

**Board of High Pressure Piping Systems  
Meeting Minutes  
September 10, 2008  
Minnesota Room – Department of Labor and Industry  
443 Lafayette Road North, Saint Paul  
[DLI.CCLDBOARDS@State.MN.US](mailto:DLI.CCLDBOARDS@State.MN.US)**

**Members Present:**

Jim Andrie  
Bob Bastianelli  
Therese Bozicevich  
Mark Geisenhoff  
Todd Green (DLI Commissioner's Designee)  
David Grong  
Maureen Hanson  
Larry Jordan.  
Mark Kincs  
Peg Larsen  
Vicki Sandberg  
Larry Stevens, Jr.

**Staff Present:**

Wendy Legge  
Annette Trnka

**Visitors:**

Matthew Lemke  
Gary Thaden

**Members Absent:**

Pat Galatz

**I. Call To Order**

The meeting was called to order by Chair Larry Stevens at 1:03 p.m.

**II. Approval of Meeting Agenda**

Jordan made a motion, seconded by Andrie to accept the revised Agenda, moving VIII(a) up to item IV(a)(ii.) The vote was unanimous and the motion passed.

**III. Approval of Previous Meeting Minutes**

Grong made a motion to accept the Minutes of the 8-07-08 Minutes. Kincs pointed out that there were errors in the Minutes. On page 4, paragraph 2, Kincs and Geisenhoff were omitted from the votes. Andrie, Kincs and Geisenhoff were omitted from paragraph 6 of their affirmative votes. Geisenhoff made a motion, seconded by Bastianelli to add the discussion held regarding "out of state fabrication" as noted in the last paragraph of Page 3 of the 08-07-08 Minutes, to today's Agenda. The vote was unanimous and the motion passed. Hanson made a motion, seconded by Bozicevich, to accept the Minutes as amended. The vote was unanimous and the motion passed. Peg Larsen was not present for the votes of the Agenda and Minutes. Peg Larsen arrived at 1:15 p.m.

## **IV. Regular Business**

### A. Minnesota High Pressure Piping Code

- i. Proposed Permanent Rules Draft – Legge went through the proposed changes decided by the Steam and Welding Committees for the Revisor’s draft of Chapter 5230 dated 8-13-08. Legge created “Inserts” to include language amendments decided upon by the sub-committees, which she added to the Revisor’s draft. Legge reviewed the changes to the Revisor’s draft. Legge stated that “Insert G” contained all the code that is meant to be repealed. She asked that each Board member check these proposed repealed codes to ensure that each is correctly being repealed. Legge stated that one additional revision to this draft would be if the Board decides it wants a specific effective date added to the rule. Stevens stated he would prefer to review the draft by each section.

Andrie made a motion, seconded by Sandberg to accept “Insert A” as written, which is 5230.0005, Subp. 9. The vote was unanimous and the motion passed.

Bozicevich made a motion, seconded by Hanson, to accept “Insert B,” which is 5230.0005, Subp 16 and 5230.0005, Subp. 17. The vote was unanimous and the motion passed.

Discussed was “Insert C” which is Section 5230.0215, and includes Subparts 1 through 13. Geisenhoff pointed out that he felt Subparts 3, 7, and 8 could be deleted as they are redundant, being that Subpart 6 covers those other three sections. Geisenhoff made a motion, seconded by Kincs, to delete Subparts 3, 7 and 8. The vote was unanimous and the motion passed.

Grong made a motion, seconded by Jordan, to accept the amended renumbered Subparts of 5230.0215. The vote was unanimous and the motion passed.

Legge asked if the Board could vote on Subpart 1 of 5230.0220, on page 10, lines 10.13 to 10.19. Stevens pointed out the address for ASME has changed and needs to be changed for this section.

Sandberg made a motion, seconded by Larsen, to accept the changes marked to Subpart 1 of 5230.0220. The vote was unanimous and the motion passed.

Hanson made a motion, seconded by Larsen, to accept Subpart 2 of 5230.0220 on “Insert D” as written. The vote was unanimous and the motion passed.

Legge stated that 5230.0335 could be made into one paragraph by deleting the title of Subp.2 and continuing the language to Subp. 1. Green made a

motion, seconded by Jordan, to create one paragraph and delete the subpart titles of 5230.0335. The vote was unanimous and the motion passed.

Jordan made a motion to accept the code for “steam or heating media piping systems” contained in “Insert D” which is 5230.0250 to 5230.0335. Kincs made a motion, seconded by Bastianelli, to make a friendly amendment to change 5230.0275, Section 100.1.2, (A) to strike ~~other heating medium~~ and change to other medium used for heating. The vote was unanimous and the motion passed.

Andrie made a motion, seconded by Jordan, to accept 5230.5001, Subp.1. The vote was unanimous and the motion passed.

Green made a motion, seconded by Bozicevich, to accept 5230.5001, Subp.2 as written. The vote was unanimous and the motion passed.

Grong made a motion, seconded by Larsen to remove the year associated with the ANSI/IIAR Standard on 5230.5003, 5230.5005, 5230.5007 and 5230.5009. The vote was unanimous and the motion passed.

Bastianelli made a motion, seconded by Bozicevich to accept “Insert F” which is 5230.5915, Subpart 6. The vote was unanimous and the motion passed.

Hanson made a motion, seconded by Sandberg, to send “Insert G - Repealer” to the Revisor, but to wait until the October meeting to vote on the final draft. The vote was unanimous and the motion passed.

Geisenhoff made a motion, seconded by Andrie, to move 5230.0215 “Insert C – Qualification of Welding Procedures” to follow “Insert F.” The vote was unanimous and the motion passed.

- ii. Define when rules go into effect. Wendy Legge stated that when the next draft arrives from the Revisor, it will be electronically distributed to the Board Members and should be reviewed carefully, as one word change can change the entire meaning of a Rule and discussed at the October meeting. Legge stated that the rules become effective five working days after publication of the Notice Of Adoption. The Board has six months from approval by the Judge of Administrative Hearings to publish the Notice Of Adoption.

Another option is to specify an effective date for the whole rule, or any portion of it. For example, the subpart for Definition Of Repairs On An Existing Installation could be stated to be effective on July 1, 2009 or five days after the publication of the Notice Of Adoption, whichever is later. Legge then discussed the process of getting to the point where the Notice Of Adoption could be published, which is dependent upon such things as when the SONAR is completed and whether a Hearing will be held.

There was discussion regarding the definition of “Repair,” and when the definition created in Rule would take effect. Stevens said that he would like to see the Definition of “Repair” become effective in approximately 18 months. Legge asked Gary Thaden, as an industry representative, if the rest of the rules were effective five days after the publication of the Notice Of Adoption, would there be any problems associated with that. Gary Thaden, Mechanical Contractors Association, stated that the only other issue is whether five days would be enough notice to give people information. He suggested thirty days may be enough time to give people notice in order to allow them to change their processes. Mr. Thaden also stated that the issue of “Repair” has been extremely contentious for possibly decades, and feels that the delayed effective date of at least 18 months would be beneficial.

Andrie made a motion, seconded by Bastianelli, to have the rule become effective forty-five days after publication of the “Notice Of Adoption, with the exception of the definition of “Repairs on an existing installation,” which will be August 1, 2010. Andrie stated that forty-five days should be enough time to get the new code books. The vote was Stevens, Sandberg, Jordan, Andrie, Kincs, Geisenhoff, Bastianelli, Green, Bozicevich, Grong and Larsen. Hanson abstained. The majority ruled and the motion passed.

- B. Licensing – There were no issues on licensing.
- C. Continuing Education – There were no issues on continuing education.

#### **V. Special Business**

##### A. Sub Committee Reports

- i. Ammonia – Will not meet before next regularly scheduled meeting.
- ii. Licensing – Will not meet before next regularly scheduled meeting.
- iii. Bio-Processing – Will not meet before next regularly scheduled meeting.
- iv. Welding – Will meet before the next regularly scheduled meeting to approve Minutes – 9:30 a.m., October 2, 2008.
- v. Steam – Will meet before next regularly scheduled meeting to approve Minutes – 9:30 a.m., October 2, 2008.

#### **VI. Complaints**

There have been no complaints directed to the Board.

#### **VII. Open Forum**

There were no requests for Open Forum.

#### **VIII. Board Discussion**

- A. Board and Committee future meetings and times.

- B. SONAR – Legge reviewed the SONAR done by the Board of Electricity as an example. Legge suggested that a SONAR be drafted for discussion by the October 2, 2008 meeting. Legge stated that the longest part of the SONAR will be the “rule-by-rule analysis” which needs to have the need and reasonableness for each rule change that the Board is requesting, including the Repealer section. Sandberg volunteered to write the rule-by-rule analysis regarding the bio-processing portion of the changes. Legge stated that the “almost-final” SONAR, along with the “almost-final” rules needs to go to the Governor to review and approve before the proposed rules can be published.

The meeting took a break at 2:51 p.m. and reconvened at 3:01 p.m.

- C. Out of State Fabrication – Green stated that DLI can’t go out of state and check that the ratio of one licensed pipefitter for every two registered unlicensed workers is being met, however, companies are supposed to follow the Statute, even if it’s being done by out of state fabricators. Geisenhoff stated that it limits any out of state fabrication of high pressure steam piping because most shops won’t go through the trouble of having not only one contractor getting their Minnesota license, but also the welders. Green stated if they don’t have a Minnesota license, it would restrict them. Jordan stated that he had spoken to his coworkers and any high pressure piping fabrication under that code is done in state. Green stated that the requirement is in Statute, so there’s no other option.

#### **X. Announcements**

- a. Next Regularly Scheduled Meeting
- i. October 2, 2008 – Minnesota Room, DLI. – 10:00 a.m.
  - ii. November 6, 2008 – Minnesota Room, DLI. – 10:00 a.m.

#### **XI. Adjournment**

A motion was made by Bozicevich, seconded by Larsen to adjourn the meeting. All voted in favor and the motion passed. The meeting adjourned at 3:09 p.m.

Respectfully Submitted,

*Bob Bastianelli*

Bob Bastianelli