

Regarding Review And Approval Procedures For Plumbing And Gas Fitting Products To Be Installed In Massachusetts

Enacted October 31, 2007

The Board of State Examiners of Plumbers and Gas Fitters ("Board") voted today to adopt the following policy guidelines. These policy guidelines are intended to streamline the process by which the Board reviews and approves plumbing and gas products.

This policy is intended to be in effect only for a period of approximately six months as a pilot program. The current intent is that this policy will continue through June 1st of 2008.

Purpose:

To expedite the review and approval of plumbing and gas products while maintaining the highest standards for consumer safety.

Policy:

At its regularly scheduled Board meeting on October 31, 2007, the Board of State Examiners of Plumbers and Gas Fitters voted to adopt the following policy and to delegate its authority as follows:

A. Review of Plumbing Products:

1. All new Plumbing Product applications are to be reviewed by Board staff.
2. Plumbing products that have received national approval and certification by a recognized third party testing agency may be approved by staff without the need for a Board appearance. It is the intent of the Board that these products be approved or denied within twenty (20) business days of submission of required materials to Board staff.
3. Plumbing products that have not received national approval and certification by a recognized third party testing agency are to be reviewed by Board staff in consultation with the Board Chair without the need for a Board appearance. It is the intent of the Board that these products be approved or denied within thirty (30) days of submission of required materials to Board staff.

B. Review of Gas Products:

1. All new Gas Product applications are to be reviewed by Board staff.
2. Gas products that have received national approval and certification by a recognized third party testing agency may be approved by staff in consultation with the Board Chair without the need for a full Board appearance. It is the intent of the Board that these products be approved or denied within fourteen (14) days of submission of required materials to Board staff.
3. Gas products that have not received national approval and certification by a recognized third party testing agency OR large gas appliances/products (as determined by Board staff) are to be reviewed by Board staff in consultation with the Board Chair. The manufacturer shall only be required to appear before the Board if the Board staff

determines that full Board review of technical details is necessary. It is the intent of the Board that these products be approved or denied within thirty (30) days of submission of required materials to Board staff.

C. Submission of supporting materials

1. The Board staff will actively explore the development of an on-line product approval process that will be implemented as soon as possible.
2. The Board staff shall develop methods to receive supporting materials in electronic format to reduce the need for submission of voluminous paper materials. Processes and procedures developed by Board staff for this purpose shall be implemented as soon as possible.

D. Appeal of staff decision – Any person or company aggrieved by a staff decision regarding a product approval or denial may request an appearance before the full Board. Such a request must be submitted in writing within fourteen days of the date of the decision by the Board staff.

Discussion:

Under 248 CMR 3.04(1), the Board of State Examiners of Plumbers and Gas Fitters requires that only products and materials approved by the Board shall be used for plumbing and gas fitting work in Massachusetts. Further, those regulations outline an application process that require manufacturers to provide supporting materials to demonstrate that the product is both consistent with requirements set by the Board in 248 CMR and will present no threat to public health, safety, and welfare. The Board in the past fiscal year has dramatically increased the number of "in-house" staff reviews of products. This policy is intended to delegate additional authority to Board staff to minimize the burden on manufacturers while continuing to provide the citizens of the Commonwealth with a high level of safety and efficiency in their plumbing and gas fitting products.