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CHARLES BORSTEL
COMMISSIONER, DIVISION OF
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Minutes

Bureau of Pipefitters, Refrigeration Technicians and Sprinklerfitters
Division of Professional Licensure
1000 Washington Street, Room 1D
Boston, MA 02118
October 17, 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 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
Pauline Lally, User Member

Bureau Members Not Present:

Jennifer Revill, Public Member

Guests Present:

Jeremy Ellis, RT Applicant
Mark Fortune, Sprinkler Fitters Local 550
Tim Gilligan, Pipefitters Local 537
Peter Kelly, IAPMO
Thomas Kerr, Pipefitters Local 537
John Kilduff, IUOE Local 877
Barbara Lagergren, Gould Construction Institute
Jim O'Brien, Pipefitters Local 537
Cesar I. Lastra, DPL
Charles Kilb, DPL
Daniel Kilburn, DPL
Brian Logan, DPL

2. **Minutes:** The draft minutes from the September 19, 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:**

Jeremy Ellis (RT) – Approved

Application to examine for Refrigeration Technician's license submitted by Jeremy Ellis was considered. Mr. Ellis was not present at the time of his application's review. **Motion to table the application made by Pauline Lally, seconded by Allan Berry; motion passed by unanimous vote.** Mr. Ellis arrived to the meeting at 11:07 a.m. **Motion to remove the table made by Brian Kelly, seconded by Allan Berry; motion passed by unanimous vote.** Mr. Ellis holds a Refrigeration Master 1 license from Rhode Island and attained an Associates in Science Degree in Refrigeration/Air Conditioning/Heating/Gas Technology



from the New England Institute of Technology. **Motion to approve the application made by Brian Kelly, seconded by John Viola; motion passed by unanimous vote.**

4. Review of draft 528 CMR for further changes

Charles Kilb, Bureau Counsel, informed the Bureau members that they were provided with copies of the working draft of 528 CMR that incorporated all their proposed changes and provided a brief summary of these changes. Cesar I. Lastra added that ongoing discussions regarding process piping, with the focus on the welding designation, took place with Daniel Kilburn and Sharon Orr. Ms. Orr stated that the intent of these discussions were to provide her with clarity on the subject matter and, by doing so, was able to develop a visual aid to stream line the process for further discussion with the Bureau members. Discussion on the matter as it relates to the visual aid and the laws ensued. Ms. Orr acknowledged that a licensing conflict exists for qualified welders under Section IX of the ASME and made a recommendation to establish a limited license solely for welding pipe only. Ms. Orr noted that doing so would open working avenues and be consistent with the licensing requirements of neighboring states. Mr. Kilburn added that the meetings that were held by the Office were to listen to stake holders to get a better understanding of the current system as it applies to their functions. Mr. Kilburn stressed that the Office has no agenda, but is looking to get a better understanding and listen to any changes to improve the system. Mr. Kilburn also added that he's looking for more stake holders' input and clarified that his use of the term "stake holders" refers to individuals working under different business models.

John Viola inquired whether certification under Section IX of the ASME is a prerequisite to attain the Bureau license. Scott King referred Mr. Viola to the definition of "Pipefitting Welding" in 528 CMR. Mr. Kilburn noted that sitting for the Pipefitting Welding exam or holding the license does not mean that the individual has a valid certification under Section IX of the ASME, but added that OPSI District Engineering Inspectors have the authority to verify credentials at the time of inspection and issue fines if they find violations. Discussion on the limited welder license ensued. A question arose on whether qualified welders can attain an apprentice license to perform the work, but was dismissed once the Bureau was informed that the welders would have to enroll in a registered apprenticeship program with the DAS.

Bureau Counsel also informed the Bureau members of the Office's intent to have the Bureau hold a listening session for interested parties to make comments on the current 528 CMR before a full regulation change takes place. Bureau Counsel inquired whether the Bureau would like to schedule a listening session before the end of 2018 or at the beginning of 2019. **Motion to discuss the scheduling of a listening session at the next Bureau meeting made by Frank Norton, seconded by Allan Berry; motion passed by unanimous vote.**

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

Cesar I. Lastra informed the Bureau members that Henry Mattuchio was unable to attend the meeting. In his absence, Mr. Lastra addressed the topic regarding outreach to vocational schools by informing the Bureau members that the Office continues to provide information and assistance to the vocational schools' inquiries. Mr. Lastra added that the matter remains ongoing.

Mr. Lastra addressed topic relating to applicants seeking the Bureau's approval of education hours attained outside of Massachusetts before becoming registered apprentices. Mr. Lastra stated that several applicants entering the Pipefitting and Refrigeration trades contacted the Office inquiring whether partial credit from their previous education and military training would be counted towards their apprenticeship. Upon further review, the applicants were not registered with the DAS, nor do they hold a Bureau apprentice license. Discussion on the matter ensued. Frank Norton made the recommendation that the Office stream lines a review process to approve these applications and not have these applications go before the Bureau. **Motion to direct staff to draft guidelines for the Bureau to review at the next meeting made by Dan Dumont, seconded by Justin Fishlin; motion passed by unanimous vote.**

The topic regarding the review of the Springfield Technical Community College (STCC) Energy System Technology 2 year associates degree program and 1 year certificate program was not discussed as no STCC representative attended the meeting. **Motion to table the review of the STCC Energy System Technology 2 year associates degree and 1 year certificate programs made by Brian Kelly, seconded by Allan Berry; motion passed by unanimous vote.**

On the topic of discussing crediting schooling hours and work hours through a vocational school to count towards a future Refrigeration Technician license, Mr. Lastra informed the Bureau members that Office is still working on the matter. Charles Kilb, Bureau counsel, suggested that the Bureau considers developing a model curriculum. Brian Kelly informed the Bureau members that he sits in the advisory for the Shawsheen Valley Technical High School and will inquire if they would be open to share their curriculum with the Bureau. Pauline Lally stated that she would inquire whether Bristol-Plymouth Regional Technical School would be open to share their curriculum and Barbara Lagergren of the Gould Construction Institute offered to inquire whether the Greater Lawrence Technical School would share their curriculum, as well. **Motion to table the discussion made by Brian Kelly, seconded by Allan Berry; motion passed by unanimous vote.**

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

Daniel Kilburn, District Engineering Inspector Supervisor, presented the OPSI jurisdictional report for the month of October. Mr. Kilburn informed the Bureau members that an increase to the rate of compliance in the report was a result of OPSI District Engineering Inspectors chasing vans that did not display their Bureau license number and finding that the workers were not duly licensed. Mr. Kilburn stated that the rate of compliance rose from 4% to 16% which raised the average rate of compliance to 5%. Mr. Kilburn noted that the OPSI District Engineering Inspectors are issuing verbal warnings if they find a van without the licensee's number displayed and that they verify whether or not the license number is valid. Lastly, Mr. Kilburn informed the Bureau members that it's the Office's intent to allow the industry to adjust to the OPSI District Engineering Inspectors verifying the license numbers on vans, but in time will move forward with issuing fines if the violation continues.

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

- The Chair informed the Bureau members that the November meeting is scheduled to take place on the Wednesday before the Thanksgiving holiday. **Motion to reschedule the November meeting made by John Viola, seconded by Dan Dumont; motion passed by unanimous vote.**

8. Motion to adjourn made by Brian Kelly, seconded by Allan Berry; motion passed by unanimous vote, meeting adjourned at 11:37 a.m.

The next meeting of the Bureau of Pipefitters, Refrigeration Technicians, and Sprinklerfitters will be on Wednesday, December 19, 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 the Bureau meeting on September 19, 2018
- b. RT Application – Jeremy Ellis
- c. 528 CMR: BUREAU OF PIPEFITTERS & REFRIGERATION TECHNICIANS
- d. Proposed Changes to 528 CMR (October 17, 2018)
- e. Pipefitter license visual aid from Sharon Orr
- f. Springfield Technical Community College: Massachusetts Refrigeration License Course Hours
- g. Springfield Technical Community College: Energy System Technology 2 year A.S. Degree with refrigeration license course hours
- h. Springfield Technical Community College: (Energy System Technology) one year certificate program
- i. Bureau of Pipefitters, Refrigeration Technicians, and Sprinkler Fitters – Compliance Inspection Report (October 17, 2018)