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- And more!

SPOTLIGHT ON

MPC HOSTS 4TH ANNUAL GOLF OUTING TO A SOLD-OUT CROWD

After six months of planning and preparation, the big day finally arrived!

On Monday, July 12th, MPC Members, Associates and Friends joined together for the 4th Annual Golf Outing at the Village Club at Lake Success. And what a huge success the event turned out to be. After being apart for more than a year, over 130 golfers enjoyed a day of play, with much more excitement to come after the game. "We had a fantastic day with a terrific turnout and an abundance of generous sponsorships ... much more than anticipated," said MPC President Rick Bonelli. "We all enjoyed the return to normalcy ... seeing each other and networking once again."

"Everyone was so excited to get out ... hit some balls ... and have a good time!" commented Anthony Vigilante, Vice President of MPC. "This time, it felt extra special to be out in the fresh air with friends."

(Continued on page 6)

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*The Voice of the Licensed Master Plumber,
a membership publication of the NYCMPC.*



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PRESIDENT'S MESSAGE

As we recover and move forward from the pandemic, everyone is trying to get back to normal and we can all agree that it is challenging in so many ways. Throughout our industry, we are all experiencing a lack of workers, shortages of products, and delayed or long lead times to obtain equipment, price increases; just to name a few.

Just imagine having a contract to do a large job which entails mechanical equipment, but the proper equipment will take 12 weeks to be delivered. Waiting over 80 days for necessary equipment to perform work- what will a workforce do? Larger firms just lay people off, but for smaller companies it is much more difficult as your workforce is usually made up of loyal, longstanding employees.

I am sure that many of you are renewing insurances of some kind. As you are finding out, rates are rising – health insurance 5-10%, liability insurance 5-10%, umbrella coverage 10-15%, auto insurance 7-10%. However, companies with no or minimal claims, workmen's compensation insurance rates have remained flat.

Let's not forget about our next generation! These include the successors or key people of your company. We will begin meetings for these future up-and-coming leaders soon.

How do you ensure that your business and employees will move forward from the pandemic? Be a member of the Master Plumbers Council. All of us at the MPC – Board Members, Committee Members, Volunteers, and Staff – are committed to providing the best possible service and resources to help our members.

I would personally like to thank our members and supporters who have remained loyal to our organization during these trying times. I look forward to continuing to grow the MPC with all of you!

A very special thank you to all who attended our 4th Annual Golf Outing and to all of our gracious sponsors! Thankfully, the rain missed us for the golf portion of the day! The day ended up being a huge success that would not have been possible without all the support of our members and sponsors!

Regards,

Rick Bonelli
President
Master Plumbers Council of the City of New York

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WHAT HAPPENED TO THE NEW CODE?

Intro 2261 is the Building Department's proposed revisions to the 2014 NYC Construction Codes. On June 16, 2021, the MPC provided oral and written testimony for this Intro to the New York City Council Committee on Housing & Buildings. When will the new Code be adopted and go into effect? After the bill is signed into law there is generally a one-year period before the new Code goes into effect. So, when will the bill be signed into law? That is a good question!

What is the Code revision process?

It is important to understand how the Code revision process works. After the entire Department Code revision process is completed, the revised Codes are sent to the City Council. The Council's Committee on Housing and Buildings will propose a bill and follow the law making process. That process allows for a comment period, as well as a hearing on the proposed bill. Once the Code is finalized, it will be sent to the Mayor for signature. At that point it will become a Local Law.

Where are we in the process?

One hearing has already taken place for this proposed bill. At the time of this writing, the Council's Committee on Housing and Buildings should be reviewing industry comments and engaging in a dialogue with the industry and the Department in an effort to understand each side's position about a contested issue. When comparing opposing positions, the Council generally tends to put considerable emphasis on the Department's positions and the burden is put on the industry to make a strong case for a proposed change to be enacted or rescinded.

The MPC has concerns because, to date, there has been no dialogue about plumbing related issues that we are aware of. We have heard that the Council wants to fast track this Intro within the next couple of months and worry that some very important issues may not be adequately addressed. During the revision process, some argued that specific verbiage was needed in the Code and that the Department would never enforce a particular section. Words matter. While the current administration may not invoke a specific Code section, what will a future administration do?

What are the other issues of concern to the MPC?

The MPC has not proposed any changes to the NYC Fuel Gas Codes. The Fuel Gas Code Committee did an excellent job in providing clarification to this Code.

The MPC has several issues with some sections of the proposed Administrative Code changes. These proposed changes would include the removal of the Plumbing and Fire Suppression License Board and, along with it, the statutory requirement for review of license applications, disciplinary actions, Code review and other Operational Subcommittees. Other proposed changes could make you or your estate responsible for closing out all of your open permits when you retire or pass away. This could be interpreted to include all of the open permits you pulled throughout your entire career. Another proposed change will remove the reinstatement provision. If that is enacted, and you can't renew your license within one year past the expiration date, you may have to repeat the entire licensing process again. One-year sounds like a long time, but what if you contract COVID-19 or a debilitating disease? How about a divorce or a personal family tragedy? What if you can't renew your insurance immediately due to a claim or outrageous coverage costs? Presently, you have up to five years to be reinstated without having to repeat the entire process. Want to read more? Visit the MPC website to see our full testimony.

What else could have been done?

All technical committees were consensus committees. That meant if the committee did not agree on a particular issue, that issue would go to mediation. The Administrative Code Committee was an advisory committee and was not bound by consensus. When members of the committee objected to removing the License Board, all of the industry's objections were considered but the Department ultimately makes the final decision. Issues in the Administrative Code could be mediated and, in fact, one regarding the unrestricted use of an Agency employed Master Plumber License was.

(Continued on page 13)

MPC HOSTS 4TH ANNUAL GOLF OUTING (Continued from the cover)

It was a tight race to first place!

The Golf Competition was fierce with two teams tied in the end. Winners were decided by turning to USGA Back 9 Guidelines to determine the winner. The foursome from Analytical & Combustion Systems took home the first place trophy, with the Milwaukee Tool foursome close behind in second place! Representatives from Milwaukee also took home the Closest to the Pin and Longest Drive trophies.

And the winners were:

- 1st Place - Roger Chapman, John Haber, Robert Bohn and Jeff Calorssi from Analytical & Combustion Systems
- 2nd Place - Demos Razamias, Kyle Berwick, Felix Rosario and John Randazzo from Milwaukee Tool
- Closest to the Pin - AJ Godin, Milwaukee Tool
- Longest Drive - John Randazzo, Milwaukee Tool

Congratulations to all the winners and to everyone who participated in this amazing day of golf!

An evening of dining, music and great conversation was enjoyed by all

Our memorable event continued well into the evening, as attendees met with friends and associates enjoying a great dinner and catching up on all that has happened over the past year. One of the highlights of the evening was an exciting raffle with gifts donated by a wide variety of companies. Prizes ranged from tools and grills to televisions and much more. "The dinner and abundance of raffle gifts were amazing!" commented Rick. "It was a time of networking, fun and laughter. Thank you to all who so graciously donated the raffle prizes."

As we have done in the past, MPC proudly donated \$10,000 to Make-A-Wish Metro New York and Western New York. This amazing non-profit organization creates life-changing wishes for children with a critical illness.

We were especially honored to welcome Matt Goldweber, Community Fundraising Manager at Make-A-Wish Metro New York and Western New York, who joined us at dinner. "Support from organizations like the Master Plumbers Council ensures that Make-A-Wish can continue our mission of granting life-changing wishes for children with critical illnesses," emphasized Matt. "It is their fundraising efforts that do so much for our wish kids - replacing sadness with joy and anxiety with hope. For that, we are incredibly grateful."

We join together in thanking the Golf Committee -- Rick Bonelli, Tim Donohue, Anthony Vigilante, Bob McManus, Harris Clark, Robert Giuliante and Daniel Vessio -- and to all of you who generously donated your time and efforts to make our 4th Annual Golf Outing one of the most amazing events of the year! "While the golf committee plans the event and gets the ball rolling, it's really the entire MPC team that makes it a success," concluded Anthony Vigilante.



4th ANNUAL MPC GOLF OUTING SPONSORS:

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TRAINING & EDUCATION: A Priority to the Master Plumbers Council

In our industry, ongoing training and education are essential to success. “As regulations and compliance requirements change, special certifications become mandatory,” said Rick Bonelli, President of MPC. “Our leadership responds to the changing Codes and regulations by providing training programs that help our members obtain certifications to perform their work in full compliance.”

Anticipating the Need for Training

The MPC likes to solve issues before they become major problems. Over ten years ago we began offering boiler control training, which at that time, was not an official training course just a means to build skills for the task. We used conference rooms and a variety of small locations to host this training.

Over the years, as federal regulations and compliance requirements have changed, plumbers are mandated to obtain various special certifications. As a result, the MPC saw the need and had the vision and insight to create an environment where plumbers and their employees could be formally trained. In order to achieve this, the MPC acquired a space next door to its office and began developing a training center over a three-year period. Over this time, MPC Board Members and Committee Members, worked diligently to ensure that the training center was fully equipped with the proper resources, including various displays for hands on learning.

The Robert John Daly Memorial Training Center Opens

On January 31, 2019, the MPC unveiled the Robert John Daly Memorial Training Center in Bellerose, Queens, honoring Robert John Daly and his lifetime commitment to the safety and well-being of the people of NYC through his leadership and guidance of the city’s licensed plumbers. The opening ceremony was attended by many representatives from the NYC DOB, Mr. Daly’s wife and family, and MPC Affiliate Members who contributed appliances and equipment to the Training Center, including Wales Darby, Wallace Eannace Associates, Blackman, Rathe Associates and Gil Meyerowitz.

At the ribbon cutting ceremony, the MPC donated \$2,500 to the Rett Syndrome Research Trust, a cause near and dear to Robert Daly and his family. For more information about this great cause and how you can help, please visit www.reverserett.org.

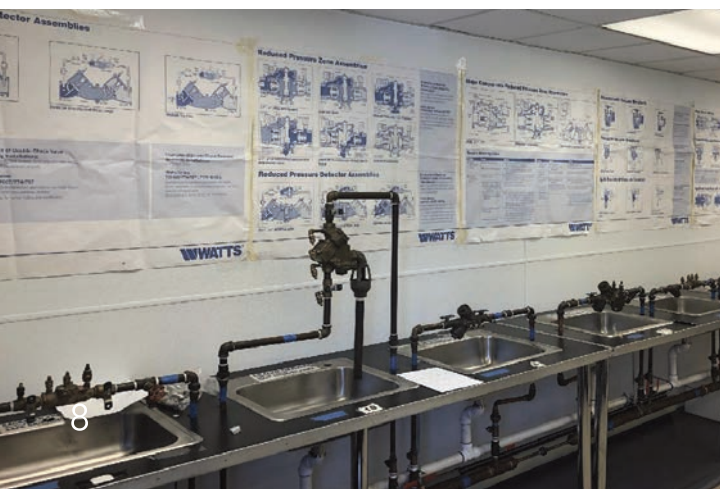
Since opening in 2019, the Training Center has hosted numerous educational classes, including Gas burner and appliance classes, a Gas Code Review Program, 16-hour limited gas work qualification courses, Gas Operator Qualification Task training and an in-person refresher course, and backflow courses. With more being added each day! The MPC has also hosted several committee meetings and Next Generation events at the training center.

Training Held to the Highest Standard

As the training center and its offerings continued to grow rapidly, Timothy Donohue, Education Committee Chairman, became a vital resource in managing the training center and all that goes along with it! Tim has contributed (and continues to do so) countless hours working to ensure that the training center is performing to the highest standard. He even teaches the New York City Fuel Gas Code and Gas Work Qualification program that MPC hosts.

The MPC has partnered with several industry education and training leaders, such as the Northeast Gas Association (NGA) and Kruger’s Training Academy. Instructors from NGA and Kruger’s come to the training center to provide exceptional training to students.

“I believe it’s important to give people a convenient place to go for training, where they can trust that the training is held to the highest standard. That’s what you can find at the Robert John Daly Memorial Training Center. We work hard each day to provide specialized training for changes in codes and regulations, so that our members and the industry can properly fulfill mandated requirements.



I am truly pleased to see how much of a resource the training center has become for members, their employees and our industry as a whole.” – Timothy Donohue, Education Committee Chair

The MPC is heavily involved in various code committees, many of which are in the process of revisions. As changes are enacted and new regulations are implemented, the MPC is providing education and clarification. This is not only a benefit to our members, but also to property owners who are concerned about legal and safe plumbing installations.

MPC Training Continues to Grow

The MPC’s dedication to training and education continues to grow. Over the past several years, MPC has trained many members on a wide variety of specialties. Since the training center opened in 2019, well over 1,500 students have attended at least one class at the training center.

“We encourage all of you to tell us what types of courses you would like to see included in our training agenda,” reported Tim. “If you are an MPC member, and a new requirement comes up, you and your employees don’t have to go elsewhere for training. We can offer it at our location -- at your convenience. A reputable and reliable source that you know and trust. Weekends, nights -- the schedule can be adjusted to meet your needs!”



“The MPC Training Center is busy... but we’d like to be even busier!” concluded Tim. “There is a lot more room for growth – we could be operating the Robert John Daly Memorial Training Center 7 days a week!”

For more information about the training center and training schedules, please visit www.nycmpc.org.



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Radiah Mohamed



Chloe Reeve



Vincent Russo, III



Zachary Schaefer

Gianna Belsito (Steve Belsito Sons, Inc.)
East Islip High School

George Lemoditis (Lemode Plumbing & Heating Corp.)
Monsignor McClancy Memorial High School

Sydney Lundin (Kew-Forest Plumbing & Heating)
University of Michigan

Anna MacMenamie (New York City School Construction Authority)
SUNY Oswego

Meghan Martin (Valley Construction Services)
Oklahoma State University

Radiah Mohamed (Skinner Plumbing & Heating Corp.)
CUNY York College

Chloe Reeve (Metropolitan Heat & Power Co.)
Matawan Regional High School

Vincent Russo, III (John J. Sideris, Inc.)
Brunswick County Early College High School at Brunswick College

Zachary Schaefer (Aladdin Plumbing & Heating)
Community College of Baltimore County

Stephanie Xikes (Skinner Plumbing & Heating Corp.)
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WHAT HAPPENED TO THE NEW CODE? *(Continued from page 5)*

The mediation process allows all stakeholders to provide comments. If there is no consensus at the end of the mediation, the Department will draft the final language. In this mediation the industry had one position and the Department had another, but because there was no consensus, the Department prevailed.

How will the new Code be implemented?

Once the Code goes into effect, the Council defers to the Department on how to implement and regulate the provisions of the Code as they see fit. In some cases, the Department must promulgate a rule to finalize some of the processes. Today's Department is inclusive and seeks industry input on most issues. In most cases, they recognize the value of industry expertise and real-world work experience. This process has allowed for potential issues to be identified and mitigated before they effect the industry. The proposed Code language will remove the statutory requirement for the Department to do this and will also remove some of the protections you are now afforded.

What happens now?

Normally this is the part where we say that this article was not written to scare you, but simply make you aware of the situation. Unfortunately, that is not the case this time.

This is being written to create a "WTH" moment. Many of you are probably saying this is terrible and wondering what the MPC is going to do about it. The real question is what can we do about it? The MPC has provided comments and proposed alternatives that we believe would satisfy the Department's requirements while not making this business any harder to operate. The City Council Housing and Building Committee will be the determining factor if any of our counter proposals are adopted. The easy choice is for them to go with the flow and pass the Bill as written.

In January 2022, the Committee will be disbanded, and a new committee will be formed with a new Chairperson. In the past, they have stepped up and made the right choices for their constituents. What can you do? At this point, there is not too much that can be done on an individual basis. You can join the over 230 plus active licensed master plumbers who are members of the MPC. There is strength in numbers and when working together there is a much better chance of having your voice heard and getting your message to the proper persons. Please visit our website (www.nycmpc.org) to review all of our concerns and proposed solutions. Hopefully, you will see that the MPC is a vital resource, and you will join us in protecting the plumbing industry!

Read the MPC's Response to Introduction 2261:

My name is Patricia Brady, and I am the Deputy Director of the Master Plumbers Council (MPC). I submit the following testimony on behalf of our Code Revision Committee.

Today, over twenty percent of active NYC licensed Master Plumbers are represented by the MPC. The MPC strives to promote the licensed plumbing industry and the benefits of hiring licensed and insured firms. In addition, we provide trade education and clarification on a wide assortment of Code issues. This not only benefits the trade, but all NYC property owners who are concerned about a legal and safe plumbing installations.

We absolutely applaud the process DOB utilized for stakeholders to provide valuable input. In our testimony, we will present you with recommendations to reverse or modify some of the Department's proposed changes. For the most part, they are simple clarifications to ensure that the intent of a Code section is not misinterpreted by a future administration. Other proposed changes are being requested to provide a public benefit for all NYC residents.

All of our proposed changes in regard to clarifications and provisions for public benefits are in strict accordance with the intent of the Construction Codes specifically "with due regard for building construction and maintenance costs." We believe our proposals will continue to maintain the highest safety standards while providing the lowest possible cost for regulatory compliance.

VINTAGE CORNER



Pat has tons of vintage plumbing appliances displayed at his shop and he has provided us with a couple of photos of the displays!

Old Style Thermostats - to name a few: G.E. Clock Thermostat (Model M-1), Honeywell Clock Thermostat with manual wind up, Type "R", Esso Manual Thermostat, manual wind-up Time-O-Stat clock thermostat, MH Chronotherm thermostat.

Photos Submitted by Pat Sementa, Pat Sementa Plumbing Heating Cooling and Fire Sprinkler

This is a vintage hot water heater manufactured by Holyoke in the early 1900's - Holyoke Antique Cast Iron Hot Water Heater, Model 100 with Burner, Copper Coils. This particular one was fitted with a kerosene burner, which is fed by the stainless pot with a glass lid. The flame adjustment is made the brass dial bottom right. The side bowl would have originally held a glass bottle, inverted for gravity kerosene feed. It's about 27" tall and 7" wide (not including the burner attachment).

Photos Submitted by Rick Bonelli, Ranshaw Plumbing and Heating



Our founder, Henri X Billharz, with one of his first work trucks Circa 1930's.

Photo Submitted by Henri J. Billharz, Billharz Plumbing Inc

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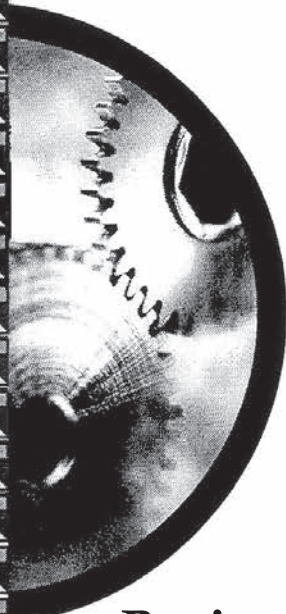
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WHAT HAPPENED TO THE NEW CODE? *(Continued from page 13)*

The Department is eliminating the License Board and along with it the advisory role the licensed plumber takes in providing peer review for candidate selection and disciplinary review. Industry members have participated on this committee for the over fifty years volunteering their time and providing expert advice to the Department. The Department has always made the final decisions. Just this week the License Board had a meeting and there was a robust dialogue on several important issues. It is a valuable Board to have with no downside.

In addition to this issue please review our comments on ordinary plumbing work; deceased licensees and how Licensed Master Plumbers are properly qualified to perform fire suppression work. We ask the city council to remember when, about six months ago, the Department launched a proposal that would have allowed unlicensed and unqualified persons to replace gas appliances without obtaining a permit. It was presented to the industry stating that NYC residents need immediate financial relief from the pandemic. If enacted, the proposal could have made it possible for the person responsible for the work that caused a Bronx building to blow up, to continue their career of illegal plumbing work with the Department's blessing. We greatly appreciate the Council's intervention in that matter, and it has since been tabled. We have incorporated this proposal into our Ordinary Plumbing Work proposed changes. The work will be done by licensed Master Plumbers and their qualified employees. If you enact this specific change, you will reduce costs for your constituents while continuing for public safety to be maintained. In fact, none of our proposals would increase the cost of compliance for any NYC resident.

In our expert opinion, the Department has not provided adequate justification for some of their proposed changes. We are confident that, after reading our specific comments, you will agree that some Department proposals need to be further explained and show a true public interest or benefit. The public for which we all serve is depending on the Council to gather all of the facts and make the final determination on these safety issues.

Licensed plumbing is as important to public safety as oxygen is to the human body. It reduces risks that include water contamination, cross connections, scalding and thermal shock. Faulty repairs can lead to leaks that create mold and fungus. Licensed Master Plumbers have the proper qualifications, knowledge and, most importantly, the legal permission to do this work.

The MPC would like to thank the Chairmen and the committee for all of their time and efforts dedicated to helping keep NYC residents safe. This Code, with some minor revisions, along with the ten gas safety bills you passed, will continue to provide NYC residents with the very best processes to keep them safe.

During your review, if you have any questions or need clarification on any of the information provided, please contact us.

Regards,

Patricia Brady, Deputy Director, on behalf of The Master Plumbers Council of the City of New York Code Revision Committee

To review the complete submission made by MPC please visit our website (www.nycmpc.org). We strongly recommend that you review this section to better understand what is at stake for your industry.



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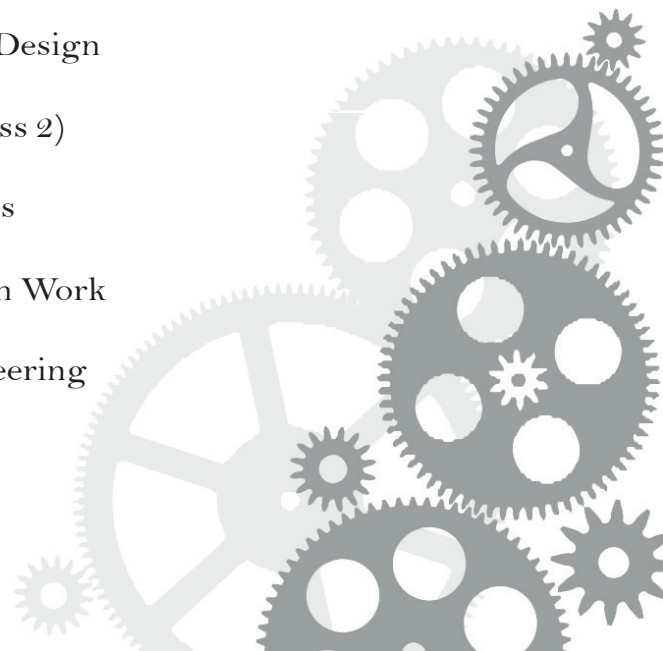


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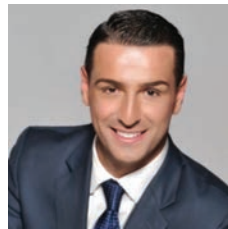
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HELEN GITELSON ANNOUNCES RETIREMENT FROM THE DOB

Helen Gitelson, Executive Director, Code Development NYC Department of Buildings (DOB) has announced her retirement from the DOB effective August 31, 2021.

Anyone who worked on a Code Revision Committee over the past 13 years is very familiar with Helen. She participated in the 2008 Code revision process and went on to become Executive Director of Code Development for the Department. MPC owes Helen a huge thank you, as this was the first Code revision cycle where the MPC had representation on the Administrative and Mechanical Code Committees! Helen helped our members acclimate to the committees and, when necessary, kept them in line as only she could. Helen made sure the committees stayed on track and stayed within the guidelines of the Code revision process. If she believed that a proposed change could help the public, she would be an advocate for it. If it was something that would create a hardship, she would squash it immediately. Her final body of work is the Existing Building Code. Most of the committees have wrapped up their work and everyone finished ahead of schedule, which is a true testament to Helen's perseverance. We wish her all the best in retirement, and she will be greatly missed by the entire industry!



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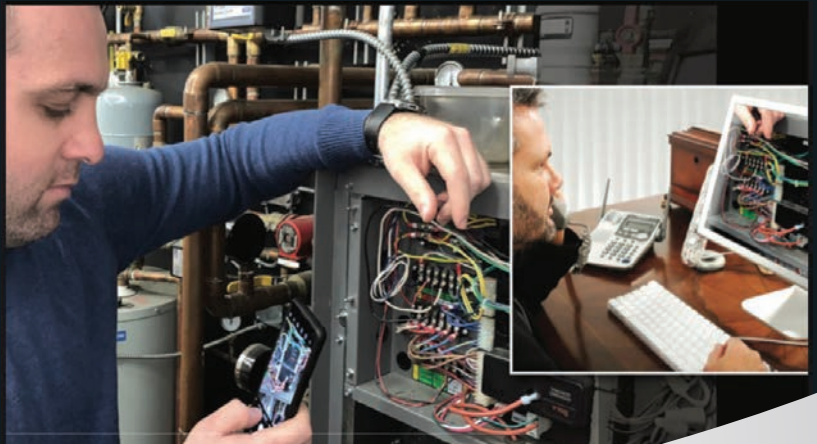
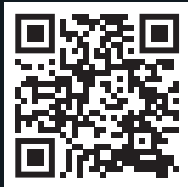


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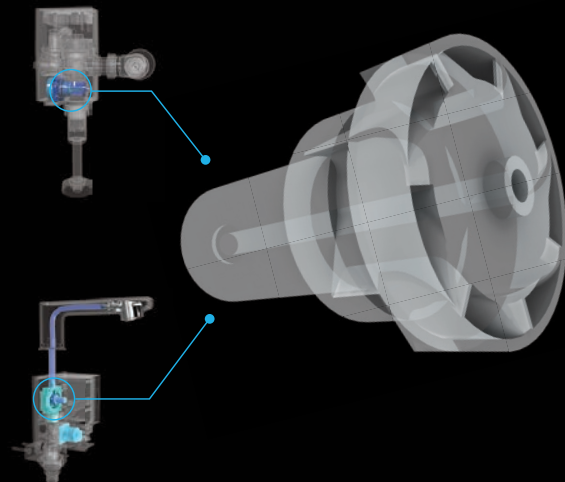


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RESPONSE

Is Local Law 152 Reporting Compliance Below Expectations?

By the time you read this there will be less than four months left until all submissions of GPS-2 reports for Community Boards 2,3,7,13,18 (in all boroughs) are due. Based on recent figures, it appears that compliance for these Community Boards may only be between 16-20% at this time. Compliance for the period ending June 30, 2021, may be only 40-50%.

Is a 50% compliance rate for a new safety program normal? How does this compare to the initial launch of the requirement for annual boiler inspections almost 30 years ago? Is a 50% compliance rate for such an important safety program acceptable? We are always asked if there is a shortage of qualified inspectors. It appears that in the past few months there was an approximate average of 2,250 GPS-2 forms submitted on a weekly basis. That volume of submissions should allow for compliance to be completed within the allotted time frame. If the lack of inspectors is not an issue what could be?

Our Local Law 152 Committee receives questions from members on a daily basis about conducting these inspections and the MPC is taking a multipronged approach to addressing them. We continually strive to educate and provide Code based recommendations to our members.

We are a participating member of the Gas Operator Qualification Group (GOQ) that is administered by the Plumbing Foundation. This group has proposed a cleanup bill to the City Council that would eliminate many of the reoccurring questions that persist, such as when is access required to a tenant space. The Department has provided mixed messages on this issue, and we are continuing to address them.

Another critical issue is the Department's position that abnormal operating conditions (AOCs) that are not an immediate hazard must be remediated even if it requires shutting off the gas supply to a building. The industry has requested a meeting with the Department to review this critical issue, as the policy is contrary to what occurs on the DOT side of the meter. Items such as drip legs, bushings, or cast-iron fittings are generally classified as C tag violations (providing there are no leaks or corrosion) and the system is permitted to remain in operation. Contrast that to the DOB side of the meter where owners are being told by their plumbers, and/or the Department themselves, that these items will require a shutdown. This creates an environment of uncertainty, and we can understand why owners are reluctant to conduct an inspection. The fact that the potential fine has recently been reduced to \$5,000 is probably not helping with compliance either.

The utilities are also having issues handling reports of non-immediately hazardous AOCs received from plumbers about issues on the DOB side of the meter. At this time, the GOQ has presented the utilities with a substantial list of AOCs separating the DOT and DOB sides of the meter. The utilities have been asked to identify specifically how they want AOCs reported that are not immediately hazardous. When this list is finalized, a field inspector will have a clearly detailed course of action to follow for any type of AOC encountered. This modified reporting process should be available to GOQ members this Fall 2021. The utilities are receiving requests from plumbers to shut down a building to remediate a "perceived" AOC. We use the words perceived because, unfortunately, even at this time there is still confusion about when a shutdown of a gas service is required.

We recommend that everyone follows this basic rule of a gas safety inspection. **You report. Others decide.**

That applies to both sides of the meter. Presented with a potentially immediately hazardous condition, the inspector is trained and required to follow specific safety procedures. Emergency responders with the proper qualifications will respond and take the required safety actions. If those actions require a shutdown of the gas system, the utility operators will do it. Anything that is not immediately hazardous should be reported to the utility and Department as required. The utility will decide if a gas system needs to be shut down for any immediately hazardous issues as well as if it needs to be shut down for any non-immediately hazardous issues, such as a non-compliant fitting or defective piece of metering equipment.

For non-immediately hazardous AOCs on the DOB side that may require the shutdown of a gas system, we suggest the following course of action:

Report the AOC to the Department as required. The Department may respond and assess the potential existing AOC. If the Department believes the condition requires remediation that requires a gas system shutdown, they can issue the owner a violation for failure to maintain their building in a Code compliant manner. They also have the ability to issue a Commissioner's order to terminate gas service to a building. The Licensed Master Plumber should present the violation to the utility and request a shutdown to remediate the AOC. At that point, if the utility disagrees about the requirement to shut down a gas system it will be up to the utility to discuss the issue with the Department about whether or not the AOC rises to the level of an immediate hazard. The same holds true if the Department provides the utility with a termination notice.

(Continued on page 30)

Local Law 152 Committee Comments:

In the past year we have seen a multitude of issues with the LL152 inspection process. The training program is clearly written on how to conduct an inspection, identification of known and possible AOCs and safe actions to take when necessary. The main purpose of this program is to conduct a gas safety inspection with the goal being to identify and mitigate any potentially immediately hazardous conditions. We are trying to prevent the next Second Avenue and Harlem incidents from happening again.

Why are there so many issues? The way the law is currently being interpreted is not allowing for it to be implemented as it was initially intended. An example of this is confusion surrounding required access into tenant spaces. The City Council had a Cleanup bill presented to them several months ago. That bill, if enacted, would clear up the tenant space access issue and also allow for Licensed Master Plumbers to verify whether or not a building has gas. We believe this cleanup bill needs to be further modified to address what should happen to AOCs that are not immediately hazardous. We believe that if owners are aware ahead of time that a forty-year-old existing condition will not require their building to be shut down, it would provide a comfort level for them and greatly increase compliance. Not inspecting buildings does nothing for public safety.

On the DOT side of the meter, the utilities need to clearly identify reporting and remediation requirements for AOCs and reporting requirements for any potential AOCs on the DOB side of the meter. This needs to be clearly communicated to their inspectors as well as private sector inspectors, so that there will be consistency in the inspections regardless of who is conducting them.

If the DOB continues to maintain the position that a building will have to be shutdown to remediate an AOC that is not immediately hazardous, then compliance will most likely continue to suffer. That will be further compounded if there are no severe enforcement consequences to compel compliance. A \$5,000 fine, if issued one, is much easier to deal with than facing a potential shutdown if your plumber finds an existing fitting that is non-Code compliant. There is still confusion among owners about the differences between the required state and local inspections. Owners may not be aware that there is a process in place that if the owner is not compliant in conducting the state mandated inspection, the utilities are required to terminate their gas service in the street. The messaging for LL152 needs to be revamped. When the public hears that their gas can be shut down because of a nonhazardous existing condition inspection, they stop listening and try to figure out a way to put off doing one.

For any Licensed Master Plumbers conducting these inspections, think very carefully before you initiate a building shutdown without it being done by the utility (to mitigate an immediate hazard) or ordered by the Department directly. Inspections should be conducted with the 2014 Code as a basis. In most cases, the 2014 Code requirements will not apply to prior Code buildings. There are many items prohibited today that were permissible in past Codes. Gas piping in hallways, drip tees, cast iron fittings, copper or aluminum pilot tubing, are just a few to mention. You do not want to be the plumber who initiated a shutdown to remove a section of existing ½" gas line to a residential cooking stove, or an existing union located in an accessible location that is not leaking or corroded. If you're not sure, ask the question before you take an action.

MPC members have access to Committees where they can ask these questions and generally receive a response in the same day. Remember, your obligation is to report a potential AOC. Immediately hazardous conditions are handled immediately, by the utility and the Department. An existing ½" gas line; ¾" black cast iron ell or a union that has existed for 40 or more years are not immediately hazardous. The main purpose of these inspections is to identify these AOCs. However, determining what level of remediation is ultimately going to be required is not. And, as painful as it is to write this, there is no such thing as a pre-inspection. A gas meter can only be shut in an emergency and can NEVER be opened except by a qualified utility operator in compliance with the Code. By doing either of these two things, you can end up possibly facing a disciplinary action or lawsuit when the building is shut down due to your actions.

When this law went into effect, many plumbers did not want to conduct these inspections because they did not want to be responsible for causing a client's gas system to be shut off. You must realize that an inspection can't create a hazardous condition. It can, however, help to avoid a potentially catastrophic event. In addition to being trained and qualified in interior gas piping inspections, the additional knowledge and work experience an inspector has can, in many cases, mitigate a situation and they can coordinate with the utility to make a temporary repair rather than shut down a building. Not inspecting a building does nothing to increase public safety. Only the utility or the Department can order the termination of gas service and the utilities will only do it when absolutely necessary to mitigate an immediate hazard.

Hopefully after we meet with the Department, they will understand that only immediate hazards need to be immediately remediated and limit their termination orders to the same. The current DOT Task 86 gas inspection program has been six years in the making. Everything is based on science, technology, and years of actual real world work experience. In our opinion, the most successful part of the program was getting everyone on the team to look at gas safety through the same lens. The only way this law can ever be expected to fulfill its mandate, is if the DOB fully joins the team.

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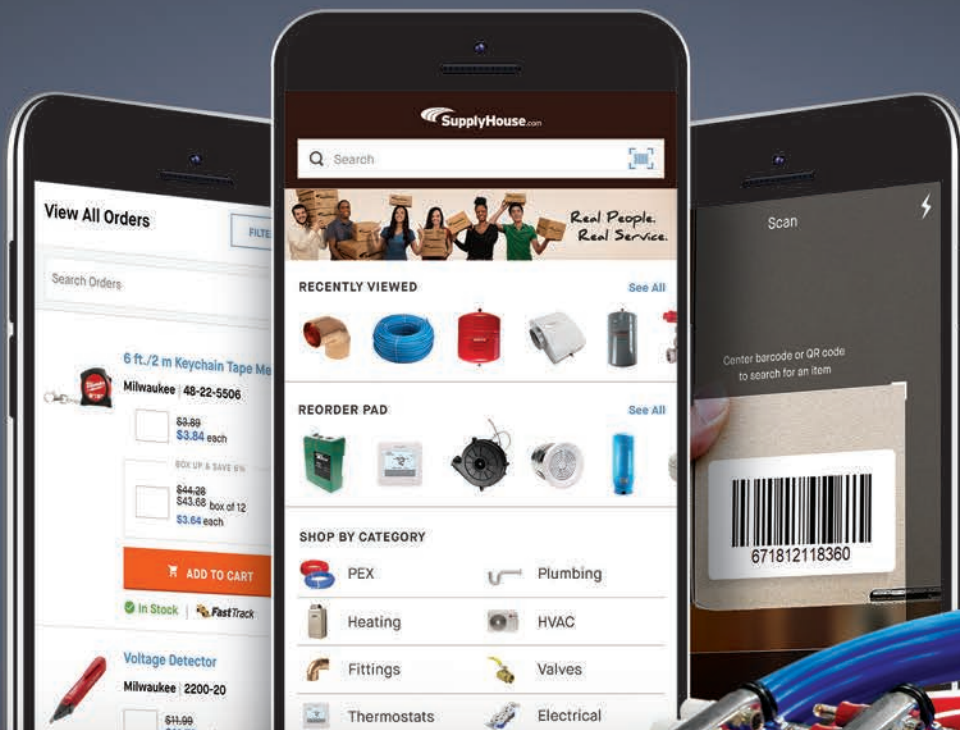
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Update on Violations Being Issued for Failing an Initial Boiler Inspection

In the last issue of the Voice, we notified the industry of the new policy from the Department of Buildings Boiler Division to issue ECB violations to licensees for failing an initial boiler inspection. This policy is still in effect, and we are working to address it. The Department is continuing this policy because they believe the passing rate has actually gone up. We cannot comment on that as we do not know what the passing rate was before this policy was implemented. We do know from our experience participating in developing training and inspection programs, that a passing rate of less than 80% indicates it may be more of a system problem, than a plumber problem. We know for a fact that many licensees are holding back on requesting inspections to see what happens next.

The Department continues to issue the violations to licensees regardless of the perceived infraction. That includes violations for existing conditions that are owner maintenance issues, construction document defects that are RDP issues and, in some cases, for items that are actually Code compliant (installing a lockable appliance valve that must be wrench operated). Several violations have been issued when the only failure item is a requirement to make a minor plan modification.

Things you might consider doing:

- Not submitting a request for an inspection unless the plans match the job completely.
- Not submitting a request for an inspection unless the “Scope of Work” from DOB NOW: Build is 100% accurate.
- Do a pre inspection check and notify the owner and/or engineer, in writing, of any potential issues.

If you think you may have an issue with a job that will prevent a successful initial pass, follow these steps:

- Email the specific issue to boilertechnical@buildings.nyc.gov . Be sure to provide as much detail as possible.
- You may request a “pre-inspection” for the work. *

*This recommendation was offered at our industry meeting, however, we cannot guarantee that the Department will grant it.

Committee Notes: We are working on a draft inspection check list and hope to submit it to the Department in September. At that time, we will request another industry meeting to further discuss the violations and the manner in which they are being issued.

DEVELOPMENT UPDATES

Communicating with the Development Unit:

If you have a question or issue with an inspection result, rejected sign off or rejected gas authorization and want to question the Department's result, you must contact the Department at the Borough level Development email address.

The following is the protocol to follow when contacting the Development or Executive Unit:

- An email shall be sent to the Borough office email address only (not to specific personnel).
- The email should list the specific question or the issue.
- In the email, you can include if you would like for a Chief to handle your issue.
- For transparency and documentation purposes, all emails will be addressed in the order they are received by staff personnel monitoring the email address.

Emails should be sent to the following email addresses:

- Manhattan inquiries: MNplumbingIR@buildings.nyc.gov
- Staten Island inquiries: SIplumbingIR@buildings.nyc.gov
- Queens inquiries: QNplumbingIR@buildings.nyc.gov
- Brooklyn inquiries: BKplumbingIR@buildings.nyc.gov
- Bronx inquiries: BXplumbingIR@buildings.nyc.gov
- Highrise inquiries: highriseIR@buildings.nyc.gov

Committee Notes: If you follow the above listed procedure, you should receive a response within two business days. Include as many details as possible in your email, which includes references to Code sections and published Policy and procedure notices. The more detail included in your email, the more it will help the Department in responding properly. What happens if you do not agree with the Department's determination? MPC members have the ability to contact one of our Committees for help. The Committee will review the issue and, if warranted (with the member's permission), will contact the unit on the member's behalf.

Changes on Inspection Reports:

Inspection reports in DOB NOW: Inspections do not list any detailed information about inspection failures. Specific information is only viewable in the comments section.

For transparency and documentation purposes, more information should be included on the reports. It should be possible to do this since the inspection reports for Boiler permit inspections list these details. Many members report that without this information listed they have a hard time proving to an owner or general contractor as to what corrective work is required. We are working with the Department to address this.

We believe that it would be beneficial for the Department Inspectors to provide Code specific information as to why an inspection failed. This will provide more transparency and allow all persons working on the project to have a clear understanding of what the exact issue was. Under the present system, the licensee must email the Department and ask for the specific section. This should help resolve issues faster and move projects to the sign off stage. At the last Plumbing Industry Meeting it was announced that the Development Unit would start to list the specific Code section for any failures. We thank the Department for recognizing how important this was and implementing it.

DOB BUILD UPDATES:

Permit Issuance Date:

Permits are issued with an expiration date that is the next possible expiration date of their insurance or license. The expiration date will automatically be updated at midnight on the posted expiration date providing the licensee renews their insurance or license prior to the expiration. This has created issues with inspections as the Development Division is declining to grant an Actual Inspection if the appointment would occur after the posted possible expiration date. To help mitigate this, the Department has stated that they will start to update the expiration date in the system at the time your insurance or license information is updated. Again, we thank the Department for helping us with this issue.

Issues with DOB NOW: Build PAA Filings:

Registered Design Professionals (RDP) have had issues filing PAAs and making changes to plans and work scopes within the DOB NOW: Build system. Some of the fields in the required work scope cannot be accessed to make additions or changes. In some cases, the problem was so severe that they were required to start over and file an additional permit. The Department is aware of this and is working on a technical fix. It is important for you to be aware of this if you have a project that requires a PAA. Any work scope changes require an approved PAA before the change commences. Also, please note that if there is an open PAA in progress, you will not be permitted to conduct an Actual Inspection.

The single biggest issue we see in DOB NOW: Build is improperly completed work scopes (replaced the old Schedule B and Schedule C). The RDP completes this section, and a plumber has no control over the section yet suffers the most when they are incorrect. If this section is not completed properly, a plumber may not be able to conduct an inspection or obtain a gas authorization and will definitely not be able to obtain a sign-off. In the past, Licensed Master Plumbers had numerous issues with the way RDPs completed Schedule Bs & Cs. The new system was designed to be an improvement, but it looks like it is actually harder to complete these sections now. It is not entirely the RDP's fault as the forms lack specific details.

The Department was made aware of this issue and has stated that they are revamping the forms. We have requested for the industry to be able to participate in the process, as we believe this is important since the RDPs are always asking the plumber to complete these work scopes. It is critical that everyone (plumbers, inspectors, RDPs, examiners etc.) interprets this section the same way.

We are hopeful that the Department will allow all stakeholders to participate and make recommendations. After the process is completed more training sessions should be offered.



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REGISTER TODAY!

September Membership Meeting Wednesday, September 22, 2021

Howard Beach, NY

Limited to MPC Members Only

**Please visit the MPC website for more details
and to register!**

**Members must be logged in to their website account in
order to access this meeting.*

Welcome New Members!

- Kareem Aboukhayal, George Bassolino Plumbing LLC
- Bartlomiej Poziomka, CBB Plumbing Corp
- Mark Jozwik, Mark Henry Plumbing and Heating Corp.
- Osern Walton, Walton Plumbing & Htng LLC
- Paul A. Campione Jr, P.A.C. Plumbing, Heating, & AC
- Matthew Romagnuolo Jr, Superior Plumbing & Heating of NYC Inc.
- Tamara Lowe, ICF
- Arsen Barolli, Barolli Plumbing & Heating
- Josephine O'Grady, O'Grady Plumbing
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