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To: Heads of Fire Department

From: Stephen D. Coan
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Date: July 18, 2012

RE: 527 CMR 17.00 entitled: "Forest Products"

Enclosed in this month's DFS brief is a new regulation 527 CMR 17.00 entitled: "Forest Products". Although this regulation is new for the book, it really is providing an update from NFPA 46 - 1990 edition, entitled: "Recommended Safe Practice of Forest Products" to a current standard using the provisions contained in NFPA 1.

There is a new requirement, effective September 1, 2012, that prohibits the new application of mulch within 18" around combustible buildings with more than 6 dwelling units (see diagram in regulation for specifics) This provision was added due to various fire events within Massachusetts that were related to the combustion of mulch-wood products.

If you have any questions please contact the Code Compliance and Enforcement Unit or the Technical Service Unit at 978-567-3375 or in Western MA 413-587-3181.

Administrative Services • Division of Fire Safety
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527 CMR 17.00: FOREST PRODUCTS

Section

17.01: Purpose and Scope

17.02: Application

17.03: Incorporation of NFPA 1, Chapter 31 (2009 Edition) by Reference with Modifications

17.04: Modifications of the Provisions of NFPA-1, Chapter 31 (2009 Edition)

17.05: Fire Safety Considerations Relating to the Use of Mulch

17.01: Purpose and Scope

The purpose and scope of 527 CMR 17.00 is to protect the public and reduce the hazards of fire and explosion by establishing minimum requirements for the safe outside storage of certain forest product materials described in 527 CMR 17.02.

17.02: Application

(1) The requirements of 527 CMR 17.00 shall apply to the outside storage of the following materials:

- (a) Lumber and wood panel products at retail and wholesale lumber storage yards;
- (b) Lumber and wood panel products at other than retail and wholesale storage yards;
- (c) Ties, poles, piles, posts, and other similar forest products at pressure-treating plant yards;
- (d) Outside storage of wood chips, mulch, hogged material, and wood by-products;
- (e) Logs;
- (f) Forest products used as mulch.

(2) In the event of a conflict between the provisions of 527 CMR 17.00, and any other provision of 527 CMR, the standard that requires the greater level of safety shall prevail.

17.03: Incorporation of NFPA 1, Chapter 31 (2009 Edition) by Reference with Modifications

For the requirements of 527 CMR 17.00, the provisions of (National Fire Protection Association) NFPA -1, Chapter 31, (2009 Edition), entitled Forest Products are hereby incorporated by reference, as modified by 527 CMR 17.04.

17.04: Modifications of the Provisions of NFPA-1, Chapter 31 (2009 Edition)

(a) Section 31.1 is modified to read as follows:

31.1 General. The outside storage of Forest Product materials within the purpose and scope of 527 CMR 17.01 shall be in accordance with the provisions of 527 CMR 17.00.

(b) Section 31.1 is modified by adding the following:

31.1.1 Terms and Definitions

Unless otherwise stated in 527 CMR 17.00, terms and definitions used in 527 CMR 17.00 shall be defined in accordance with the provisions of NFPA 1, Chapter 3 (2009 Edition)

AHJ or Authority Having Jurisdiction, shall mean the head of the fire department or the state fire marshal and their designees, as prescribed by M.G.L. c. 148.

Building, shall mean a building as defined in M.G.L. c. 148, § 1.

Mulch, shall mean any type of forest material that is produced for the purpose spreading or application over the surface of the soil as a protective cover, to retain moisture, reduce erosion, provide nutrients, and suppress weed growth, seed germination and for general landscaping purposes.

527 CMR: BOARD OF FIRE PREVENTION REGULATIONS

17.04: continued

This Code, shall mean 527 CMR, unless otherwise particularly indicated.

(c) Section 31.2 is modified to read as follows:

31.2 Permits. Permits, issued by the head of the fire department shall be required for the storage of materials as provided in Table 31.2.

Table 31.2 Permit Requirements

Wood Products	Permits Required
Mulch produced or stored outside	Storage in Excess of 300 yards ³

(d) Section 31.2 is modified by adding the following:

31.2.1 Permit Requirements: Permits required by 527 CMR 17.00 shall be subject to the provisions of 527 CMR 1.04(1) through (8). A copy of a certified statement signed by the owner or facility manager indicating compliance with 527 CMR 17.00 shall be included with the permit application.

(e) Section 31.3.1.1 is modified by adding (6) as follows:

6. Forest products used as mulch.

(f) Section 31.3.2.1.4 is modified to read as follows:

31.3.2.1.4 Where the storage of materials regulated by 527 CMR 17.00 are permitted to accumulate in a quantity or location that may constitute an undue public safety hazard, adequate fencing of not less than six feet in height with an approved locked gate located as necessary to allow the entry of fire department apparatus shall be provided. The fencing shall encompass the material or property.

Modify 31.3.3.3.4 by adding at the end of the sentence the words: or as otherwise approved by the AHJ.

Modify 31.3.3.4.1.1 by adding at the end of the sentence the words: or as otherwise approved by the AHJ.

Modify 31.3.3.4.2.1 by adding at the end of the sentence the words: or as otherwise approved by the AHJ.

(g) Section 31.3.6.4 is modified by adding the following:

31.3.6.4.4 Property-line clearance of not less than 25ft at the base of the pile shall be provided.

17.05: Fire Safety Considerations Relating to the Use of Mulch

On or after September 1, 2012, mulch shall not be newly applied within 18" of any combustible portion of any building [See Figure 17.05]. Exception:

1. Any building, regardless of the existence of fire separations, containing six (6) dwelling units or less.

17.05: continued

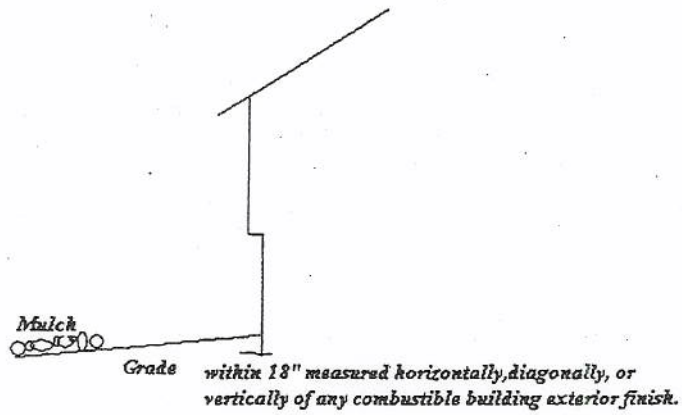


Figure 17.05

REGULATORY AUTHORITY

527 CMR 17.00: M.G.L. c. 22D, § 4, c. 148, §§ 10 and 28.