



BUILDINGS 2023-016 BULLETIN OPERATIONAL

ISSUANCE DATE
October 19, 2023



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Deputy Commissioner
Development & Technical Affairs

PURPOSE: This Bulletin establishes the acceptance criteria where gas work was performed by individuals not possessing the minimum required qualifications.

SUBJECT(S): Gas Work, Gas Work Qualification, Limited Gas Work Qualification, Certified Welder Qualification, Additional Test

RELATED CODE SECTIONS & RESOURCES

AC 28-103.9, 28-423.1, FGC 404.21

I. BACKGROUND

The minimum qualifications for individuals performing **gas work** (defined in [Local Law 150 of 2016](#)) and welding are established in the provisions of the Administrative Code and the Fuel Gas Code.

On and after January 1, 2020, all work on gas piping must be performed by or under the direct and continuing supervision or the personal and immediate supervision of a Licensed Master Plumber (LMP), per AC Section 28-423.1. Individuals performing gas work under the supervision of an LMP must possess either a gas work qualification, or a limited gas work qualification.

In addition to the qualifications for gas work, Fuel Gas Code Section 404.21.1 requires welding of gas piping to be performed by welders qualified and certified, in accordance with the ASME Boiler and Pressure Vessel Code, Section IX.

For the purposes of this Bulletin, the term *required qualifications* refers to the aforementioned gas work qualification or limited gas work qualification and to the welder certification. For information on obtaining or renewing such qualifications or certifications, refer to the [Department's Licensing page](#).

This Bulletin is also issued pursuant to the authority under AC Sections 28-103.8 and 28-103.9.

II. FAILURE TO COMPLY

It is a violation of the law for gas work, including but not limited to the assembly and installation of gas piping, to be performed by an individual without the required qualifications. Where work has been performed and the licensed master plumber is unable to produce documentation of the individual's qualifications, corrective steps must be taken. Where such work was performed prior to the issuance date of this Bulletin, owners may elect to comply with Parts III or IV. Where

such work was performed after the issuance date of this Bulletin, owners must comply with Part III.

The alternative procedures described here are not intended to replace the requirement that only individuals properly licensed, qualified, and supervised perform gas work.

III. REMOVAL OF WORK

If gas work performed by individuals lacking the required qualifications has been performed contrary to the Code requirements, such work must be removed. If the work performed without the required qualifications was limited to welding, such welded joints must be removed, but the piping may remain in-place. The affected piping installation or welding must be newly completed by individuals possessing the required qualifications in accordance with the Code. The Licensed Master Plumber (LMP) permit-holder must provide all required documentation establishing the qualifications of individuals who complete the work. Required qualifications must have been obtained prior to the performance of work.

IV. ADDITIONAL TESTING & INSPECTION

AC Section 28-103.9 establishes the Commissioner's authority to require additional evidence whenever conformance with the requirements of the Code cannot be established. Based on this authority, the Department may accept an alternative program of inspection and testing that satisfies the following minimum standards, where gas work has been performed by an individual without a qualification, or where welding has been performed without a current qualification or certification.

- A. The building owner must hire a NYS registered professional engineer with relevant experience in the design and construction of piping systems to develop a program of testing and/or visual inspection in accordance with the following:
 - 1. For gas piping work that includes welded joints:
 - i. Such testing may include radiographic, magnetic particle, ultrasonic or other methods acceptable to the Department;
 - ii. Testing must be performed on at least 20% of all affected welds (those performed by an individual without proper qualification or certification). The test sample should be indicated in the form of a table listing all affected welds included in the work. The table should include the weld location; weld type; pipe material; presence of coating/wrapping; pipe diameter; operating pressure; identification of welder; test performance; and inspection. The table may be submitted with the engineer's initial proposed program, or may be submitted in support of the signed and sealed statement described in item 'D' below, and demonstrate that the sample of tested and inspected joints are representative of the different pipe diameters, materials, weld types, and locations throughout the building; and
 - iii. Where the testing requires the opening or removal of wall and ceiling finishes, the professional engineer must perform a visual inspection of the exposed piping and supports.

2. For gas piping work that does not include welded joints:

- i. The registered professional engineer must develop a program of visual inspection of the installed piping and supports. The scope of such inspection must include a minimum of 20% of all affected pipe joints and must be representative of different pipe diameters and locations throughout the building.

When the testing and/or inspection is performed or witnessed by a qualified engineer other than the one described above, the testing program must clearly designate the parties performing or witnessing those tests and inspections.

- B. When a test or inspection shows that an affected joint is defective or not compliant with the Code, the joint must be appropriately repaired or altered by or under the direct and continuing supervision of the LMP with the appropriate qualifications/certification. In such case, the test sample must be increased to include another 20% of the affected joints.

EXAMPLE: If 20 welds were performed without the code-mandated qualification, the initial sample for test and inspection would be 4 joints. If 1 joint fails the test or inspection criteria, that joint deficiency must be corrected AND the testing/inspection sample must be increased to a total of 8 joints.

- C. The registered professional engineer must witness a successful pressure test of the system at not less than 100 psig. The test must be performed for a minimum duration of 1 hour.
- D. The registered professional engineer must submit a signed and sealed statement to the Department, certifying that, on the basis of the outlined testing and inspection, performed under their direction, the installed piping has been found to meet the requirements of the Code and is suitable for safe operation and use.

Where the alternative procedure outlined above has been performed and accepted by the Department, the LMP permit-holder may proceed with the inspection request for the gas test and finish inspection. The finish inspection and 100 psig pressure test shall be witnessed by a Department inspector. Upon successful completion, the job may proceed toward sign-off.