



Deval L. Patrick
Governor

Timothy P. Murray
Lieutenant Governor

The Commonwealth of Massachusetts

Department of Public Safety

One Ashburton Place, Room 1301

Boston, Massachusetts 02108-1618

Phone (617) 727-3200

Fax (617) 727-5732

Mary Elizabeth Heffernan
Secretary

Thomas G. Gatzunis, P.E.
Commissioner

Minutes

Board of Boiler Rules

National Guard Armory, 14 Minuteman Lane, Wellesley, MA 02481

Meeting of June 7, 2012, 9:30 AM

1. Meeting called to order by the Chairman at 9:32 AM, followed by roll call.

Board Members Present:

Jay Johnson, Chairman
Ray Archambault
Thomas Healy
Charles Perry
Ernest Hall

Board Members Not Present:

None

Guests Present:

Francis Bucchiere, DPS
Mike Burge, DPS
John Lawrence, DPS
John Rogers, DPS
Dave Gosselin, DPS
Michael Roby, FM Global
Anthony Lucia, Agri-Mark
Don Stats, Travelers
Steve Sawyer, Travelers
Frank Zarrella, Travelers
Hector Raymond, CNA
Stephen Kapnis, CNA

Mark Mooney, Liberty Mutual
Leah Francis, Liberty Mutual
Glenn Robinson, HSB
Bob Trombley, HSB
Mike Robillard, Chubb
Paul Barra, Liberty Mutual
Jim Igoe, New Bedford Voc. HS
Mark Medeiros, New Bedford VHS
Paul Logan, SEI
Beth McLaughlin, DPS
Cesar Lastra, DPS
Holly Bartlett, DPS

2. Minutes of previous meeting: The minutes from the previous meeting on May 3, 2012, were distributed. *A motion to accept these minutes into record was made by Ray Archambault, seconded by Ernest Hall, and approved by a unanimous vote.*
3. Petitions for inspectional considerations:

- a. Pinetree Power Fitchburg – Request dated June 5, 2012, for a 6 month extension of the inspection requirement for one unit, MA # 068133. The Chairman asked if anyone from the facility or the FM Global inspector were present; they were not. Ernest Hall pointed out that without a letter from the insurance company indicating their support of this request, the Board cannot accept this request. *Motion to deny this request made by Ernest Hall, seconded by Ray Archambault; motion passed by unanimous vote.*
 - b. Agri-Mark – Request dated May 4, 2012, for a 4 month extension of the inspection requirement for one unit, MA #65220. *Motion to approve this request made by Ray Archambault, seconded by Thomas Healy; motion passed by unanimous vote.*
 - c. University of Massachusetts Lowell – Request dated May 15, 2012, for a 3 month extension of the inspection requirement for one unit, MA #058544. *Motion to approve this request made by Ray Archambault, seconded by Ernest Hall; motion passed by unanimous vote.*
 - d. Lonza Hopkinton, Inc. – Request dated May 22, 2012, for a 6 month extension of two units, MA # 113128 and MA # 071280. The Chairman asked if the inspector from ACE USA or anyone from Lonza Hopkinton were present; they were not. Ernest Hall noted that there is no documentation from the insurance company regarding this request. *Motion to approve this request made by Ernest Hall, seconded by Ray Archambault; motion passed by unanimous vote.*
 - e. Victaulic – Request for code waiver dated April 24, 2012. This matter was previously considered by the Board at the May 3rd meeting, and disapproved at that time. With additional information provided by Victaulic, the Board once again considered this request. Ray Archambault stated that since the equipment is not in compliance with the ASME code, the Board could not approve this request, unless the code is changed. *Motion made by Ernest Hall to deny this request and recommend that Victaulic approach ASME regarding this matter, seconded by Ray Archambault; motion passed by unanimous vote.*
 - f. Greater New Bedford VTHS - Request for variance dated April 30, 2012. This matter was previously considered by the Board at the May 3rd meeting, at which time the Board decided to postpone a decision on this request until there is ASHRAE input in this matter. Following consideration of the ‘unofficial interpretation’ received by Inspector Kane from Phillip Johnson, the Board members agreed that they would need additional time to review the information. *Motion made by Charlie Perry to postpone this matter until the next meeting, seconded by Ernest Hall; motion passed by a unanimous vote.*
4. Review of CMR: The Chairman introduced this topic, explaining that changes made by the Board since the last meeting will be briefly reviewed. The Board proceeded to review the proposed changes to the regulation. The Chairman read through each item changed in the proposed draft. *(The line-by-line read through of this document has not been included in these minutes; please refer to recording.)*

Following this review, a motion was made by Ray Archambault, seconded by Ernest Hall, to approve the draft regulations as amended, with the exception of the legal section concerning veterans; motion passed by a unanimous vote.

5. Public Comments

- a. Paul Logan, Steam Engineering Institute: Mr. Logan asked about the copy of the CMR that he was provided on 5/5/2011, at which time he was asked to participate in a committee to provide input for the re-write of 522 CMR. Beth McLaughlin addressed this matter, noting that there have been changes since last year, including the new Open Meeting Law. She noted that this law requires that any subcommittees or working groups abide by the same rules as the Board; this Chair and this

Board have decided to have the Board, with staff, draft the initial draft of the regulations, followed by the promulgation process, which will include public comment. Mr. Logan asked if the public would receive an advance copy to review prior to the public comment meeting, Ms. McLaughlin assured him that advance copy would be available on the DPS website.

- b. Don Stats, Travelers: Stating that at moments it is difficult to hear what is being said at the Board meeting, he asked if the Board had in fact approved the draft of the regulations. The Chairman replied that they had. Mr. Stats asked how long it would be until this draft would be available. Ms. McLaughlin replied that she does not know exactly how long it would be, but that it may be several months.

- 6. Adjournment – The Chairman proposed that the Board meet next on Thursday, September 6, 2012 at 9:30. Motion made by Ernest Hall, seconded by Ray Archambault, followed by a unanimous vote to adjourn this meeting at 10:32.