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PROFESSIONAL LICENSURE

## Minutes

**Bureau of Pipefitters, Refrigeration Technicians and Sprinkler Fitters**  
**Division of Professional Licensure**  
**1000 Washington Street, Room 1D**  
**Boston, MA 02118**  
**January 16, 2019, 10:00 AM**

1. Meeting called to order by the Chair at 10:03 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  
Scott King, Pipefitter Member  
Allan Berry, Refrigeration Technician Member  
Dan Dumont, NE Mechanical Contractors  
Justin Fishlin, Sprinkler Fitter Member  
Pauline Lally, User Member

**Guests Present:**

Paul Campbell, Pipefitters Local 537  
Julie Kelliher, Gould Construction Institute  
Peter Kelly, IAPMO  
Paul McGrath, Pipefitters Local 537  
Jim O'Brien, Pipefitters Local 537  
Bill Young, Pipefitters Local 537  
Henry Mattuchio, DAS  
Charles Kilb, DPL  
Daniel Kilburn, DPL  
Cesar I. Lastra, DPL  
Joseph Pineyro, DPL  
Diana Pirone, DPL  
David Vandal, DPL

**Bureau Members Not Present:**

Jennifer Revill, Public Member  
Brian Kelly, Mass. Building/Construction Trades

2. **Minutes:** The draft minutes from the December 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 draft 528 CMR for further changes**

- Dan Kilburn gave a PowerPoint presentation on the current licensing practices, the adopted codes that are applicable to licensure, and the requirements for a person perform code welding. Questions from the Bureau members ensued at the completion of the presentation. Allan Berry questioned whether the 700,000 BTUs threshold applied to residential properties. Mr. Kilburn noted that 528 CMR does not acknowledge residential properties and OPSI Engineering Inspectors are not



enforcing the matter. Frank Norton questioned how the OPSI Engineering Inspectors enforce exempt institutions per the Massachusetts General Laws (“MGL”). Mr. Kilburn stated that the OPSI Engineering Inspectors are not currently visiting exempt institutions, but the discussion may need to be revisited. Mr. Kilburn added that OPSI Engineering Inspectors will enforce the Bureau’s licensing requirements if the work is listed in a set of drawings designed under ASME B31.3 by a design engineer and stamped by a Massachusetts Professional Engineer. Sharon Orr noted that there may be instances that ASME B31.3 work takes place without a full set of prints available. Mr. Kilburn stated that in those situations the Bureau and the OPSI Engineering Inspectors become the last line of defense as the work performed must be done by licensed individuals, unless they can prove otherwise. Mr. Berry inquired where the line of enforcement is drawn when two boilers, each under the statutory threshold, but when combined, exceed 700,000 BTUs. Charles Kilb, Bureau Counsel, noted that the statutory definition does not limit the work of the Bureaus’ trades by location and Mr. Kilburn added that by joining the systems together to exceed 700,000 BTUs, the work would fall under the jurisdiction of the Bureau and must be done by licensed pipefitters.

- Bureau Counsel addressed the Bureau members regarding the recent changes to the draft 528 CMR. The most recent changes are based on a legal error made by the Bureau which created license restrictions rather than a pipefitter welder license as required by statute, thus starting the process of meeting the statutory requirements. Bureau Counsel added that a document was provided to the Bureau members to indicate the licensing disparities as certain licenses are not being used. Discussion on the matter ensued amongst the Bureau members. A question arose of whether the Bureau is in violation by not having a pipefitter welder license, which Bureau Counsel indicated concern as the statute clearly states the license requirement. Ms. Orr noted the lack of examination requirements in the draft language. Mr. Kilburn stated that the OPSI does not have a preference whether or not to require an examination and can develop and offer a special written examination for pipefitter welders, but not a practical examination due to a lack of resources.

#### **4. Discussion of Apprenticeship Matters**

- Cesar I. Lastra addressed the Bureau members on matters regarding applicants seeking Bureau approval of education hours prior to becoming registered apprentices. The OPSI staff was tasked at a previous Bureau meeting to streamline a review process for the applicants, but, due to the matters being too specialized, there are no standardized frameworks in place to allocate credits which will require further review by the OPSI staff. This will include the development of standardized frameworks for the Bureau trades. Henry Mattuchio, Deputy Director of the Division of Apprentice Standards, informed the Bureau members that a recent federal policy change allows for schooling to be done upfront, but must be registered in an apprenticeship to attain work hours. Allan Berry asked Mr. Mattuchio if the apprentice needs to be 18 years of age to get the schooling. Mr. Mattuchio stated that pre-apprentices are given school time and lab experience in lieu of the work experience that requires the apprentice to be 18 years old. Bureau Counsel added that the proposed changes to 528 CMR address the 18 years of age limitation to allow for partial credits if the individual is under 18 years old and enrolled in a vocational school. However, Bureau Counsel noted that HVAC vocational programs are not approved by the Bureau, at this time. Mr. Mattuchio stated that the OPSI currently will not recognize hours given by the DAS at the time the apprentice applies for licensure with the OPSI because they were not 18 years old. Frank Norton asked Mr. Mattuchio how refrigeration credits are given out to vocational school students. Mr. Mattuchio stated the just a little bit from the lab work is credited as the student is unable to work in the field. Bureau Counsel informed the Bureau members that the Bureau’s Refrigeration license is specialized for 10 tons and over and the training that the Bureau accepts should be specialized and any partial credit should be based on the training that coincides with the Bureau’s trade.
- The Chair informed the Bureau members that Cesar I. Lastra, Bureau Counsel, Tim Gilligan, and himself met to work on developing a vocational framework for Refrigeration systems 10 tons and over as vocational schools do not currently teach such programs. The Chair noted that the goal is to give partial credit similar to the Bureau approved Pipefitting pilot program. Mr. Berry noted that the DAS is issuing partial credit. Mr. Mattuchio acknowledged that he gives partial credit. Bureau

Counsel stated that a model curriculum needs to be developed and approved by the Bureau to use for comparison with the vocational programs to determine what partial credit to recognize. Pauline Lally asked how many hours could be granted for completing a vocational HVAC program. Mr. Lastra stated that the Bureau does not have a specific framework to follow for refrigeration systems 10 tons and over and currently no hours are credited if a student graduates from a vocational school's HVAC program. Bureau Counsel stated that the OPSI staff will try to better educate the vocational schools to minimize the confusion. Mr. Berry asked Mr. Mattuchio how many hours he's crediting students for completing an HVAC vocational school program. Mr. Mattuchio stated that he credits 100 hours for theory and between 75 to 100 hours for lab work. Mr. Lastra asked Mr. Mattuchio to clarify as the Bureau has not approved the HVAC vocation school program, nor the amount of time to credit. Mr. Mattuchio stated that the hours are for refrigeration and that this is what he's doing because he has to give them something. Bureau Counsel stated that OPSI staff will continue to work on a Refrigeration framework for the Bureau's review, but until one is approved, no credit can be recognized. Mr. Mattuchio stated that credits only apply to the apprenticeship. Bureau Counsel reiterated that at this moment the Refrigeration Certificate of Apprenticeship Completion issued by the DAS showing schooling hours cannot be based on high school hours as they have not been accepted by the Bureau. Bureau Counsel requested Mr. Mattuchio to assure that the DAS Certificates of Apprenticeship Completion are meeting the Bureau's regulatory requirements. Mr. Mattuchio acknowledged that the Bureau's regulatory requirements will be met.

#### **5. 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 December. Mr. Kilburn informed the Bureau members that the rate of noncompliance is 13% and 12 warnings were issued by OPSI Engineering Inspectors. Mr. Kilburn also stated that the OPSI Engineering Inspectors continue to focus on work vehicles without listed license numbers with the intent to make appointments with the company to look further in to their activities. Mr. Kilburn added that the peak of noncompliance should start to dip, but applications and examinations should start to rise.

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

- Cesar I. Lastra informed the Bureau members that two schools have submitted requests to have their online programs reviewed for approval to offer additional training for the Master Pipefitter and Refrigeration Contractor license. These schools will be reviewed at the next scheduled Bureau meeting.

#### **7. Motion to adjourn made by Scott King, seconded by Justin Fishlin; motion passed by unanimous vote, meeting adjourned at 11:57 a.m.**

**The next meeting of the Bureau of Pipefitters, Refrigeration Technicians, and Sprinkler Fitters will be on Wednesday, February 20, 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 December 19, 2018
- b. Bureau Pipefitting PowerPoint Presentation
- c. 528 CMR: BUREAU OF PIPEFITTERS & REFRIGERATION TECHNICIANS
- d. Proposed Changes to 528 CMR (January 16, 2019)
- e. List of Active Pipefitters Licenses as of January 15, 2019
- f. Pipefitter license visual aid from Sharon Orr
- g. Bureau of Pipefitters, Refrigeration Technicians, and Sprinkler Fitters – Compliance Inspection Report (January 16, 2019)

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