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**Division of Professional Licensure**  
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**CHARLES BORSTEL**  
COMMISSIONER, DIVISION OF  
PROFESSIONAL LICENSURE

## Minutes

**Bureau of Pipefitters, Refrigeration Technicians and Sprinklerfitters**  
**Division of Professional Licensure**  
**1000 Washington Street, Room 1D**  
**Boston, MA 02118**  
**December 19, 2018, 10:00 AM**

1. Meeting called to order by the Chair at 10:05 a.m., followed by roll call, the Chair asked that members identify themselves and whom they represent:

**Bureau Members Present:**

David F. Sullivan, Chair  
Frank Norton, Boston Refrigeration Contractors  
Sharon Orr, Mechanical Engineer  
John Viola, Sprinkler Contractor Member  
Brian Kelly, Mass. Building/Construction Trades  
Scott King, Pipefitter Member  
Allan Berry, Refrigeration Technician Member  
Dan Dumont, NE Mechanical Contractors  
Justin Fishlin, Sprinklerfitter Member  
Jennifer Revill, Public Member

**Bureau Members Not Present:**

Pauline Lally, User Member

**Guests Present:**

Justin Barton, SJ Applicant (Conference Call)  
William Bates, RC Applicant (Conference Call)  
Michael Redman, SJ Applicant  
Charles Wade, PJU Applicant  
Dylan Walsh, RT Applicant  
Michael Cannistraro  
Brian Christo, IUOE Local 877  
Robert McGovern, ABC of Massachusetts  
Tim Gilligan, Pipefitters Local 537  
Julie Kelliher, Gould Construction Institute  
Peter Kelly, IAPMO  
Fahad Khan, Springfield Technical Community College  
John Kilduff, IUOE Local 877  
Barbara Lagergren, Gould Construction Institute  
Caroline Leloron  
Paul McGrath, Pipefitters Local 537  
Bill Young, Pipefitters Local 537  
Richard Feeney, DPL  
Charles Kilb, DPL  
Daniel Kilburn, DPL  
Cesar I. Lastra, DPL  
Steve Lorusso, DPL

2. **Minutes:** The draft minutes from the October 17, 2018 Bureau meeting were reviewed. **Motion to approve the minutes made by Frank Norton, seconded by Justin Fishlin; motion passed by unanimous vote.**



### 3. Review of the following applications to examine:

#### **Justin Barton (SJ) – Approved**

Application to examine for Journeyman Sprinklerfitter's license submitted by Justin Barton was considered. Mr. Barton was not present at the time of his application's review but was available through conference call. Mr. Barton holds a Journeyman (Foreman) Sprinklerfitter license from California and completed the apprenticeship program through the UA Local 483. **Motion to approve the application made by John Viola, seconded by Brian Kelly; motion passed by unanimous vote.**

#### **William Bates (RC) – Approved**

Application to examine for Refrigeration Contractor's license submitted by William Bates was considered. Mr. Bates was not present at the time of his application's review but was available through conference call. Mr. Bates holds HVAC/Mechanical Contractor licenses in the following jurisdictions: Alabama, Arkansas, Colorado, Florida, Indiana, Louisiana, Maryland, Missouri, Mississippi, North Carolina, New Jersey, Oklahoma, South Carolina, Tennessee, Washington (State). Mr. Bates is also a licensed Professional Engineer in 21 states, including Massachusetts, and attained a Bachelor of Science Degree in Mechanical Engineering from Purdue University. **Motion to approve the application made by Frank Norton, seconded by Allan Berry; motion passed by unanimous vote.**

#### **Michael Redman (SJ) – Approved**

Application to examine for Journeyman Sprinklerfitter's license submitted by Michael Redman was considered. Mr. Redman was present at the time of his application's review. Mr. Redman holds a Fire Protection Unlimited Journeyman license from Connecticut and completed the Bureau approved AFSA Four-Level Training Series. **Motion to approve the application made by John Viola, seconded by Brian Kelly; motion passed by unanimous vote.**

#### **Charles Wade (PJU) – Approved**

Application to examine for Unlimited Journeyman Pipefitter's license submitted by Charles Wade was considered. Mr. Wade was present at the time of his application's review. Mr. Wade held a Steamfitter Journeyman Certificate in Denver, Colorado. Mr. Wade completed his apprenticeship through RK Mechanical, Inc. which is recognized by the U.S. Department of Labor and completed the Porter and Chester Institute's Heating, Ventilation, Air Conditioning, and Refrigeration program. **Motion to approve the application made by Brian Kelly, seconded by Sharon Orr; motion passed by unanimous vote.**

#### **Dylan Walsh (RT) – Approved**

Application to examine for Refrigeration Technician's license submitted by Dylan Walsh was considered. Mr. Walsh was present at the time of his application's review. Mr. Walsh holds a Refrigeration Master 2 license from Rhode Island and completed the Bureau approved program through the Diman Regional Vocational Technical High School. **Motion to approve the application made by Frank Norton, seconded by Allan Berry; motion passed by unanimous vote.**

### 4. Review of draft 528 CMR for further changes

Charles Kilb, Bureau Counsel, addressed the Bureau members regarding past topics of discussion which included pipefitting welding, proposed changes to 528 CMR, and scheduling a listening session to address the current 528 CMR.

On the topic of pipefitting welding, Daniel Kilburn noted that the statute allows the Bureau to classify and decide the criteria for examination and recommended that a designation of "Pipefitter Welder" should be defined and directly supervised by a duly licensed Pipefitter in a one to one ratio and applicable to all pipefitting work. Bureau Counsel added that the listening session will allow the industry to comment on the matter. Discussion amongst the Bureau members ensued. Mr. Kilburn provided a refresher to the Bureau members that were not involved with the pipefitting changes that were implemented in the current version of 528 CMR. Sharon Orr noted that having a separate "very limited" welding designation, similar to the licensing in surrounding jurisdictions, and working with a licensed pipefitter is less restrictive than what is currently in place. Mr. Kilburn offered to develop a PowerPoint presentation on how the pipefitting licenses

are currently set up and what to expect from a certified welder for the next Bureau meeting. Bureau Counsel added that there are significant points made to draft language for the Bureau's review in addition to Mr. Kilburn's presentation. Brian Kelly reminded the Bureau members that the intent of the current language was to not allow someone that was grandfathered in to a process piping license to circumvent the system and make sure that these individuals are qualified over and above the grandfathering period, but added that the Bureau is moving towards the right direction.

On the topic of proposed changes to 528 CMR, Bureau Counsel informed the Bureau members that they've been supplied with draft changes to 528 CMR 11 with highlighted changes that address any issues or matters that were brought up from the previous month's meeting. John Viola inquired on how to address matters being raised/questioned, but not answered in the draft 528 CMR. Bureau Counsel stated that the matter can be discussed by the Bureau at the meeting or hear from the public at the listening session. Dan Dumont inquired whether comments to the draft 528 CMR can be submitted to OPSI staff or during a Bureau meeting. Bureau Counsel stated that it is what works best for the Bureau members.

On the topic of the listening session, Bureau Counsel put emphasis on documenting as many of the Bureau's ideas and changes to 528 CMR and hold a listening session for members of the public to better understand the immediate needs or points of future discussion. Scott King questioned whether the draft 528 CMR would be made available to the public prior to the scheduled listening session. Bureau Counsel informed the Bureau members that the listening session is a forum to discuss the current 528 CMR, not the proposed draft of 528 CMR. Discussion on the matter of scheduling and notification by OPSI staff ensued amongst the Bureau members. **Motion to schedule a listening session on the current 528 CMR for February 20, 2019 made by Scott King, seconded by Allan Berry; 9 votes in favor, 1 opposed vote (Brian Kelly). Motion passed.**

Allan Berry asked the Chair why the topic of crediting schooling hours and work hours through a vocational school to count towards a future Refrigeration Technician license was not on the agenda, stressing that the matter is time sensitive for those students in vocational schools that wish to enter the refrigeration trade. The Chair stated that the matter was not on the agenda as it was not reviewed in time for the meeting, but will be discussed at the next scheduled Bureau meeting.

## **5. Review of the following training programs for attaining a Bureau license:**

### **Springfield Technical Community College**

The Bureau members reviewed the Springfield Technical Community College (STCC) Energy System Technology 2 year associates degree program and 1 year certificate program that was first tabled at the September 19<sup>th</sup> meeting so that a representative from STCC could address the Bureau members' questions and concerns. Fahad Khan, Chair for the Energy System Technologies at STCC, was present at this meeting. Sharon Orr noted the Bureau's confusion over the correlation of credit hours with actual hours that the students are receiving in order to comply with the requirements of 528 CMR. Allan Berry questioned whether attendance is taken which Mr. Khan noted that attendance is taken, students are permitted only two (2) absences, and all shop time must be made up in order to complete the program. Cesar I. Lastra informed the Bureau members that STCC has a previously Bureau approved school curriculum for apprentices with 6,000 work hours and these two programs are additional avenues to meeting the schooling requirements of 528 CMR. Mr. Khan was under the assumption that STCC had a school curriculum that was approved for apprentices that complete 4,000 work hours, but Mr. Lastra informed Mr. Khan that the program does not currently meet the required 500 hours of study in a refrigeration technician course. **Motion to approve the STCC Energy System Technology 2 year associates degree and 1 year certificate programs for apprentices that complete 6,000 work hours made by Brian Kelly, seconded by Sharon Orr; motion passed by unanimous vote.**

## **Pipefitters Training Center – Local 537**

A letter of consideration for the Bureau's approval of the Pipefitters Training Center – Local 537's Pipefitting and Refrigeration schooling curriculums for apprentices that complete both 4,000 and 2,000 work hours was submitted by Paul McGrath. Brian Kelly recused himself from the discussion at 11:14 am. Pipefitters Training Center – Local 537 currently has Bureau approved schooling curriculums in Pipefitting and Refrigeration for apprentices that complete 6,000 work hours. **Motion to approve the Pipefitters Training Center – Local 537 Pipefitting and Refrigeration schooling curriculums for apprentices that complete both 4,000 and 2,000 work hours made by Frank Norton, seconded by Dan Dumont; motion passed by unanimous vote** Mr. Kelly returned to the meeting at 11:18 am.

## **6. Jurisdictional Report by the Office of Public Safety and Inspections**

Daniel Kilburn, District Engineering Inspector Supervisor, presented the OPSI jurisdictional reports covering the months of October and November. Mr. Kilburn informed the Bureau members of the noncompliance rate at 19% which captures the individuals without license numbers listed on their work vans. Mr. Kilburn added that warnings are currently issued, but will be moving towards issuing small fines in the amount of \$250 for a first offense. Other noncompliance issues that Mr. Kilburn brought up were Refrigeration Technicians acting as Refrigeration Contractors and Process Piping Pipefitters who were grandfathered in to the license and are performing the work of Power, Heating, and Cooling Piping Pipefitters without proper licensure. In addition to the information of the jurisdictional report, Mr. Kilburn informed the Bureau members of the OPSI "Be on the Lookout" list that identifies companies with licensure issues which the OPSI District Engineering Inspectors track for follow up.

Sharron Orr inquired whether the rate of unmarked vans is going down. Mr. Kilburn noted that the trend is common amongst other trends, but the Bureau's enforcement will initiate the requirement for compliance. Allan Berry inquired on the rate of companies with no Contractor/Master license holder upon inspecting the unmarked work vans. Mr. Kilburn stated that the result was around 20% of unmarked refrigeration work vans, 5% of unmarked sprinklerfitting work vans, and no pipefitting work vans, except for the Process Piping Pipefitters performing unlicensed power, heating, and cooling pipefitting work.

## **7. Matters not reasonably anticipated 48 hours in advance of meeting**

- No discussion on matters not reasonably anticipated 48 hours in advance of the meeting.

## **8. Motion to adjourn made by Dan Dumont, seconded by Allan Berry; motion passed by unanimous vote, meeting adjourned at 11:25 a.m.**

**The next meeting of the Bureau of Pipefitters, Refrigeration Technicians, and Sprinklerfitters will be on Wednesday, January 16, 2019 at 10:00 AM. The meeting will be held at the Division of Professional Licensure, 1000 Washington Street, Room 1D, Boston, MA 02118.**

### **List of Documents/Exhibits Used at this Meeting**

- a. Draft minutes from the Bureau meeting on October 17, 2018
- b. SJ Application – Justin Barton
- c. RC Application – William Bates
- d. SJ Application – Michael Redman
- e. PJU Application – Charles Wade
- f. RT Application – Dylan Walsh
- g. 528 CMR: BUREAU OF PIPEFITTERS & REFRIGERATION TECHNICIANS
- h. Proposed Changes to 528 CMR (October 17, 2018)
- i. Pipefitter license visual aid from Sharon Orr
- j. Springfield Technical Community College: Massachusetts Refrigeration License Course Hours
- k. Springfield Technical Community College: Energy System Technology 2 year A.S. Degree with refrigeration license course hours
- l. Springfield Technical Community College: (Energy System Technology) one year certificate program
- m. Pipefitters Union Local 537 letter requesting approval of Pipefitter and Refrigeration curriculums for apprentices that complete both 4,000 and 2,000 work hours.
- n. Pipefitters Union Local 537 – Pipefitter Course Outline Index
- o. Pipefitters Union Local 537 – Refrigeration Course Outline Index
- p. Bureau of Pipefitters, Refrigeration Technicians, and Sprinkler Fitters – Compliance Inspection Report (December 19, 2018)