

State of Oregon
Final

Oregon State Plumbing Board

Meeting minutes

October 17, 2008

Members present: Ken Carlson, Chairman
Jonathan Gray, Vice-chair
Rick Bosch
Michael Perry

Members absent: Skai Dancey
Jack Vilendre

Staff present: Terry Swisher, chief plumbing inspector and board secretary
Dodie Wagner, policy and technical services assistant manager
Jon Hills, enforcement and licensing manager
Robert Salinas, enforcement and licensing assistant manager
Homer Humelbaugh, assistant chief plumbing inspector
Gabrielle Schiffer, green building services coordinator
Aeron Teverbaugh, policy analyst
Heath Lawson, enforcement officer
Wendy Beard, regional coordinator
Dana Fischer, para-technical support specialist
Debi Barnes-Woods, division boards coordinator

Guests present: Kacia Brockman, Energy Trust of Oregon
Stephen Still, Energy Trust of Oregon
Rob DelMar, Oregon Department of Energy
Clark Brockman, Sear Architects
Dave Hensley, City of Corvallis
Tony Crocolice, BOLI/ATD

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 the Building Codes Division, Conference Room A, 1535 Edgewater Street NW, Salem, Oregon.

B. Roll call

Skai Dancey and Jack Vilendre were both absent excused.

C. Approval of agenda and order of business

Agenda Item III.B.3 was removed from the agenda to be included on the agenda for the December 19, 2008 board meeting.

Chairman Carlson **RULED** the agenda and order of business approved as amended.

D. Approval of the August 15, 2008 regular board meeting minutes

Chairman Carlson **RULED** the August 15, 2008 minutes approved.

E. Date of the next scheduled meeting

December 19, 2008

II. Public comment - None

III. Reports

A. Building Codes Division report

Aeron Teverbaugh, policy analyst, updated the board using the packet of information "BCD Update." Ms. Teverbaugh highlighted some of the items on the Summary of Rulemaking document included in the packet. She discussed Ballot Measure 63 that would be included on the November Ballot and Ms. Teverbaugh briefed the board on the Public Officials Contact Guidelines document that was also included.

Gabrielle Schiffer, green building services coordinator, said the division is working with the governor's office on energy efficiency issues, including how products are approved in the State of Oregon and how to recognize emerging changes within the statewide code. She noted that "Green Plumber" training would begin the end of October and would run through November. Ms. Schiffer noted that a class in "Solar Hotwater Heating" would also be scheduled.

B. Enforcement cases

Manager of Enforcement and Licensing Jon Hills reported that the division, along with several other agencies, recently conducted another multi-agency sweep in the Portland area and noted that another sweep is scheduled for November.

The two cases below are the result of licensees ignoring collection attempts from the division's fiscal section. The enforcement and licensing section sent an official notification to both licensees giving them 30 days to contact the division and pay the penalty in full, or agree to begin immediate payments, in lieu of license suspension.

License suspensions:

- 1. Robbins & Sappington, Inc.**, failed to comply with the stipulated order and license is now suspended.

2. **Michael Bryan McKee** failed to possess a valid license from the Construction Contractors Board and failed to pay or arrange to pay outstanding civil penalties and the license is now suspended.
3. **Consideration of proposed and final order assessing civil penalties in the matter of Auto-Chlor System of Oregon** (*This item was removed from the agenda to be included on the December 19 board packet*)

C. Summary of enforcement actions previously taken by the division for cases 1 through 10, outlined on the enforcement board report. (No board action required)

There was no board discussion for this item.

D. Program update - None

IV. Communications - None

V. Appeals – None

VI. Unfinished business - None

VII. New business

A. Discussion on wastewater conservation

Ms. Schiffer introduced the proposed alternate method for commercial and industrial wastewater conservation systems.

1. Approve technical and scientific facts related to Statewide Alternate Method No. OPSC 08-04A for commercial wastewater conservation systems

Ms. Schiffer noted that this alternate method is similar to what the board approved at its August 15 meeting. This alternate method includes all commercial and industrial structures using treated wastewater by removing the exemption for apartments and commercial buildings used for childcare or schools. She addressed the concern of why the change to the alternate method is taking place. It is the division's intent to be more consistent with the National Standard, which does not contain these specific carve-outs.

Chairman Ken Carlson first discussed a proposed guide sent to board members for review demonstrating how wastewater conservation and rainwater reuse systems are to be installed and used. He commended staff and the division on the well-designed guides. He then spoke about an article "Carbon Free Prosperity" that states that the Building Codes of Oregon, and Washington are a hindrance to the momentum of the regions growing green

building sector. Chairman Carlson said his concern as a board member is with the health and safety of the people who would use the proposed plumbing systems. The lack of proper maintenance would create a health hazard to the people of Oregon. For example, non-regulated structures such as apartments or daycare facilities where multiple individuals would be using the systems and may be unaware of how to properly maintain the systems.

Vice-chair Jonathan Gray shared some of the same concerns as the Chair about maintenance, although he said that the maintenance should be left up to the public. He added that it is important not to be different from the National Standards.

Mr. Perry was not comfortable with approving the alternate method to be used in childcare facilities or schools because of the maintenance issues with proper care of the systems.

Motion by Vice-chair Gray to approve the technical and scientific facts relating to Statewide Alternate Method Ruling No. 08-04A, which amends the board's previous action by re-approving commercial and industrial wastewater conservation systems in all structures including apartments and commercial buildings used for childcare or schools.

Roll call vote taken:

Yea: Vice-chair Gray, Rick Bosch

Nay: Chairman Carlson, Michael Perry

Tied vote, minimum number of concurring votes needed is three. No action taken on this motion. Existing Statewide Alternate Method Ruling No. 08-04 remains in effect.

2. **Approve any plumbing products listed by an American National Standards Institute (ANSI) accredited product listing program for use in water conservation systems and approve the IAPMO IGC 207-2006 and CSA B128.1-2006 product standards for use under this alternate method**
Due to the motion not passing under Item A.1, the product approval is a non-issue.

B. Discussion on rainwater harvesting

Ms. Schiffer noted that this alternate method is similar to what the board approved at its April meeting. In addition, this new ruling No. OPSC 08-03A would allow rainwater harvesting for all structures, including apartments and commercial buildings used for daycare or schools.

Chairman Carlson noted that he has the same concerns with this proposed Statewide Alternate Method Ruling as with the maintenance issues in item VII.A.

1. Board review and approve technical and scientific facts related to Statewide Alternate Method Ruling No. OPSC 08-03A rainwater harvesting for non-potable uses in all structures

Motion by Vice-chair Gray to approve the technical and scientific facts for Statewide Alternate Method Ruling No. 08-03A addressing rainwater harvesting for non-potable uses in all structures by amending OPCS 08-03 to include all structures, including apartments and commercial buildings used for daycare or schools.

Roll call vote taken:

Yea: Vice-chair Gray, Rick Bosch

Nay: Chairman Carlson, Michael Perry

Tied vote, minimum number of concurring votes needed is three. No action taken on this motion. Existing Statewide Alternate Method Ruling No. 08-03 remains in effect.

2. Approve plumbing products listed by an American National Standards Institute (ANSI) accredited product listing program for installations made under this Statewide Alternate Method related to rainwater harvesting

Due to the motion not passing under Item B.1, the product approval is a non-issue.

C. Discussion on solar hot water heaters

Ms. Schiffer explained that the division, at the request of the Energy Trust of Oregon, requests that single-wall heat exchangers be permitted for solar hot water installations, which use non-toxic heat transfer medium and have a higher operating pressure, as long as the operating pressure of the solar loop is below the potable water supply pressure in the building.

Kacia Brockman, senior solar program manager for Energy Trust of Oregon, Inc., and Rob DelMar, Oregon Department of Energy, were both before the board. Ms. Brockman spoke on energy savings and discussed the fact that the single-wall heat exchangers offer increased efficiency and increased productivity. She explained that the alternate method would adopt the standards for the single-wall heat exchangers that are offered by the solar rating certification corporation. Ms. Brockman added that Energy Trust of Oregon works closely with the Oregon Solar Industry Association who is in full support of the Statewide Alternate Method Ruling.

The Oregon Department of Energy maintains a list of certified systems that are eligible for tax credits and Mr. Delmar noted that there are several single-wall heat exchangers that have drain-back systems that operate on atmospheric pressure currently on that list. He explained that those are the only heat exchangers on the list because of the provision in the 2008 Oregon Plumbing Specialty Code in Sections 506.2(1) and 603.4.4.1 for the 30-psi heat exchanger.

Steve Still, Solar Consulting Services, added that pressure relief valves are set higher than the operating pressure to maintain heat transfer fluid in the system.

Chairman Carlson reviewed the scope of the ruling with the board:

- The solar heating loop shall use nontoxic heat transfer fluids or distilled water and be permanently labeled that any fluid replacement be only nontoxic heat transfer fluids or distilled water.
- The operating pressure within the single-wall heat exchanger shall be below the normal minimum operating pressure of the potable water system in the building.
- Pressure relief valves used for solar hot water systems using single-wall heat exchangers and containing nontoxic heat transfer fluids or distilled water may be set above 30-psi.
- Except for the provisions of 506.4 Indirect-Fired Water Heaters & 603.3.3 Heat Exchangers, the installation shall be made in accordance with the 2008 Oregon Plumbing Specialty Code.

1. Approve the technical and scientific facts relating to the Statewide Alternate Method No. OPSC 08-05 for domestic hot water systems

Motion By Vice-chair Jon Gray to approve the SRCC OG 100-2006 Standard Operating Guidelines for certifying solar collectors, and to approve SRCC OG 300-2008 Standard Operating Guidelines and minimum standards for certifying solar water heating systems, and approve the technical and scientific facts relating to the Statewide Alternate Method Ruling No. OPSC 08-05.

Motion carried unanimously

- 2. Approve the SRCC Standard OG 100 recognized nationally, as well as by the Energy Trust of Oregon and the Oregon Department of Energy.**
- 3. Approve the SRCC Standard OG 300 recognized nationally, as well as by the Energy Trust of Oregon and the Oregon Department of Energy.**

VIII. Announcements - None

IX. Adjournment

Chairman Ken Carlson adjourned the board meeting at 11:00 a.m.

Respectfully transcribed and submitted by,

Debi Barnes-Woods
Division Boards Coordinator