

# American Lumber Standard Committee, Incorporated®

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Chair Kathleen Taylor  
Senate Committee on Labor and Business  
900 Court St. NE, S-209  
Salem, OR 97301  
[Sen.KathleenTaylor@oregonlegislature.gov](mailto:Sen.KathleenTaylor@oregonlegislature.gov)

Subj: Review of Senate Bill 1061

Dear Chair Taylor:

The American Lumber Standard Committee (“ALSC”) submits the following comments in response to the introduction of Oregon Senate Bill 1061, titled “RELATING TO LUMBER GRADING TRAINING PROGRAM” which was introduced this session. Below are comments from ALSC on this proposed bill.

At the outset, ALSC submits that this legislation is unnecessary. Oregon has adopted a building code that requires the use of graded lumber for the vast majority of wooden structures built in the state that refers to and relies on the American Lumber Standard system. This system is a comprehensive national system of quality control and quality assurance that ensures that lumber purchased with an accredited agency grade stamp has been subjected to individual inspection by qualified graders and has undergone a continuous inspection and review process that maintains the competency of the grading process. The legislation you are proposing suggests that anyone can develop the skills to grade lumber by passing a short course through Oregon State University or having obtained a degree in forest and wood products or has experience equivalent to the degree program somewhere in their life. This is not the case. Grading is a skill that requires many months training and continual review to maintain the required skill to assess structural lumber quality.

ALSC finds the language of Section 1. (1) concerning.

“The Director of the Oregon State University Extension Service, in consultation with the Forestry Education Council and the State Board of Forestry, shall establish a basic lumber grading training program to be offered annually at Oregon State University. Establishment of the program under this subsection must include a determination of the:

- (a) General requirements for successfully completing the program;
- (b) Requirements for initial certification and recertification;
- (c) Content of the program; and
- (d) Certification requirements for instructors teaching the program.”

In this section there is no mention of the minimum credential required to be a grading instructor, or the continuous education required of a certified grader to maintain grading skills to allow for them to be a certifying National Grading Rule (NGR) grade instructor. Developing the skills to become proficient at grading lumber according to the NGR is a lengthy process that needs to be taught by someone who is already an expert at grading. In addition, continuous refresher training on rules is required in order to maintain grading skills. Below are some of our broader concerns about the drafted legislation.

In general, ALSC has significant concerns with how S.B. 1601 fails to address the assignment of lumber design values, the traceability of the certified lumber produced under this bill, the equivalence of certified lumber to ALS system material, how inspectors assess the quality of ungraded lumber, and how moisture content and species are handled in the ungraded lumber.

- **Design Values.** There is no indication in the legislation of how one would assign and identify specific design values for lumber produced under this bill's conditions. ALSC Grade-marked lumber has an extensive database (tens of thousands of samples) of destructive testing information that is used to establish design values for National Grading Rule (NGR) grades of lumber. The legislation does not address on what basis a design value for ungraded lumber will be established. In the absence of an understood design value, it is impossible to identify the safe and appropriate uses of lumber in construction.
- **Traceability.** The use of certified lumber presents significant concerns to future owners. Should a future owner buy a property which contains a structure using lumber of insufficient strength, in the absence of being able to trace where the lumber came from, that owner may be left with the liability in the event of a structural failure.
- **Equivalence.** The legislation does not address how equivalence will be established. The law suggests that a commercial sawmill can sell the lumber directly to individuals that will inhabit the dwelling, but it does not say how the sawmill will certify in writing to the purchaser that the quality and safe working stresses of the lumber. Unless you are under the PS 20 system and all the quality control and quality assurance that that entails (certified graders, monthly inspection, random third-party checks) you cannot claim the same equivalence to ALSC accredited grade stamped material.
- **Quality.** In practice, without a quality control/quality assurance-based indicator of strength on a piece and no guidance for a link between ungraded material and ALSC accredited grade-marked material design values, a local code official will have no uniform basis to review the mill self-certification and the framing plans to ensure a structure meets the requirements of applicable building codes.
- **Moisture Content and Species.** Moisture content is a key aspect of the program administered by ALSC. These issues are not addressed in the legislation and could open the construction process to unnecessary insect infestations, mold and mildew, and shrinkage concerns.

Finally, there is no liability link between to the producer of the lumber that a consumer can fall back on. Basically, the bill would codify "buyer beware" and does not provide

any tools or recourse for future owners to understand who to hold accountable if there is a problem. With no system outlined for traceable grademarking there is no chance for traceability for the consumer if issues arise with current owner or future owners. It is not possible to judge whether the program described in this bill would be sufficient, as it does not include details regarding the content or length of the program; nor does it address how instructors will be qualified. It is troublesome that the proposed legislation includes no requirement for the instructors to have been certified NGR graders. Similarly, it is concerning that the proposal does not identify how private lumber grader training programs will be qualified.

The lumber that would be produced under this proposal is not subject to the rigorous accredited agency inspection requirements of the ALSC procedures, and such lumber would not be subject to the ALSC oversight that is required under PS 20. Lumber produced under this bill would lack any underlying defensible design values like those that have been developed under PS 20. This represents a fundamental flaw in the bill. The bill suggests that lumber produced as certified lumber by a sawmill can be produced and certified as equivalent to lumber produced under our system; this is not correct. The process proposed in the bill omits the very heart of the ALS system, which is a consensus-based, structured system of continuous checks and balances and qualifications that are essential to the proper application of the grading rules for the labeling of lumber and establishing design values. Simply assigning a quality level to material sawn through a certificate is not sufficient to establish design values. If such a certification were made, it would not be accurate, as the lumber produced under the proposal would not be subject to numerous oversight and other aspects of the PS20 standard. Further, ALSC is concerned that any procedure established for stamping lumber under this legislation would result in such stamps being confusingly and deceptively similar to stamps used within the ALSC system by mills that are members of accredited ALSC agencies.

Finally, it is not clear how One- and Two-Family Dwellings can be appropriately assessed by the code enforcement officials that review framing of the dwellings. Code officials are not experts in grading and wood species. How are they going to be expected to make this assessment?

ALSC, which is the accreditation body responsible for accrediting softwood lumber grading agencies throughout the U.S., including in Oregon, has several very serious concerns about S.B. 1061. We oppose adopting the legislation as currently drafted.

If requested, ALSC will gladly provide additional information concerning the PS 20 system to you.

Sincerely,

A handwritten signature in black ink, appearing to read "David E. Kretschmann". The signature is fluid and cursive, with a large loop at the end.

David E. Kretschmann  
President

cc: ALSC Officers, Counsel, Whitney Perez, Matt Wurst