

**State of Oregon
Final**

Oregon State Plumbing Board

Regular meeting minutes

August 18, 2006

Members present: Ken Carlson, Chairman
Skai Dancey
Jacob Polvi
Perry Shinn
Jack Vilendre

Members absent: Jonathan Gray, Vice-chair
Kathryn Mattimore

Staff present: Mark Long, Building Codes Division Administrator
Andrea Simmons, Policy and Technical Services Manager
Terry Swisher, Chief Plumbing Inspector, and Board Secretary
Martin Pittioni, Enforcement/Licensing Manager
Roseanne Nelson, Enforcement/Licensing Assistant Manager
Heath Lawson, Enforcement Officer
Casey Hoyer, Policy Analyst
David Gulliver, Policy Analyst
Tamara Brickman, Legislative and Public Affairs Manager
Michael Morter, Regional Coordinator
Debi Barnes-Woods, Division Boards Coordinator/Recorder

Guests present: William Moody, Local 290
John Osburn, Studor Inc.
Jack Beuschel, Studor Inc.
Sam Deleone, Studor Inc.
Brett Cook, City of Boardman

I. Board Business

A. Call to order.

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

B. Roll call.

Kathryn Mattimore was absent, not excused. Jonathan Gray was absent, excused.

C. Approval of amended agenda and order of business.

Chairman Carlson **RULED** the amended agenda approved.

D. Approval of the May 19, 2006 Oregon State Plumbing Board meeting minutes.

Chairman Carlson **RULED** the regular minutes of May 19, 2006 approved.

E. Date of the next regularly scheduled meeting.

October 20, 2006.

II. Public Comment - None

III. Reports

A. Building Codes Division Administrator's report.

Administrator Long briefed the board on the division's update. *Exhibit "A."*

The following items were discussed from the packet of information:

BCD's organizational chart: The new regional service section is the result of last legislative session through Senate Bill 421. The bill provides regional liaison staff in local areas around the state to ensure consistency in the administration of building codes. The first individual hired into the section, Michael Morter, is assigned to the Willamette Valley area.

BCD's contact sheet: The division developed a contact sheet to distribute at industry meetings and division board meetings detailing whom to contact for specific program-related questions.

E-Permitting: Six jurisdictions in the Metro area are participating in the E-permitting Pilot Program. Recently, additional jurisdictions have shown an interest in participating in the program. A statewide interoperable e-permitting system is in review by a firm hired by the division researching options and the progress of e-permitting.

Plumbing Compliance Pilot Program: The Plumbing Compliance Pilot Program is mirrored after the electrical program.

Proposed legislation for the 2007 session: The division is proposing four bills to the 2007 Legislature. The first is a follow-up to HB2181 (2005) and would further standardize administrative and procedural requirements for licensing programs. The second bill would allow BCD to suspend a license for egregious violations prior to going through the hearings process. The last two concepts are placeholders for the boiler inspection process and the Construction Claims Task Force.

Construction Claims Task Force, CCTF: This task force will continue to meet monthly. Meeting dates and contact and updated information may be found at <http://egov.oregon.gov/DCBS/CCTF/>.

B. Enforcement cases.

Board action only on final order after hearing for Rose City Plumbing, Inc.

1. **Final Order, Rose City Plumbing, Inc.:** The case was submitted to the division by an inspector from Happy Valley. Hearing testimony revealed that Rose City Plumbing Inc., hired an unlicensed individual to make plumbing installations without a license. No board action required; final order was signed by Rose City Plumbing, Inc.
2. **Final Order, Michael P. Bondarenko:** The administrative law judge found that Mr. Bondarenko was an unlicensed individual who performed the plumbing installation for Rose City Plumbing, Inc. He was assessed a penalty of \$1,000. No board action required; final order was signed by Michael P. Bondarenko.
3. **Final Order after hearing, Rose City Plumbing, Inc.:** This order was amended as a default order. The division alleged that Rose City Plumbing, Inc., allowed another unlicensed individual to perform a plumbing installation. Hearing was set and the respondent failed to appear. The division is asking the board to approve the final default order for Rose City Plumbing, Inc.

MOTION by Perry Shinn to adopt the final default order for Rose City Plumbing, Inc.

MOTION CARRIED UNANIMOUSLY.

Chairman Carlson said that he is in agreement with the division and the order.

C. Summary of enforcement actions previously taken by the division for cases 1 through 24 outlined on the enforcement board report. (No board action required.)

Chairman Carlson commended the enforcement staff.

D. Program update.

The board will be setting the cut-off date in the near future for 2006 UPC Model Code Amendment proposals. Chief Plumbing Inspector Terry Swisher reminded the board of the new process currently in effect.

A review of the plumbing exam test question pool is complete. The 2006 Plumbing Examination Task Force will meet following the board meeting and review examination questions and recommendations to meet HB 2181. Chief Swisher is expecting to bring the recommendations to the board for approval at the October meeting.

Chairman Carlson asked if through HB 2181, if the experience verification requirement for plumbing changed. Chief Swisher said that changes occurred to the application process related to who can verify work experience, although the type of experience has not changed.

IV. Communications

Update on new license application rules implementing HB 2181.

Policy and Technical Services Manager Andrea Simmons updated the board on recent changes/transitions to House Bill 2181. Manager Simmons explained the new process for renewal of the license is changing to a three-year renewal with all plumbing licenses renewing at the same time beginning in April of 2007.

BCD's new employees:

- Martin Pittioni, manager of enforcement and licensing.
- David Gulliver, policy analyst.
- Tamara Brickman, legislative and public affairs manager.
- Michael Morter, regional coordinator.

V. Appeals – None

VI. Unfinished Business

Request for alternate method ruling regarding air admittance valves.

Chief Swisher recapped the history of air admittance valves issues that have been discussed at previous board meetings.

Jack Beuschel, Studor Inc., requested product approval for alternate method ruling, in lieu of a code-change request that the board previously denied. He distributed “design criteria and installation instructions for Studor Air Admittance Valves” to board members. *Exhibit “B.”*

Mr. Beuschel said that significant revisions occurred to the standards in 2002. Mr. Beuschel submitted the new standards to the Oregon State Plumbing Board at its May 19, 2006 meeting in which the board took no action. The board instead recommended the submission of a code change. Although in the interim, Mr. Beuschel is requesting an alternate method ruling.

Mr. Beuschel explained that the air admittance valve has been in the United States for 17 years and in Europe for 36 years. He is not requesting that the air admittance valve replace open-pipe venting. He said the air admittance valve is another method of venting.

Mr. Beuschel said that one of the benefits of his product is to reduce moisture in a building through roof penetration. He said that air admittance valves could help prevent mold.

Brett Cook, Building Official of Morrow County and the City of Boardman, opposed the proposal. An alternate material method must be equal to or better than what is already in the existing code. Mr. Cook said that Mr. Beuschel previously testified before the board that the product has “failed thousands of times” with the product having to be replaced. Without knowing the number of failures, Mr. Cook expressed his concerns. He also said that the two Standards ASSE 1050 and 1051 were brought before the Oregon State Standards Review Committee, who voted against the two standards and did not recommend forwarding them to the Oregon State Plumbing Board for code adoption.

Mr. Beuschel said that there are no documented failures for the product and requested documented evidence of this accusation. He said the request is not to eliminate open-pipe venting from the code; his request is an option that will provide newer technology.

MOTION by Perry Shinn to deny the request for alternate method material regarding air admittance valves because it has not been adopted by Oregon’s model code.

MOTION CARRIED.

Jack Vilendre abstained from discussion and voting because of a conflict of interest. He is a plumbing supplier and specialty plumbing supplier.

VII. New Business

A. Board review and approve the request for water treatment installer examination changes.

Chief Swisher explained the process of creating the exam pool specifically for the water treatment installers. The changes include increasing the number of test questions from 50 to 52 and changing the number of exam questions drawn from each of the exam pool categories.

MOTION by Skai Dancey to approve the requested water treatment installer examination changes.

MOTION CARRIED UNANIMOUSLY.

B. Request to approve standard for Adjustable Position product.

Chief Swisher explained that the petitioner has requested that the division approve the IAPMO Interim Guide Criteria (IGC) 111-1999 standard for an adjustable position sink product. The product is an electric adjustable position sink product designed for individuals with limited movement ability and reach.

Chairman Carlson said that since the petitioner was not present to answer board questions, he would prefer to postpone the item until the October 20, 2006 board meeting. Chairman Carlson asked Chief Swisher to contact Ms. Creswick to have a representative attend the meeting.

VIII. Announcements - None

IX. Adjournment

Chairman Ken Carlson adjourned the meeting at 11:45 a.m.

Respectfully submitted by,
Debi Barnes-Woods
Division Boards Coordinator

Exhibits:

- A. Packet of information of the division's update, ***Agenda Item III.A, page 2.***
- B. Design criteria and instructions for Studor Air Admittance Valves (AAVs), ***Agenda Item VI, page 4.***

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