards will replace the current paper cards. Photos may be taken at the division office. It was noted that the photo license is optional.

Software purchased in January 1999 will enable the division to issue a strength and weakness report to all applicants. At present, only the residential plumbing inspector (or "CAP") certification exam is processed using the new exam database.

V COMMUNICATIONS - None.

VI APPEALS - None.

VII UNFINISHED BUSINESS - None.

VIII NEW BUSINESS

Request by John Williams, City of Beaverton, for an interpretive ruling on what is an approved swing joint for connections to roof, deck and overflow drains under provisions of the Oregon Plumbing Specialty Code, Section 1105.2.

Division recommends the board direct staff to write a *CodeLink* article using the proposed illustration and explanation to clarify what an approved swing joint is under this code section.

Mr. Swisher advised that each interpretive ruling is sent to all Building Officials and becomes a formal mandate. Staff tries to avoid unnecessary interpretive rulings because the process results in writing code through the interpretive process. Staff believes a *CodeLink* article is sufficient in this case.

Chairman Seagraves asked whether detail indicated the exact amount of horizontal offset. Mr. Swisher said there is no specified minimum or maximum in available literature relating to length of horizontal offset (fitting-to-fitting). Mr. Swisher said this is an issue that could be determined by the board.

Brad Roast, City of Beaverton, appeared for John Williams. The request was made to achieve consistent code application throughout the state.

Mr. Swisher distributed copies of drain design material from the *Plumbing Engineer* (Exhibit "B"). It addresses expansion and contraction in the roof, requiring either an expansion joint or a horizontal section of pipe to absorb the pipe movement, but it does not specify pipe length.

Typical Cast Iron Soil Pipe Institute layouts show a roof drain installation with a single offset for cast iron piping consistent with the American Society of Plumbing Engineers (ASPE) Technical Committee's report that a horizontal section of pipe is required (Exhibit "C"). The swing joint issue is illustrated.

An illustration from the National Standard Plumbing Code (NSPC) (Exhibit "D") contains similar language on a properly designed roof expansion joint or horizontal branch which can take up movement of the vertical pipe without affecting the roof box.

It is staff's interpretation that a swing joint would be a single horizontal offset. The immediate question is the length of the horizontal offset. A roof deflection of five percent is allowed in code, depending upon certain materials and the distance. Plastic has a greater flexibility for deflection than cast iron. The expansion/contraction issue in plumbing code deals only with expansion and contraction of the roof.

Some roof drain manufacturers require an expansion joint for their product and it is included with the roof drain. This gives the option of the swing joint or thermal expansion devices.

Mr. Swisher said there is no definition of "swing joint" in the code. The *A.S.S.E. Plumbing Dictionary* defines a swing joint only relating to screwed pipe. There is another type of joint called the "double swing joint" in plumbing vocabulary which, in screwed pipe, allows movement horizontally and vertically. It is used for heating connections, such as steam lines where thermal expansion is substantial. Mr. Swisher believes the definition used in plumbing code for roof drainage is inconsistent with the definition used in the plumbing trade dealing with hydraulic heating or screwed piping.

Three 90-degree offsets would be considered a double swing joint. The offset must include the horizontal pipe.

Pete Larsen, City of Gresham, advised the intent of Chapter 14 (storm drain section) written in the 1980's, was for a single offset.

Considering the range of pipe sizes; *i.e.*, from 2" to 12" or larger, a minimum of 6" of piping material between the joints of the fittings should be required, rather than a center-to-center offset (the larger the pipe, the greater the center).

Staff will mail a draft *CodeLink* article to all board members for their consideration. Mr. Swisher said if the *CodeLink* information fails to solve the problem, an interpretive ruling may be appropriate at a later date.

IX ANNOUNCEMENTS - None.

X ADJOURNMENT

Chairman Seagraves adjourned the meeting at 11:40 a.m.

Respectfully submitted,

Marilyn Benton
Boards Coordinator/Recorder

Exhibits:

- A. Proposed storm drain section language (Work Session)
- B. Illustration - *Plumbing Engineer* (Agenda VIII)
- C. Illustration - Cast Iron Soil Pipe Institute (Agenda VIII)
- D. Illustration - National Standard Plumbing Code (Agenda VIII)