

Refrigeration Up-Date

Volume XXVII, Issue 2

March 2016

State Board of Refrigeration Examiners



Up-Date 2016 Re-Cap

Despite the bad weather, those who attended Refrigeration Up-Date realized this meeting is the top resource to being more profitable and successful in their businesses. Registrants were able to meet and network with industry experts and leading vendors from all across the country who were there to showcase their latest products and services.

During lunch, Zeke Smith, Board Chairman, presented Leonard Lynch with a Certificate of Appreciation in recognition of his faithful service and significant



contributions to the Board. Mr. Lynch served under Governors Beverly Purdue and Patrick C. McCrory from 2012 until 2015.

As always, a big thank you to the companies who supported the Up-Date this year:

ACR Supply Co. Refrigeration Wholesaler

Air Oasis LLC. Ice machine sanitizer, air purification systems

Baker Distributing. Your one stop wholesaler for all your HVAC and refrigeration needs

C. C. Dickson. HVAC-R wholesale distributors

Cannon Marketing. Hoshizaki, Biozone, ice makers, filters

Continued on page 3

Spring 2016 Legislative Up-Date

In 2013, at the direction of the General Assembly, the Program Evaluation Division (PED) staff conducted an analysis of our state's approximately 55 occupational licensing boards. The report recommended to the Joint Legislative Administrative Oversight Committee (APO), that the General Assembly consider abolishing 12 licensing

boards and consolidating 10 licensing boards. Unfortunately, the Refrigeration Licensing Board is one of the 12 recommended for further study of its continued existence. Since the release of the report, throughout 2014 and 2015, the Occupational Licensing Board Subcommittee of the APO has held meetings and occasionally

heard presentations by occupational licensing representatives and other interested parties on the report's recommendations.

There have been several APO and Subcommittee meetings in 2016. State statutes bar the use of board funds to "promote

Continued on page 2



STATE BOARD OF REFRIGERATION

EXAMINERS

889 US 70 Highway West
Garner, NC 27529

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Published as a service to refrigeration contractor licensees and others in the refrigeration industry.

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

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Legislative Up-Date

or oppose" legislation, but, like other boards, the Refrigeration Board and its licensees can, as citizens, answer questions, correct misinformation and assist policy makers to make better informed decisions about these important matters.

As the Subcommittees' agendas and focus evolves over the coming months, licensed refrigeration contractors who are aware of this review believe it is important for other license holders to contact legislators, especially any they may personally know, to answer any questions they might have of about the importance to the public of continuing to require licensure of refrigeration contractors who work with materials and equipment which can be

harmful if not properly handled. It is imperative that our legislators understand the potential harm to the public if the Board is eliminated.

Points for discussion could include:

Protection of the public from dangerous construction practices by ensuring a Refrigeration Contractor's qualifications in installing, maintaining, and servicing refrigeration equipment. All states regulate refrigeration; all but 11 on the state level and the rest at least locally.

Many refrigerants contain harmful chemicals that are harmful to humans.

Freon is a tasteless, mostly odorless gas. When it is deeply inhaled, it may cut off vital oxygen to your lungs and

cells.

As fewer and fewer CFCs and HCFCs are available for use as refrigerants, ammonia has become more popular as a replacement. Ammonia is considered a high health hazard because it is corrosive to the skin, eyes, and lungs. Exposure to 300 parts per million (ppm) is immediately dangerous to life and health. Ammonia is also flammable at concentrations of approximately 15% to 28% by volume in air. When mixed with lubricating oils, its flammable concentration range is increased. It can explode if released in an enclosed space with a source of ignition present, or if a vessel containing anhydrous ammonia is exposed to fire.

House Bill 410

House Bill 410, Occ. Lic./Refrigeration Exam. Board Changes was introduced during the 2015 session of the General Assembly and has been referred to the Committee on Regulatory Reform. Following is the text of the proposed bill:

AN ACT To change the name of the State Board of Refrigeration Examiners to the State board of Commercial refrigeration examiners and to make changes to the makeup the of board and to create new license classifications and civil penalties to be administered by the Board.

The General Assembly of North Carolina enacts:

SECTION 1. Article 5 of Chapter 87 of the General Statutes is reads as rewritten:

"Article 5.

"Commercial Refrigeration Contractors.

"§ 87-52. State Board of Commercial Refrigeration Examiners; appointment; term of office.

(a) For the purpose of carrying out the provisions of this Article, the State Board of Commercial Refrigeration Examiners is created, consisting of seven members appointed by the Governor to serve seven-year staggered terms. The Board shall consist of ~~one member who is a wholesaler or a manufacturer of refrigeration equipment, one member from an engineering school of The University of North Carolina, one member from the Division of Public Health of The University of North Carolina, two licensed refrigeration contractors, one member who has no ties with the construction industry to represent the interest of the public at large, and one member with an engineering background in refrigeration of:~~

(1) One member who is a wholesaler or a manufacturer of refrigeration equipment.

(2) One member from an accredited engineering school located in this State.

(3) One member from the field of public health with an environmental science background from an accredited college or university located in this State.

(4) Two members who are licensed refrigeration contractors.

(5) One member who has no ties with the construction industry to represent the interest of the public at large.

(6) One member with an engineering background in refrigeration.

(b) The term of office of one member shall expire each year. Vacancies occurring during a term shall be filled by appointment of the Governor for the unexpired term. Whenever the term "Board" is used in this Article, it means the State Board of Refrigeration Examiners. No Board member shall serve more than one complete consecutive term.

...

"§ 87-58. Definitions; contractors licensed by Board; examinations.

(a) ~~As applied The provisions of this Article shall not repeal any wording, phrase, or paragraph as set forth in Article 2 of this Chapter. The following definitions apply in this Article:~~

(1) Commercial refrigeration contractor. - "refrigeration trade or business" is defined to include all persons, firms, or corporations engaged in the installation, maintenance, servicing and repairing of refrigerating machinery, equipment, devices and components relating thereto and within limits as set forth in the codes, laws and regulations governing refrigeration installation, maintenance, service and repairs within the State of North Carolina or any of its political subdivisions. ~~The provisions of this Article shall not repeal any wording, phrase, or paragraph as set forth in Article 2 of Chapter 87 of the General Statutes thereto.~~

(2) Industrial refrigeration contractor. - All persons, firms, or corporations engaged in commercial refrigeration contracting with the use of ammonia as a refrigerant gas.

HB 410

(3) Transport refrigeration contractor. – All persons, firms, or corporations engaged in the business of installation, maintenance, repairing, and servicing of transport refrigeration.

(a.1) This Article shall not apply to any of the following:

(1) The installation of self-contained commercial refrigeration units equipped with an Original Equipment Manufacturer (OEM) molded plug that does not require the opening of ~~service valves or replacement of lamps, fuses, and door gaskets/valves.~~

(2) The installation and servicing of domestic household self-contained refrigeration appliances equipped with an OEM molded plug connected to suitable receptacles which have been permanently installed and do not require the opening of service valves.

(3) Employees of persons, firms, or corporations or persons, firms or corporations, not engaged in refrigeration contracting as herein defined, that install, maintain and service their own refrigerating machinery, equipment and devices.

(4) Any person, firm or corporation engaged in the business of selling, repairing and installing any comfort cooling devices or systems.

(5) The replacement of lamps, fuses, and door gaskets.

(b) The term "refrigeration contractor" means a person, firm or corporation engaged in the business of refrigeration contracting. The Board shall establish and issue the following licenses:

(1) A Class I license shall be required for any person engaged in the business of commercial refrigeration contracting.

(2) A Class II license shall be required for any person engaged in the business of industrial refrigeration contracting.

(3) A Class III license shall be required for any person engaged in the business of repair, maintenance, and servicing of commercial equipment.

(4) A Class IV license shall be required for any person engaged in the business of transport refrigeration contracting.

(b.1) The term "transport refrigeration contractor" means a person, firm, or corporation engaged in the business of installation, maintenance, servicing, and repairing of transport refrigeration:

(c) Any person, firm or corporation who for valuable consideration engages in the refrigeration business or trade as herein defined shall be deemed and held to be in the business of refrigeration contracting.

(d) In order to protect the public health, comfort and safety, the Board shall prescribe the standard of experience to be required of an applicant for license and shall give an examination designed to ascertain the technical and practical knowledge of the applicant concerning the analysis of plans and specifications, estimating cost, fundamentals of installation and design as they pertain to refrigeration; and as a result of the examination, the Board shall issue a certificate of license in refrigeration to applicants who pass the required examination and a license shall be obtained in accordance with the provisions of this Article, before any person, firm or corporation shall engage in, or offer to engage in the business of refrigeration contracting. The Board shall prescribe standards for ~~and issue licenses for refrigeration contracting and for transport refrigeration contracting. A transport refrigeration contractor license is a specialty license that authorizes the licensee to engage only in transport refrigeration contracting. A refrigeration contractor licensee is authorized to engage in transport refrigeration and all other aspects of refrigeration contracting.~~ all license classifications.

Each application for examination shall be accompanied by a check, post-office money order or cash in the amount of the annual license fee required by this Article. Regular examinations shall be given in the Board's office by appointment.

(k) Upon application and payment of the fee for license renewal provided in G.S. 87-64, the Board shall

Continued on Page 4

2016 Up-Date Exhibitors

Chemours. Refrigerant Gas

Cooper-Atkins Corp. Cooper-Atkins wireless temperature monitoring and notification system 'NOTIFEYE' simple/self installable/ keep an eye on your valuable inventory

E.V. Dunbar. Klein Tools, Yellow Jacket, Mars Motors, Fluke Test Instruments, J.W. Harris Braising and Soldering Alloys

Engineering Equipment Sales. A-1 Compressors; Guss Inc., Comstar, Sherwood/Superior Valve

Hillphoenix. Commercial/Industrial Refrigeration Equipment Manufacturer

Hudson Technologies. Refrigerant reclaim, recovery and recycling with a national footprint of facilities

Inficon. Leak Detectors

Intermatic/Grässlin. Defrost controls, surge protection devices, timers. Controls

Mueller. Mueller copper tube, copper fillings, refrigeration ball valves, compressor valves, relief valves, check valves

NC DOL OSH Division. Provides safety and health information as well as information about NC OSH

NDL. Refrigeration and HVAC copper fittings, ball valves – full port/ Teflon seals, filter driers – black malleable

Rectorseal Corporation. HVAC/R chemicals, supplies, accessories and tools

RefPlus.

Spectronics. Fluorescent leak detection products for HVAC/R systems

Sporlan Valve Div. of Parker. Air Conditioning and Refrigeration, Mechanical and Electronic Controls

Steve Lee & Associates. The HVAC/R Division of Sunbelt

Continued on Page 4





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Marketing, Steve Lee & Associates covers FL, GA, MS, AL, TN, SC and NC representing a number of world class manufacturers including K-FLEX USA, Parker Hannifin & TracPipe

Testo. Digital manifold, test instruments

Triad One Enterprises, Inc. Seminars to help people pass contractor examinations

True Food Service Equipment. Commercial refrigerators and freezers

United Refrigeration. Daikin, Bosch Water Source Heat Pump, Thermal Zone, Arcoaire, Bally, Trenton Refrigeration, IRP, NRP, PSG, Manitowoc

RETRACTION

In the January newsletter, Jimmy Barnes, Seagrove, NC was mistakenly identified as the subject of disciplinary action. Mr. Barnes has never been subjected to disciplinary action by this Board.

HB 410

issue a certificate of license to any licensee whose business activities require a Class I or Class II license if that licensee had an established place of business and was licensed pursuant to this Article prior to January 1, 2016.

"§ 87-64. Examination and license fees; annual renewal.

(a) Each applicant for a license by examination shall pay to the Board of Refrigeration Examiners a nonrefundable examination fee in an amount to be established by the Board not to exceed the sum of ~~forty one hundred~~ dollars ~~(\$40.00)~~. In the event the applicant successfully passes the examination, the examination fee shall be applied to the license fee required of licensees for the current year in which the examination was taken and passed. ~~(\$100.00).~~

(b) The license of every person licensed under the provisions of this statute shall be annually renewed. Effective January 1, 2012, the Board may require, as a prerequisite to the annual renewal of a license, that licensees complete continuing education courses in subjects related to refrigeration contracting to ensure the safe and proper installation of commercial and transport refrigeration work and equipment. On or before November 1 of each year the Board shall cause to be mailed an application for renewal of license to every person who has received from the Board a license to engage in the refrigeration business, as heretofore defined. On or before January 1 of each year every licensed person who desires to continue in the refrigeration business shall forward to the Board a nonrefundable renewal fee in an amount to be established by the Board not to exceed ~~forty eight~~ dollars ~~(\$40.00)~~ ~~(\$80.00)~~ together with the application for renewal. Upon receipt of the application and renewal fee the Board shall issue a renewal certificate for the current year. Failure to renew the license annually shall automatically result in a forfeiture of the right to engage in the refrigeration business.

(c) Any licensee who allows the license to lapse may be reinstated by the Board upon payment of a nonrefundable late renewal fee in an amount to be established by the Board not to exceed ~~seventy five one hundred sixty~~ dollars ~~(\$75.00)~~ ~~(\$160.00)~~ together with the application for renewal. Any person who fails to renew a license for two consecutive years shall be required to take and pass the examination prescribed by the Board for new applicants before being licensed to engage further in the refrigeration business."

SECTION 2. This act becomes effective January 1, 2016, and applies to applications submitted and Board membership appointments on or after that date.