

State of Oregon
Final

Agenda Item I.D.

Oregon State Plumbing Board

Meeting minutes

June 20, 2008

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

Members absent: Skai Dancey

Staff present: Mark Long, administrator
Andrea Simmons, green building services and legislative affairs manager
Chris Huntington, interim manager of policy and technical services
Terry Swisher, chief plumbing inspector and board secretary
Jon Hills, enforcement and licensing manager
Robert Salinas, enforcement and licensing assistant manager
Homer Humelbaugh, assistant chief plumbing inspector
Gabrielle Schiffer, green building services and legislative affairs manager's assistant
Aeron Teverbaugh, policy analyst
Heath Lawson, enforcement officer
Matt Rodriguez, enforcement officer
Tania Close, enforcement officer
Paul Persson, enforcement officer
Shauna Parker, rules coordinator
Debi Barnes-Woods, division boards coordinator

Guests present: Brett Cook, City of Boardman
Andy Parsons, City of Eugene
Matt Rozzell, City of Happy Valley
Dave Hensley, City of Corvallis
Ron Murray, representing United Association of Plumbers and Steamfitters Local Union 290, and American Association of Sanitary Engineers
Sarah Santner, Portland Water Bureau
Pam Ditty, president of Mike Ditty LLC

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 was absent, excused.

C. Approval of amended agenda and order of business

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

D. Date of the next scheduled meeting

August 15, 2008

E. Formal farewell to board member Jacob Polvi

Mr. Polvi was not present at the meeting to accept his certificate, which will be mailed.

II. Public comment - None

III. Reports

A. Building Codes Division report

Administrator of Building Codes Division Mark Long briefed the board on the division's update contained in the document "[BCD Update](#)." Board dates, BCD in Perspective and summary of rulemaking projects were all discussed.

Green Building: In response to a growing need for the Building Codes Division to handle issues related to high performance buildings, that are energy efficient and environmentally friendly, the division has created a new section called Green Building Services. [Andrea Simmons](#), green building services and legislative affairs manager and her assistant [Gabrielle Schiffer](#) are getting this section moving forward. This section is part of the governor's energy efficiency workgroup and other committees developing climate change-related legislation for action by the 2009 Legislature. This section is also working with partners to develop training/outreach programs and best practices for green building.

[Oregon eBuildingPermits](#): The division will be moving into the product development stage of eBuilding. The City of Eugene, Lane County and the City of Springfield will be the earlier adopters of the eBuildingPermits Statewide service system. Administrator Long noted that the Quick Permits program has 20 jurisdictions participating in the pilot project with the expectation of 20 additional jurisdictions by the end of 2008.

Training and education: The division will be providing Web based training for state inspectors through video-streaming equipment and other technologies. A training platform is expected to be in-place by the first part of 2009.

Building department accreditation: A workgroup was established to evaluate standards of local building department operations. The division is expecting the group to have a list of standards by the end of 2008.

B. Enforcement cases

Jon Hills, licensing and enforcement manager announced that Phil Johnston has accepted a position out-side the division. The section is currently recruiting for the vacant position of enforcement officer. Manager Hills also noted that the division is using a new tool to collect for delinquent payments of civil penalties. A letter is mailed to individuals with delinquent accounts. If the licensee does not pay, or make payment arrangements, the division will suspend his or her license. He also noted that the section will be including more information in the board enforcement report that includes where the penalty took place and how it fits into the penalty matrix.

- 1. Final Order, Rose City Plumbing, LLC:** Manager Hills said the company allowed an unlicensed individual to perform plumbing work. He noted that this was the third time in less than three years that the division discovered Rose City Plumbing using unlicensed plumbers to perform work. The company was issued a Civil Penalty. The case went to hearing and the ALJ found in favor of the division.

Manager Hills explained [options](#) the board could use as listed in the board memo.

Chairman Carlson commended the enforcement section on writing up a clear report and agreed with the division and the ALJ's decision.

Motion by Vice-chair Jonathan Gray to adopt the Final Order with no changes.

Motion carried unanimously

Manager Hills concluded that the division discovered that Rose City Plumbing was also operating with a suspended CCB license. Notification was sent to the company to correct the problem. The license was suspended for failure to comply with the corrective action.

- 2. Final Order, Miguel Perez, dba Infinite Construction:** Mr. Perez, doing business as Infinite Construction, was issued a Civil Penalty, Final Order on Default and was issued a Corrective Action for performing plumbing work without division licensures. Mr. Perez was issued an \$18,000 Civil Penalty. The case went to hearing and the ALJ found in favor of the division.

The ALJ requested that the Final Order be brought before the Oregon State Plumbing Board, if the board finds in favor of the assessment, the division should then move forward on the Corrective Action.

The division recommends the board adopt the Final Order as written.

Motion by Vice-chair Gray to adopt the Final Order as written.
Motion carried unanimously

- C. Summary of enforcement actions previously taken by the division for cases 1 through 5, outlined on the enforcement board report. (No board action required)**

No board discussion.

- D. License suspensions for cases 1 through 2. (No board action required)**

No board discussion.

- E. Program update**

Chief Plumbing Inspector Terry Swisher announced that 30 apprentices from Area 1 took the plumbing exam using the new code and all passed with an average of 80 percent.

IV. Communications - None

V. Appeals – None

VI. Unfinished business

- A. Discussion on rainwater harvesting systems**

Administrator Long discussed the last board meeting where the board approved an alternate method concerned with rainwater harvesting for potable water usage. The board is now reviewing an alternate method concerning rainwater harvesting for non-potable water usage.

Andrea Simmons, green building services and legislative affairs manager, noted that the division is asking the board not only to approve the findings but to approve rainwater harvesting products built to ANSI Standards. This would prevent new products built to ANSI Standards from having to come to the board each time for approval.

Chairman Carlson agreed with the new process of including the ANSI Standards in the alternate methods. He asked the division whether as ANSI Standards become available the board will receive notice.

Administrator Long asked if it would be helpful if the division created a specific Web page for sustainability issues. Members who are already registered through “[Notify](#)” would automatically be sent a link to the updates. Board members agreed with that suggestion.

1. Board review and approve product listing and standards associated with rainwater harvesting systems for non-potable uses in commercial and residential buildings

Administrator Long said that the division has tried to identify all the concerns of the Oregon State Plumbing Board in the scoping area of the alternate method ruling.

The alternate method ruling was reviewed page by page addressing the specific issues members expressed concerns with at an earlier date.

Brett Cook, City of Boardman, questioned item 9 of the scope of rule for the alternate method. This item discusses the collection of water for irrigation-only using rain barrels covered by fine mesh. He asked that a minimum screen sizing be incorporated into the scope for guidance. Board members agreed.

Ron Murray, representing United Associate of Plumbers and Steamfitters Local Union 290, and American Association of Sanitary Engineers, was in support of rainwater harvesting and water conservation.

Andy Parsons, City of Eugene, noted that if an underground system for rain-drain or storm piping system are installed, or an existing system is altered, it should be noted in the scope of ruling that a plumbing permit is needed to complete the work.

Chairman Carlson noted that a [letter](#) was received from State Representative Jackie Dingfelder, and State Representative Ben Cannon, in support of the actions of the Oregon State Plumbing Board.

Motion by Vice-chairman Gray to approve plumbing products that are currently listed or that become listed by any ANSI accredited product listing program for the limited purposes of the proposed alternate method for installing non-potable rainwater harvesting systems in residential and designed commercial applications.

Motion carried unanimously

2. Board review and approve scientific and technical findings related to an alternate method ruling for rainwater harvesting systems for non-potable uses in commercial and residential buildings

Motion by Vice-chairman Jon Gray to approve the scientific and technical findings that apply to non-potable rainwater harvesting systems used in residential and designated commercial applications as laid out by the division.
Motion carried unanimously

(Board took a 15-minute break)

B. Discussion on water conservation systems

Administrator Long noted that the division is asking the board to make two separate motions for water conservation systems as the board did for rainwater usage. One motion for the findings and another for the ANSI Standards to include IAPMO IGC 207-2006 and CSA B128.1-2006.

1. Board review and approve product listing and standards associated with water conservation systems

Chairman Carlson suggested that under recommendations in the memo for water conservation systems insert “single-family dwelling to include rowhouses and townhouses” before residential structures to clarify the language.

Administrator Long suggested the board also move the suggested language to the findings and the scope of ruling for the alternate method for water conservation systems.

Chairman Carlson suggested including the word “waste” before the words water conservation systems in the title of the Alternate Method Ruling No. 08-02 and throughout, where appropriate, to provide a separation from rainwater harvesting and water conservation systems.

Administrator Long agreed to the addition as long as it did not create a statutory problem.

Chairman Carlson suggested adding the language “This ruling does not recognize installation in apartments or commercial buildings used for childcare or schools, at this time. The proper system design, maintenance and use are the responsibility of the building owner” at the end of the first paragraph in scope of ruling for the alternate method ruling.

Administrator Long and board members all agreed with the additional language.

Board member Michael Perry suggested including proper labeling of these systems using purple piping listed in the scope of ruling.

Administrator Long and board members all agreed with this addition.

Motion by Vice-chairman Gray to approve plumbing products that are currently listed or that become listed by any ANSI accredited product listing program for the limited purposes of the proposed alternate method for installing water conservation systems in single-family dwellings for the purposes of flushing toilets and urinals.

Motion carried unanimously

Motion by Chair to approve the IAPMO IGC 207-2006 and CSA B128.1-2006 product standards for the limited purposes of the proposed alternate method for installing water conservation systems in single-family dwellings for the purposes of flushing toilets and urinals.

Motion carried unanimously

2. Board review and approve scientific and technical findings related an alternate method ruling for water conservation systems for flushing toilets and urinals in residential structures

Motion by Vice-chairman Gray to approve the scientific and technical findings that apply to water conservation systems used in single-family dwellings for the purposes of flushing toilets and urinals as laid out by the division. And to approve the amendments to the scope of ruling as discussed.

Motion carried unanimously

C. Board review and consider revised reciprocal licensing rules

Aeron Teverbaugh, policy analyst, explained that these rules were changed at the Electrical and Elevator Board and at the public hearing from what the board previously approved. The draft rules have been revised for the electrical program and the plumbing program and have been changed in the following areas:

- Applicant is in good standing for the past 3 years,
- The draft rules limit the work experience required to qualify for examination to that obtained in the reciprocal state,
- The applicant is required to reside and work in the state they tested in for at least 6 months before applying for reciprocity, and
- The draft rules prohibit a person who had applied for licensure, qualified for, or taken and failed Oregon's exam within the last 6 months from obtaining a reciprocal license.

Motion by Chairman Carlson to approve the revised reciprocal licensing rules for an effective date of July 1, 2008.

Motion carried unanimously

VII. New business

Consider and approve new penalty matrix and rules

Manager Hills reviewed the guidelines for civil penalties and the penalty matrix. He noted that the matrix changed in order to have flexibility with the different violations. He said the Electrical and Elevator Board and the Board of Boiler Rules have both approved the rules.

Motion by Chairman Carlson to approve the penalty matrix and rules as presented.

Motion carried unanimously

VIII. Announcements - None

IX. Adjournment

Chairman Ken Carlson adjourned the board meeting at 12:07 pm.

Respectfully transcribed and submitted by,

Debi Barnes-Woods
Division Boards Coordinator