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CHARLES BORSTEL
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Minutes

Bureau of Pipefitters, Refrigeration Technicians and Sprinklerfitters
Division of Professional Licensure
1000 Washington Street, Room 1D
Boston, MA 02118
January 17, 2018, 10:00 AM

1. Meeting called to order by the Chair at 10:00 a.m., followed by roll call, the Chair asked that members identify themselves and whom they represent:

Bureau Members Present:

Charles Borstel, Chair
Dan Dumont, NE Mechanical Contractors
Justin Fishlin, Sprinklerfitter Member
Pauline Lally, User Member
Frank Norton, Boston Refrigeration Contractors
Jennifer Revill, Public Member
Allan Berry, Refrigeration Technician Member
Brian Kelly, Mass. Building/Construction Trades

Bureau Members Not Present:

Leo Fahey, Pipefitter Member
Sharon Orr, Mechanical Engineer
John Viola, Sprinkler Contractor Member

Guests Present:

Andrew Lucier, RT Applicant
Craig Holmes, RT Applicant
Marcio Oliveira, SJ Applicant
Adrian Retamal, SJ Applicant
Bob Finneran, Sprinklerfitters Local 550
Matt Jones, Sprinklerfitters Local 550
Wayne Thomas, PHCCMA
Henry Mattuchio, DAS
Maura Russell, DOE
Elizangela Barros, DPL
Charles Kilb, DPL
David Sullivan, DPL
Cesar I. Lastra, DPL

2. **Minutes:** The draft minutes from the November 15, 2017 Bureau meeting were reviewed. **Motion to approve the minutes made by Frank Norton, seconded by Jennifer Revill; motion passed by unanimous vote.**

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

Eric Bascombe (RT) – Denied

Application to examine for Refrigeration Technician's license submitted by Eric Bascombe was considered. Mr. Bascombe was not present at this meeting. **Motion to deny the application made by Brian Kelly, seconded by Frank Norton; motion passed by unanimous vote.**



Andrew Lucier (RT) – Approved

Application to examine for Refrigeration Technician’s license submitted by Andrew Lucier was considered. Mr. Lucier is licensed as a Refrigeration Journeyman 2 in Rhode Island. **Motion to approve the application made by Frank Norton, seconded by Allan Berry; motion passed by unanimous vote.**

Craig Holmes (RT) – Approved

Application to examine for Refrigeration Technician’s license submitted by Craig Holmes was considered. Mr. Holmes is licensed as a Heating, Piping & Cooling Limited Journeyman in Connecticut. **Motion to approve the application made by Allan Berry, seconded by Frank Norton; motion passed by unanimous vote.**

Marcio Oliveira (SJ) – Approved

Application to examine for Sprinkler Journeyman’s license submitted by Marcio Oliveira was considered. Mr. Oliveira holds a Fire Protection Unlimited Journeyman in Connecticut and has completed the AFSA four level apprenticeship training program. **Motion to approve the application made by Justin Fishlin, seconded by Brian Kelly; motion passed by unanimous vote.**

Adrian Retamal (SJ) – Approved

Application to examine for Sprinkler Journeyman’s license submitted by Adrian Retamal was considered. Mr. Retamal holds a Fire Protection Unlimited Journeyman in Connecticut and has completed the AFSA four level apprenticeship training program. **Motion to approve the application made by Justin Fishlin, seconded by Brian Kelly; motion passed by unanimous vote.**

Leonard Williams, Jr. (SJ) – Denied

Application to examine for Sprinkler Journeyman’s license submitted by Leonard Williams, Jr. was considered. Mr. Williams was not present at this meeting. **Motion to deny the application made by Justin Fishlin, seconded by Brian Kelly; motion passed by unanimous vote.**

4. Discussion of Draft Guidelines for Applications Going Before the Bureau

Discussion regarding the establishment of guidelines for applicants licensed outside of Massachusetts seeking to attain Bureau licenses took place. Frank Norton reiterated the importance of “Letters of Good Standing” from the licensing jurisdiction for verification purposes. Pauline Lally inquired on the acceptable qualifications to allow Master/Contractor licensees from another jurisdiction to sit for an equivalent Bureau license. Cesar I. Lastra stated that, under the recommendation of previous Bureau Counsel, the following criteria were considered:

- Three (3) years [6,000 hours] as an out of state Journeyman Refrigeration Technician and 250 hours of education to sit for the Massachusetts Refrigeration Technician’s license exam.
- Four (4) years [8,000 hours] as an out of state Journeyman Refrigeration Technician and 350 hours of education to sit for the Massachusetts Refrigeration Contractor’s license exam.

Mr. Lastra added that these criteria may also be expanded to the other Bureau licenses. Brian Kelly made the recommendation to consider reciprocity with other jurisdictions. The Chair stated that staff would communicate with surrounding jurisdictions to inquire whether reciprocity is possible. Charles Kilb, Bureau Counsel, informed the Bureau that “reciprocity” usually means the waiver of examination. Bureau Counsel added that, if the Bureau’s intent is not a waiver of examination, then an agreement is not necessary to accept education. Allan Berry made the suggestion to allow qualified applicants to sit for the Refrigeration Technician’s exam and, if they pass the examination, waiving the one year waiting period to sit for the Refrigeration Contractor’s exam. Bureau Counsel recommended that, for Mr. Berry’s suggestion, to accept more work experience from the licensing jurisdictions to prevent unqualified individuals from taking advantage of the one year waiver. The Chair made the recommendation to table the topic for further discussion. **Motion to table the discussion and make updates to the draft guidelines, made by Brian Kelly, seconded by Allan Berry; motion passed by unanimous vote.**

5. Discussion on the Licensing Requirements for Visual Inspections Listed on the Draft Bureau Interpretation: Official Interpretation of Sprinklerfitter License Requirements on Employer's Property

The Chair made the recommendation to create a subcommittee of Bureau members to meet in order to interpret the word "inspections" in 528 CMR and involve the stake holders in the process. **Motion to create a subcommittee and have the Chair determine the number of members made by Frank Norton, seconded by Dan Dumont; motion passed by unanimous vote.**

6. Proposals for Adopting Standards in 528 CMR (49:00)

Bureau Counsel Charles Kilb presented to the Bureau members a list of the Bureau's standards adopted by another state code and the latest edition of those standards. The list provided by Bureau Counsel indicated the conflicts with the Bureau's regulation and other state codes. Dan Dumont and Pauline Lally stated that Third Party Inspectors refer to the latest editions of the standards when performing inspections and not the Massachusetts codes. The Chair inquired on who checks the work under a Sprinklerfitting permit. Justin Fishlin stated that it is the oversight of the local jurisdiction's inspectors who refer to the Massachusetts codes. The Chair suggested being consistent with the current Massachusetts codes (9th Edition of the Massachusetts Building Code, 780 CMR). Bureau Counsel reiterated the need for consistency to avoid conflicts with other state codes and recommended that the Bureau considers **Option 2** of the "528 CMR 3.00: STANDARDS ADOPTED Options and Issues to be Discussed" that was distributed at the November 15, 2017 meeting:

Option 2. List the codes and standards, but reference them to another state code(s) instead of listing the edition years (primarily the building code and its related model codes (i.e. NFPA, ICC, etc.).

Bureau Counsel inquired if the Bureau wanted to adopt NFPA 1, adopted by Department of Fire Services, in place of NFPA 230 (folded into NFPA 1). The Bureau acknowledged the adoption of NFPA 1 as beneficial. **Motion to adopt Option 2, as amended per discussion, made by Pauline Lally, seconded by Justin Fishlin; motion passed by unanimous vote.**

7. Office of Public Safety and Inspections License Lookup Website

Brian Kelly informed the members of the Bureau at the September 20th meeting that he's received calls from license holders stating that they are unable to find their license information on the OPSI website. Cesar I. Lastra informed the Bureau members that website changes from the reorganization with the Division of Professional Licensure (DPL) and additional changes to the entire "Mass.gov" have disabled old Department of Public Safety web pages that may have been bookmarked. Mr. Lastra added that licensees can access the Office of Public Safety and Inspections (OPSI) website through the DPL website (<https://www.mass.gov/dpl>) or by following the <https://www.mass.gov/orgs/office-of-public-safety-and-inspections> link. Under the OPSI home page, the licensee can follow the links to "Check OPSI License" in order to check their license status. Licensees whose license are now under the jurisdiction of the Department of Fire Services can access their information by following the link on the license lookup webpage. Discussion regarding license renewal issues ensued. Mr. Lastra requested that Bureau members notify him, for assistance, if they run in to OPSI related issues.

8. Open Discussion of Apprenticeship and Pre-Apprenticeship Matters with Division of Apprenticeship Standards Deputy Director Henry Mattuchio

Henry Mattuchio, Deputy Director of the Division of Apprentice Standards (DAS), and David Sullivan presented to the Bureau members a draft of the pipefitting standards and curriculum for their review at the November 15, 2017 meeting. The draft "Heating, Ventilation, Air Conditioning & Refrigeration Framework" curriculum accounted for 150 schooling hours and 1,500 work hours. Mr. Mattuchio stated that, if approved, the curriculum would be shopped to the vocation schools for their registration and implementation for the start of the September, 2018 school year. Maura Russell of the Department of Education informed the Bureau that the framework programs for HVAC already exist and a state approved Pipefitting program would not be put in place. Ms. Russell emphasized crediting the existing programs where an overlap is present. The Chair stated that the intent is to combine strands to develop a pilot program. Pauline Lally raised concerns over a Pipefitters pilot program being accepted by the vocational schools and recommended to accept hours of existing curriculum towards a future Pipefitters license. The Chair stated that doing so would require a separate discussion. **Motion to approve curriculum for Pipefitting pilot program, as presented, made by Dan Dumont, seconded by Allan Berry; motion passed by unanimous vote.**

A discussion of allocating credit hours from the existing HVAC framework programs, in order to attain a future Pipefitter license, to be addressed at the next Bureau meeting.

Discussion over the 18 years of age statutory requirement for the Refrigeration Apprentice license took place. Charles Kilb, Bureau Counsel, informed the Bureau that, historically, all DPL boards do not require licensed apprentices for shop time in a Vocational School. Bureau Counsel added that this shop time can be counted towards work experience, if it is recognized by the Bureau. However, the Bureau cannot authorize a Refrigeration co-op as they are acting as an apprentice and a license is required. Bureau Counsel will produce draft changes to 528 CMR to address the issue for the Bureau's review at the next meeting.

9. Enforcement by the Office of Public Safety and Inspections

Cesar I. Lastra provided the Bureau with a report on the OPSI compliance. Mr. Lastra stated that the report continues to indicate a trend of Bureau license non-compliance hovering around 4% (4 out of every 100 people work without a license). Mr. Lastra added that two fines were issued for a total amount of \$500 in the month of November (both fines related to Pipefitting) and one fine was issued for a total amount of \$500 in the month of December (fine related to Sprinklerfitting). Justin Fishlin inquired whether the OPSI records tracked repeat offenders. Mr. Lastra stated that he would pass that request to Daniel Kilburn, District Engineering Inspector Supervisor.

10. Matters not reasonably anticipated 48 hours in advance of meeting

- Pauline Lally requested to establish a time to notify Bureau members of meeting cancellations in the event of inclement weather.
- Matt Jones of the Sprinklerfitters Local 550 supported the creation of a subcommittee to interpret the word "inspections" and look forward to participating.

11. Motion to adjourn made by Brian Kelly, seconded by Allan Berry; motion passed by unanimous vote, meeting adjourned at 12:17 PM.

The next meeting of the Bureau of Pipefitters, Refrigeration Technicians, and Sprinklerfitters will be on Wednesday, February 21, 2018 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 meeting on November 15, 2017
- b. RT Application – Eric Bascombe
- c. RT Application – Andrew Lucier
- d. RT Application – Craig Holmes
- e. SJ Application – Marcio Oliveira
- f. SJ Application – Adrian Retamal
- g. SJ Application – Leonard Williams, Jr.
- h. Draft Guidelines for Applications Going Before the Bureau
- i. Draft Bureau Interpretation: Official Interpretation of Sprinklerfitter License Requirements on Employer's Property (November 15 Bureau Meeting)
- j. 528 CMR 3.00: STANDARDS ADOPTED Options and Issues to be Discussed (January 17, 2018)
- k. Heating, Ventilation, Air Conditioning & Refrigeration Framework – Pipefitting
- l. Heating, Ventilation, Air Conditioning & Refrigeration Framework – Refrigeration
- m. Bureau of Pipefitters, Refrigeration Technicians, and Sprinkler Fitters – Compliance Inspection Report (January 17, 2018)