

# REFRIGERATION UP-DATE

State Board of Refrigeration Examiners

## REFRIGERATION UP-DATE 2011

*"A wise man will make more opportunities than he finds" .... Francis Bacon*

Refrigeration Up-Date 2011 is scheduled for Wednesday, April 6th from 7:30 a.m. until 3:00 p.m. at the M.C. Benton Convention Center, 425 N. Cherry St., Winston-Salem, NC.

A panel discussion will be held with experts from the EPA, Engineering Division of the NC Dept. of Insurance, Winston-Salem Fire Department and OSHA. Bring your questions and have them answered by those in the know. The panel discussion will run from 8:00 a.m. until 1:30 p.m. with breaks between speakers.

In addition, take the opportunity to explore the very latest in technology, products and services with the many vendors exhibiting during the show.

Meet each exhibitor ... They make it possible for the Board to present the annual Up-Date to you at no cost. The exhibits will be open between 7:30 and 1:00 p.m. and again from 2:00 to 3:00 p.m. A list of exhibitors may be found on page 5.

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## PROPOSED RULE CHANGES

**Notice** is hereby given in accordance with G.S. 150B-21.2 that the NC State Board of Refrigeration Examiners intends to adopt the rules cited as 21 NCAC 60 .1201-.1206. The effective date of the proposed rules is June 1, 2012. A public hearing has been scheduled for April 5, 2011 in the Hanes Board Room of the Marriott, Winston-Salem, NC beginning at 2:00 pm. Persons who wish to comment on the rules may do so by submitting their comments to the Board office prior to May 2, 2011.

### SECTION .1200 – CONTINUING EDUCATION

#### 21 NCAC 60 .1201 CONTINUING EDUCATION REQUIREMENTS

(a) Every licensed individual pursuant to G.S. 87-57, shall complete continuing education for each annual license period to renew the license for the next annual license period, except as follows:

- (1) Individuals becoming licensed by examination during the 12 month period immediately preceding the license renewal date;
- (2) Licensees unable to fulfill the required number of hours as the result of illness as certified in writing by the attending physician and who will not be engaged in bidding, supervising or other activities for which a license

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**REFRIGERATION UP-DATE****STATE BOARD OF  
REFRIGERATION  
EXAMINERS**

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Suggestions for articles of interest for publication in this newsletter are welcome.

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Legal Counsel

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**PROPOSED RULE CHANGES**

is required may petition the Board in writing for an exemption or request approval of an individualized plan tailored to their physical limitations. (Such requests shall be approved within 90 days consistent with the requirements applicable to all licensees; or

- (3) Approved instructors presenting courses in accordance with this Section; or
- (4) Licensees over the age of 65, who shall not be engaged in bidding, supervising or other activities for which a license is required during the coming year, except as an employee of another licensee, may apply to the Board and obtain an exemption. If an exemption is granted and the licensee thereafter wishes to engage in activity requiring a license, the continuing education must be completed and satisfactory proof provided to the Board before any activity requiring license is undertaken; or
- (5) Licensees who have been called to active duty with any branch of the United States Military Service are not required to obtain continuing education credit hours during times they are deployed on active duty outside North Carolina and will not be required to obtain continuing education credit hours for the license year in which they return to North Carolina from active duty. The licensee will be required to obtain continuing education credit hours the years following return from deployment on active duty outside North Carolina. In order to qualify for exemption from continuing education credit hours based on active military duty, the licensee must submit a copy of the military orders documenting their active duty military deployment and return.

(b) Licensees shall be required to complete at least four hours of approved continuing education for license renewal.

(c) The Board, pursuant to Rules .1202 and .1203 of this Section approves course sponsors, instructors and courses. Because of the differences in the refrigeration contracting industry and individual needs of licensed contractors, each contractor must exercise judgment in selecting courses for which continuing education is claimed and in choosing only those courses that will advance the individuals' knowledge.

(d) Course sponsors may be, but are not limited to, colleges or universities, community colleges, trade associations, providers of self-study programs, employers, third party professional examination companies, private instructors and the like.

(e) North Carolina licensees residing within the state must obtain the required continuing education hours by taking a course provided by an approved sponsor.

(f) North Carolina licensees residing outside North Carolina may obtain credit for courses offered in North Carolina. They may also obtain credit for courses offered in their state, province or country of residence and provided by non-approved sponsors or instructors provided the Board subsequently approves the courses taken, pursuant to Rule .1202(b) of this Section.

(g) All persons seeking to renew their licenses must demonstrate that a minimum of one-half of the continuing education hours for each annual license period were obtained by Classroom or seminar attendance.

*Authority G.S. 87-64.*

**21 NCAC 60 .1202****MINIMUM REQUIREMENTS FOR COURSE SPONSOR APPROVAL**

(a) Each course sponsor shall submit an application for continuing education course sponsor approval to the Board on a form provided by the Board by March 1 prior to the calendar year in which the course will be offered. The application shall include but is not limited to:

- (1) The name of the sponsor;
- (2) Sponsor contact person, address and telephone number;
- (3) Course title and outline;
- (4) Course contact hours;

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### PROPOSED RULE CHANGES

- (5) Schedule of courses, if established, including dates, time and locations;
  - (6) Course fee; and
  - (7) Name(s) of instructor(s).
- (b) To qualify as an approved continuing education course sponsor:
- (1) All courses offered by the sponsor shall last no fewer than two contact hours; and
  - (2) All courses offered by the sponsor shall cover articles of the current National Electrical Code; N.C. Mechanical Code; G.S. 87, Article 5; this Chapter; or other subject matter satisfying the requirements in G.S. 86-64 as approved by the Board.
- (c) The course offered shall be presented by one or more instructors approved by the Board.
- (d) The course sponsor or instructor shall provide the Board with a certified class roster of all attending licensees within 30 days after the completion of the course.
- (e) The course sponsor or instructor shall provide each attending qualified individual with a certificate of completion within 30 days after completion of each course.
- (f) The Board shall approve or deny applications at its second quarter meeting.
- (g) Upon arrival of the application, each approved sponsor shall agree to conduct courses in accordance with this Section and shall indicate its agreement by signing a continuing education sponsor agreement form provided by this Board.

Authority G.S. 87-64.

### 21 NCAC 60 .1203 MINIMUM REQUIREMENTS FOR COURSE INSTRUCTOR APPROVAL

- (a) Each course instructor shall submit an application for continuing education course instructor approval to the Board on a form provided by the Board by March 1 prior to the calendar year in which the course will be offered. The application shall include but is not limited to:
- (1) The name of the instructor;
  - (2) Instructor's address and telephone number;
  - (3) The name of the course sponsor;
  - (4) Course title;
  - (5) Course contact hours; and
  - (6) Qualifications of instructor.
- (b) No applicant shall be considered for approval as a continuing course instructor unless the applicant satisfies at least one of the following:
- (1) Be a licensed contractor as defined in G.S. 87-58.
  - (2) Be found by the Board to have professional or trade experience or other special qualifications qualifying him to teach courses in the license classification or classifications determined by the Board.
- (c) The Board may deny an application if it finds that the applicant has failed to comply with the terms of any agreement as provided in Paragraph (g) of this Rule or Rules of the Board.
- (d) The course instructor application shall be submitted together with the application for the continuing education course sponsor approval as prescribed in Rule .1202 of this Section.
- (e) The Board shall approve or deny applications at its second quarter meeting.
- (f) Appeals from denials shall be heard by the Board at a scheduled meeting in July.
- (g) Upon approval of the application, each approved instructor shall agree to conduct courses in accordance with this Section and shall indicate his agreement by signing a continuing education instructor agreement form provided by the Board.

Authority G.S. 87-64.

### 21 NCAC 60 .1204 CONTACT HOURS

- (a) Approved courses must be offered for no fewer than two contact hours.
- (b) Credit shall be granted to the licensee only upon completion of any entire course.
- (c) No credit shall be granted for courses attended prior to being qualified by examination.
- (d) No contact hours over the required amount will be carried forward to the next calendar year.

Authority G.S. 87-64.

### 21 NCAC 60 .1205 COMPUTATION OF CONTINUING EDUCATION HOURS

- (a) Group Courses: Non-college Courses. Continuing education credit for a group course that is not a part of a college curriculum is given based on contact hours. A contact hour is 50 minutes of instruction. Credit is granted only for full contact hours.

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### PROPOSED RULE CHANGES

- (b) College Courses. Continuing education credit for a college course in the college curriculum is given based on college credit hours. One semester hour of college credit is 16 contact hours; and one continuing education unit is 10 contact hours.
- (c) Self-study Courses. Continuing education credit for a self-study course is given based on the average number of contact hours needed to complete the course. The course shall include a written examination having a minimum of 25 questions for each two contact hours course credit and a minimum passing grade of 70. A sponsor must determine the average number of contact hours it takes to complete the self-study course and submit this information with its application for continuing education course sponsor approval.
- (d) Examination. Continuing education for an examination is based on the type of examination, number of questions, number of hours permitted to take the examination and passing grade. The examination shall include a minimum of 25 questions for each two contact hours course credit and a minimum passing grade of 70. A sponsor must set the number of hours permitted to take the examination and submit this information with its application for continuing education course sponsor approval.
- (e) Total Annual Hours. No credit shall be allowed for a course having fewer than two contact hours.

*Authority G.S. 87-64.*

### 21 NCAC 60 .1206 LIST OF APPROVED COURSE SPONSORS AND INSTRUCTORS

In July of each year the Board shall publish and/or post a link on the Board Website that shall include but is not limited to:

- (1) All approved course sponsors and instructors for that fiscal year; and
- (2) Contact information for all approved course sponsors and instructors.

*Authority G.S. 87-64.*

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## REFRIGERATION UP-DATE 2011

Registration for the Up-Date seminars and exhibits is free. You are encouraged to pre-register for the meeting. If you pre-register, you will receive your name tag and up-date information in the mail prior to the meeting. A form may be found on Page 5.

RESERVATIONS ... A block of rooms has been reserved at the Embassy Suites, Winston-Salem for the evening of April 5, 2011 at a rate of \$122.00. Individuals are responsible for making their own reservation (1-800-696-6107)

## DISCIPLINARY ACTION

*Penalties for violation of the licensing law and Board rules vary depending on the facts and circumstances of each case.*

**Paez, Vinicio L., License 4269**, dba VP Refrigeration, Louisburg, NC. Allegations of misconduct in the business of refrigeration contracting in that licensee failed to obtain a permit as required by local building inspection authorities prior to beginning work on the installation of an outdoor refrigeration unit. This constitutes a violation of NCGS 87-58(i). Consent Order was entered by the Board on January 28, 2011 reprimanding the licensee.

**Polity, Bruce**, Wilmington, NC. Allegations of refrigeration contracting without a license. Letter of Warning signed August 4, 2010 cautioning respondent against doing refrigeration contracting without a valid refrigeration contractor license issued under the provisions of NCGS 87-57.

**Yancey, Gregory, License 4203**, dba Authorized Commercial Equipment Services, Winston-Salem, NC. Allegations of misconduct in the business of refrigeration contracting in that licensee failed to properly supervise refrigeration contracting services provided by his employer. This constitutes a violation of NCGS 87-62(a) and NCAC 60.0311 (c) (1) and (2). Consent order was entered by the Board on September 17, 2010 reprimanding the licensee.

**2011 UP-DATE EXHIBITORS as of February 22, 2011**

ACR Supply Co.  
 Alexander Equipment  
 Ammonia Refrigeration Program,  
 Sampson Community College  
 A. O. Smith  
 Arneg LLC  
 Baker Distributing  
 Bitzer, USA  
 BTU Reps  
 Cannon Marketing, Inc.  
 C. C. Dickson Co.  
 Cerro Flow Products LLC  
 Cliplight Manufacturing Co.  
 DuPont Refrigerants  
 Emerson Climate Controls  
 Empire Marketing Group  
 Engineering Equipment Sales  
 E. V. Dunbar Company  
 Ferguson Supply  
 Frank Door Co.  
 Heatcraft Refrigeration Products LLC  
 Hill Phoenix  
 JB Industries

Johnstone Supply  
 KeepRite  
 Kysor Warren  
 Lennox Tools  
 Lindox Equipment Corp/ICE-O-MATIC  
 Muller  
 NDL Industries, Inc.  
 Polar Technology  
 Rectorseal Corporation  
 Rozendal Consulting Solutions  
 Russell  
 Sid Harvey's  
 Southeast Cooler  
 Spectronics Corporation  
 Sporlan  
 Steve Lee & Associates  
 Testo, Inc.  
 Test Products International  
 The Flora Group  
 Triad One  
 United Components  
 United Refrigeration

# Up-Date 2011 Registration Form

Pleaser register the following for Up-Date 2011. Additional forms may be duplicated as needed.

Name \_\_\_\_\_

Name \_\_\_\_\_

Name \_\_\_\_\_

Company Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone \_\_\_\_\_

RETURN TO: SBRE, 889 Highway 70 West, Garner, NC 27529

**STATE BOARD OF REFRIGERATION  
EXAMINERS**

889 Highway 70 West  
Garner, NC 27529

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PRSR/STD  
POSTAGE  
PAID  
RALEIGH, NC  
PERMT NO. 2287

## PERMANENTLY LAPSED REFRIGERATION CONTRACTOR LICENSES

The following refrigeration contractor licenses permanently lapsed on December 31, 2010 for non-payment of licensing fees:

Barnett, O Charles, Dunn, NC	T0082	Gideon, Archie J, Surf City, NC	889
Boykin III, Lafayette H, Garner, NC	1098	Hardison, Jr., James , New Bern, NC	1861
Brelig, William D, Ocracoke, NC	2805	Hollingsworth, Elmer M, Wrightsville Beach, NC	2171
Bullock, Jimmie E, Pinetops, NC	2349	Hurley, Charles M, Mebane, NC	2815
Campbell, Randy , Gastonia, NC	2753	Jernigan, Elvis E, Bladenboro, NC	1924
Caroon, Alston E, Kitty Hawk, NC	3040	Kelly, Edward L, Raleigh, NC	2680
Carroll, Robbin L, Angier, NC	2700	Lillie, Kenneth B, Marshall, NC	4032
Carter, Jr., Marvin C, Wilmington, NC	3261	Painter, Robert C, Stanley, NC	2592
Castle, A. Roy , Gastonia, NC	1043	Parker, Jr., Dennis W, Dallas, NC	2593
Cobb, LeRoy , Atkinson, NC	2756	Payne, Steven R, Fort Worth, TX	4142
Connors, Eugene V, Asheville, NC	3450	Perkins, Robert R, Colonial Heights, VA	1615
Cook, Vincent E, Fayetteville, NC	3041	Queen, Larry , Dallas, NC	2654
Cope, Ronald E, Asheville, NC	3815	Resor, Roger G, Beaufort, NC	2496
Corns, Philip L, Asheville, NC	1469	Sanderson, Charles R, Wilmington, NC	1146
Crowell, Jr., Edwin W, Mt. Ulla, NC	2126	Shepard, Lorenza C, Walkertown, NC	3514
Dalton, Don, Lewisville, NC	381	Spencer, Metrah W, Albemarle, NC	1211
Davis, Benny L, Lucama, NC	3120	Wentink, David N, Charlotte, NC	3108
Dough, L. Keith , Kill Devil Hills, NC	4186	Wise, Ted, Charlotte, NC	1884
Epps, Bernie G, Mooresboro, NC	3986	Wood, Harold V, Louisburg, NC	2549
Fuquay, Larry H, Greensboro, NC	1434	Woodring, John R, Sylva, NC	1885
Gatlin, Leonard O, New Bern, NC	645		