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**BOARD OF BUILDING REGULATIONS AND STANDARDS**

In accordance with the provisions of G.L. c. 30A § 20, notice is hereby given that the Board of Building Regulations and Standards (BBRS) convened a regular monthly meeting and public hearing in accordance with G.L. c143 § 97 on:

October 8, 2024

10 am – 2 pm

Virtual Meeting Minutes

Meeting called into order at 10:02 a.m.

Lisa Davey	<input checked="" type="checkbox"/> present	<input type="checkbox"/> absent	Tarica Leskiw	<input checked="" type="checkbox"/> present	<input type="checkbox"/> absent
Dave Riquinha	<input type="checkbox"/> present	<input checked="" type="checkbox"/> absent	Luke McKneally	<input checked="" type="checkbox"/> present	<input type="checkbox"/> absent
Michael McDowell	<input checked="" type="checkbox"/> present	<input type="checkbox"/> absent	Atiya Rahim	<input checked="" type="checkbox"/> present	<input type="checkbox"/> absent
John Couture	<input type="checkbox"/> present	<input checked="" type="checkbox"/> absent	Sy Nguyen	<input checked="" type="checkbox"/> present	<input type="checkbox"/> absent
Jeffrey Clemons	<input checked="" type="checkbox"/> present	<input type="checkbox"/> absent	Sarah Wilkinson, or designee	<input checked="" type="checkbox"/> present	<input type="checkbox"/> absent
Jason Ferschke	<input checked="" type="checkbox"/> present	<input type="checkbox"/> absent	Jon Davme, or designee	<input checked="" type="checkbox"/> present	<input type="checkbox"/> absent
Darien Crimmin	<input type="checkbox"/> present	<input checked="" type="checkbox"/> absent	Elizabeth Mahony, or designee	<input checked="" type="checkbox"/> present	<input type="checkbox"/> absent

1. **Review/Vote** BBRS meeting minutes for 09/10/24 and BOCC meeting minutes for 09/03/2024 with decisions.

Motion made by Jeff Clemons to approve meeting minutes for BBRS on 09/10/2024 seconded by Jake Nunnemacher. Jeff Clemons made a motion to approve meeting minutes with decisions for BOCC on 09/03/2024 seconded by Rich Baldacci. The motion passed unanimously

2. **Review/Discuss Board Counsel Report**

Board Counsel Charles Kilb let the board know the 10<sup>th</sup> edition was approved and will be effective 10/11/2024. The concurrency period as previously set by the Board will expire January 1, 2025. Board members went on to discuss the possibility of changing the concurrency period. Charles Kilb explained that because of the approval process, the concurrency period couldn't be updated before the regulation went into effect. He explained that changing the concurrency period would require a new regulation change. He also indicated that there would be a potential option to utilize the Building Code Appeals Board to issue a blanket variance to ease hardships with the concurrency period. He indicated that, with an agenda item, the BBRS should further consider these options in the near future.

3. **Review \Discuss Report from BOCC Designee**



Andrew Bobola let the members know the certification committee met on October 1<sup>st</sup>, 2024. He informed members that BOCC has had difficulty filling the vacant seat for academia but has a potential individual to fill that vacancy. Mr. Bobola explained over 100 building officials are under the required 45 hours of CEUs. Mr. Bobola let the members know that they are discussing potential of code changes for R7 to make things easier and provide clarity.

#### **4. Review/Discuss Executive Director Report**

- a. Construction Supervisor License totals for the month of September 2024  
149 Construction Supervisor Licenses were issued 1236 renewed, 1 reinstatement and 2 continuing education waivers processed. Christopher Rogers outreach to all subcommittee members is being done by staff to determine any potential vacant seats.
- b. Construction Supervisor License Waivers/Reinstatements  
1 reinstatement and 2 waivers issued.

#### **5. Status of Subcommittees**

- a. 11th Edition Subcommittee  
Lisa Davey let members know they are making some good progress. She thinks they have some good recommendations lined up for the for the board's consideration.
- b. Solar Setback Subcommittee  
Luke Mckneally reported that the last meeting the board discussed the fire code language and focused on access pathways and are continuing to update a draft document for presentation to the BBRS once completed.

#### **6. Refrigerant code change process and possible advisory or interpretation**

Charles Kilb drafted an advisory that would provide some relief. He went over 2 code pathways that can be used under the 10th edition as well as 9th edition regarding the A2L refrigerants. Pathway 1 is manufacturing listings and instructions. While the 10th Edition adopts the 2021 International Mechanical Code, which does not facilitate A2L refrigerants, the BBRS recognizes that manufacturers of equipment utilizing these refrigerants adhere to updated design and safety standards as part of their listing and installation instructions. In this regards the BBRS finds that the 10th Edition was explicitly designed to allow such installations in this situation, specifically pursuant to 780 CMR 102.1, the 10th Edition. Pathway 2 involves the authority of building officials to approve alternative materials, design and methods of construction and equipment. Even though the 2021 International Mechanical Code does not facilitate A2L refrigerants, the 10th Edition foresaw this issue and was able to adopt four important referenced standards which do, specifically the following are adopted in 780 CMR 2802:

1. ASHRAE 15-2022 - Safety Standard for Refrigeration Systems
2. ASHRAE 34-2022 Designation and Safety Classification of Refrigerants
3. UL/CSA 60335-2-40-2022 Household and Similar Electrical Appliances - Safety - Part 2-40: Particular Requirements for Electrical Heat Pumps, Air-Conditioners and Dehumidifiers; and
4. UL/CSA 60335-2-89-2021 Household and Similar Electrical Appliances - Safety - Part 2-89: Particular Requirements for Commercial Refrigerating Appliances with an Incorporated or Remote Refrigerant Unit or Compressor

Members wanted more time to view the proposed advisory before voting and had a lengthy discussion about the Daikin Proposal. Board Members decided that more time was needed to discuss and review this proposal and the potential ramifications it may have to other sections of the code.

#### **7. Stephen Brodie CSL reinstatement**

Charles Kilb let the board know Mr. Brodie lost his license due to disciplinary actions 2 years ago and has done everything mandated by his decision to get reinstated. After a brief discussion Mike McDowell made a motion to reinstate Mr. Brodie's Construction Supervisor License seconded by Jeffrey Clemens. The motion passed unanimously.

8. **Discuss** other matters not reasonably anticipated 48 hours in advance of meeting.

Jake Nunnemacher made a motion to adjourn seconded by Luke Mckneally at 11:36 am.

Items Relied Upon

Agenda

Draft Minutes

Draft Refrigerant Advisory Letter