



Testimony before the Oregon State Plumbing Board

By Steve Houston, American Heating / Board Member, ORPHCC

October 18, 2012

AGENDA ITEM VII. B. New Business

In support of proposed amendments to Chapter 10 of the 2011 Oregon Plumbing Specialty Code, with reservations

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Chair Gray and members of the Board, my name is Steve Houston and I work for American Heating in their Plumbing Division. I also serve as a member of the Board of Directors for the Oregon State Association of Plumbing Heating and Cooling Contractors.

Oregon PHCC represents contractors who are both open and closed shops. We represent commercial, industrial and residential contractors. And, we represent businesses in new construction, in remodels, in repair and in the service industry including emergency service.

Building Codes Division Administrator Mark Long empanelled a committee to review the conflict between the Plumbing Code and local sewer purveyor requirements related to the disposition of fats, oils and grease (FOG) in the effluent from food service establishments. I sat on that committee representing the plumbing industry.

The highest priority for the plumbing industry is maintaining a single, state-wide Plumbing Code. We cannot afford, and our customers do not want, a city by city, district by district, county by county plumbing code. If the current plumbing code does not meet Federal standards down the line for sewer purveyors, then they need to make recommendations for changes to the Plumbing Code to meet those standards to which they must adhere.

An approved plumbing installation should never be met by a sewer purveyor ordering changes on the threat that the approved installation will not be connected to the sewer line. And local plumbing officials should not include local modifications or brand-specific requirements created by sewer purveyors in order to approval a plumbing installation. This is a precedent that opens a Pandora's box that no one involved in this industry wants to deal with in the future. The Code is the Code and plumbing inspectors should base their inspections solely on whether or not the installation meets the current state-wide Plumbing Code. This ongoing conflict between government agencies is not good for small businesses, it is not good for contractors and it gives government at all levels another public relations black eye.

With that in mind, we support the consensus changes recommended by the FOG committee even though we have reservations about some of the changes. These changes are at the request of the sewer purveyors, not at the request of plumbers, the public or the manufacturers. In exchange for supporting the changes, we expect sewer purveyors to accept the Plumbing Code as the sole and only source for determining if a plumbing installation is done correctly and that an inspection by a Plumbing Inspector will be a de facto approval to hook up to the local sewer system.

For the record, let me share three concerns. First, our specific concern with the draft before you is with draining some devices through the grease interceptor. The sewer purveyors want to reduce the amount of FOG that is passing through to their sewer lines. We acknowledge they have strict Federal standards. With that being the case, we believe that draining some devices, especially commercial temperature or chemical dishwashers and garbage disposals, through grease interceptors, will add to the down-line FOG rather than reduce it. The hot water and detergents from commercial dishwashers will keep FOG in suspension making it more likely to pass through the grease interceptions. However, this was a specific request by the sewer purveyors so we will support it, no matter how defeating this request is.

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Second, the sewer purveyors appear to want a “zero tolerance” threshold for FOG coming out of food service establishments. No system will provide consistent, long-term, FOG-free effluent. We believe there needs to be a reasonable, specific and definable level of FOG which is dumped into the sewer lines. We believe all stakeholders should have input into what that standard should look like and how it will be enforced and by whom.

Finally, we believe it should be clear that the installing plumber is not responsible or liable for the content of the effluent that is discharged from the grease interceptor, once a plumbing inspector issues an approval. The draft includes, “Note: Sizing criteria specified in this section are based upon proper maintenance of the grease interceptor(s).” The installing plumber will base the sizing on the code and expected use. However, there is growing concern in our industry that businesses are not properly maintaining their systems and many businesses who are trying to properly maintain their system are taken advantage of by third party contractors who are not properly cleaning grease interceptors and who do not properly dispose of what they collect. This issue is outside the scope of the Plumbing Code, but it is an important issue nonetheless.

I appreciate the opportunity to share our concerns with the Plumbing Board. We encourage you to “approve the proposed code changes as recommended by staff to be sent to public hearings with the finding that the added cost, if any, is necessary to the health and safety of the occupants or the public or necessary to conserve scarce resources.” I will be happy to answer any questions you may have.

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