

**BOARD OF FIRE PREVENTION REGULATIONS
MINUTES OF BOARD MEETING
May 5, 2016**

The Board of Fire Prevention Regulations held a Board meeting on Thursday, May 5, 2016 at the Department of Fire Services, Boards and Commissions Room, Stow, Massachusetts.

The following Board members were present at this meeting:

Anthony Caputo	Registered Professional Fire Protection Engineer
Jeffrey Cox	Registered Professional Electrical Engineer
John Dempsey	Designee of the Boston Fire Commissioner
Larry S. Fisher	Electrical Contractor
Michael Hazel	Chief, Tewksbury Fire Department
Alfonso F. Ibarreta	Registered Professional Mechanical Engineer
Robert MacKendrick	FPAM Representative
Peter J. Ostroskey	State Fire Marshal
Paul C. Scheiner	Chemist
Kenneth A. Smith	Blasting Association Member

The following Board members were absent from this meeting:

Richard K. Arruda	Chief, Dartmouth Fire District 3
John J. Clancy	Inspector of Buildings in a City/Town
Joseph Conant	Commissioner, Springfield Fire Department
John D. Cox	Registered Professional Chemical Engineer
Gary S. Keith	Representative of the Public
William Laidler	Hanover Wiring Inspector

DPS/BFPR staffing present at this meeting:

Steven Rourke	Department of Fire Services Counsel
Paul Vigneau	Director, Division of Fire Safety
Richard Fredette	Board Executive Director
Jennifer Hoyt	Division of Fire Safety
Christopher Melite	Division of Fire Safety

Also present were the following interested individuals (and their affiliations):

Dan Walsh	Massachusetts Federation of Building Officials
Dave Lafond	National Fire Sprinkler Association
David Duval	Massachusetts Systems Contractors Association
Stephen Russell	Department of Energy Resources
Felix Zemel	Department of Public Safety

Statutory Public Hearing held in accordance with M.G.L. c. 148, Section 10A

Chairman Caputo advised that a statutory public hearing in accordance with M.G.L. c. 148, Section 10A is held every May and October to receive comments from the public on any and all sections of 527 CMR 1 and 527 CMR 12. Chairman Caputo introduced himself and called the Statutory Public Hearing to order at 1:00 pm for the purpose of receiving any public comments or recommendations.

The Chairman asked if there were any persons in the audience who had any comments on any and all sections of 527 CMR 1 or 527 CMR 12.

Dan Walsh, Massachusetts Federation of Building Officials, addressed the Board regarding Section 18 Access Roads and conflicting regulatory regulations.

Mr. Fredette advised the Board that the following written comments were received for Public Hearing on 527 CMR 1:

1. Request from Timothee Rodrique to adopt Chapter 26 during the upcoming deliberations on the adoption of the 2015 edition of NFPA 1. If for any reason, the adoption is delayed, the comparable chapter in the 2012 edition of NFPA 1 should be adopted and then carried into the 2015 code adoption cycle.
2. Proposed modification to Section 18.2.3 from Curtis Meskus, President, Massachusetts Federal of Building Officials; exempt one and two family homes and their accessory structures from the regulation, increase the size threshold considerably from 400 square feet, increase the distance from the existing access to the structures included to a distance equal to supply hose carried by engines in NFPA 1901 and lower the construction standard for the FSAR.

Mr. Fredette advised the Board that the following written Proposals for the 2017 Massachusetts Electrical Code were received:

1. Proposal from Lawrence W. Forshner on Section 110.25(A)(1)(d)
2. Proposal from Paul J. Kennedy on Section 200.6(A) Sizes 6 AWG or Smaller
3. Proposal from Paul J. Kennedy on Section 200.6(B) Sized 4 AWG or Larger
4. Proposal from Christopher G. Tonski on Section 230.70
5. Proposal from Paul J. Kennedy on Section 230.7(A) location
6. Proposal from Mark T. Rachon on Section 230.70(A)(4)
7. Proposal from Matthew A. Piantedosi on Section 230.82
8. Proposal from Paul J. Kennedy on Section 250.119(A) 4 AWG or Larger
9. Proposal from Russell LeBlanc on Section 334.10 Ex. To (2) and (3)
10. Proposal from Lawrence W. Forshner on Section 400.12(5)
11. Proposal from Larry Fisher on Section 440.14
12. Proposal from Peter Diamond on Section 680.21 (A)(1) second paragraph
13. Proposal from Peter Diamond on Section 680.22 – add subsection (E)
14. Proposal from Peter Diamond on Section 680.25
15. Proposal from Russell LeBlanc on Section 680.25
16. Proposal from Russell LeBlanc on Section 680.43(D)(5)

17. Proposal from Lawrence W. Forshner on Section 700.10(D)(2)
18. Proposal from Peter Diamond on Section 705.22 Incorrect add subsection (7)
19. Proposal from Peter Diamond on Section 705.22 Correct add subsection (7)
20. Proposal from Peter Diamond on Section 705.22 – add subsection 7
21. Proposal from Peter Diamond on Section 705.22 – add subsection 8
22. Proposal from Peter Diamond on Section 705.31

The Chairman asked if there were any other persons in the audience who had any comments on any and all BFPR regulations.

Hearing none, the Chairman asked for a motion to close the statutory public hearing. The motion was made by Dr. Scheiner, seconded by Chief Hazel and unanimously voted by the Board.

Monthly Board Meeting – Call to Order

1. Call to Order

Chairman Anthony Caputo opened the meeting at 1:17 p.m.

2. Member Introductions

Chairman Anthony P. Caputo asked the members of the Board, the Division of Fire Safety staff members, and guests to introduce themselves for the record.

3. Minutes of the April 7, 2016 meeting submitted for approval.

Upon a motion made by Mr. MacKendrick, seconded by Mr. Ibarreta, the Board unanimously voted to approve the minutes of the April 7, 2016 meeting as submitted.

Monthly Board Meeting - Old Business

1. Committee/ Task Group Reports

a. Task Group – Status update *i. Welding/Hot Works*

Mr. Fredette advised the Board that the Welding and Hot Works Task Group had the meeting on April 25, 2016 and voted to send the Chapter 41 Welding Cutting and Other Hot Works report to the Processing Code Committee.

b. General Requirements Code Committee - Status update *i. Meeting date – 5/9/2016*

Mr. Fredette advised the Board that the General Requirements will be meeting on May 9, 2016 for the 2015 review.

c. Processes Code Committee – Status update *i. Code Committee chair to report* *ii. Errata and review for the 2015 edition of NFPA 1* *iii. Hot Works – Chapter 41 proposal*

iv. Chapter 42

Chairman Caputo advised the Board that the Processes Code Committee met on April 11, 2016 and May 2, 2016 and approved the errata as presented and reviewed Chapter 41 Welding Cutting and Other Hot Works report and accepted it as a concept but needs more information.

- d. Equipment Code Committee – Status update*
 - i. Code Committee Chair to report*
 - ii. Consideration for Certificates of Registrations for hood cleaning companies*
 - (a) New Code Committee date TBD*

Mr. MacKendrick advised the Board that the Equipment Code Committee will schedule their next meeting when they receive the draft proposal on regulating hood cleaning companies and the legal opinion in regard to their authority to regulate hood cleaning companies.

- e. Occupancy Code Committee – Status update*
 - i. Code Committee Chair to report*
 - (a) Errata and review for the 2015 edition of NFPA 1*

Mr. Fisher advised the Board that they meet on May 3, 2016 and approved all errata as presented.

- f. Hazardous Code Committee – Status update*
 - i. Next Code Committee date – 5/10/2016*

Mr. Fredette advised the Board that the Hazardous will be meeting on May 10, 2016 to start the review of 2015 edition of NFPA 1.

Monthly Board Meeting – Promulgation

- 1. Status Updates*
 - a. 10.11 Open Flame, Candles and Outdoor Fires/1.12.8.1 Permitting*
 - b. 10.11.6 Cooking Appliances*
 - c. 18.2.3 Access Roads*
 - d. 1.12.8.40.1.1 and 66.21.7.4.3.4 – Transport of Tanks to Tank yards – UST's*
 - e. 13.7 Smoke Alarm*
 - f. 11.7.5 Maintenance and Testing and 203.5 ASTM Publications*

Mr. Vigneau advised the Board that with the exception of 11.7.5 the BBRS met and discussed 10.11, 10.11.6, 18.2.3, 1.12.8.40.1.1, 66.21.7.4.32.4 and took final vote on everything but 13.7. BBRS did a first and second read on 13.7 and this allows these regulations to move forward in the 562 process.

Monthly Board Meeting - New Business

- 1. Request for interpretation from Tom McDonald, Inspector of Wires, regarding 527 CMR 12 Article 336.*

Upon a motion made by Mr. Jeff Cox, seconded by Mr. Fisher, the Board unanimously voted to send this request to the 527 CMR 12 Interpretation Committee.

Discussion of any and all comments and/or petitions received relative to today's Statutory Public Hearing.

Upon a motion made by Marshal Ostroskey, seconded by Mr. MacKendrick, the Board unanimously voted to refer the proposed modification to Section 18.2.3 submitted by Curtis Meskus, President, Massachusetts Federal of Building Officials to General Requirements Code Committee.

Upon a motion made by Dr. Scheiner, seconded by Mr. Jeff Cox, the Board unanimously voted to refer the request from Timothee Rodrique to adopt Chapter 26 to the Occupancy Code Committee.

Items not reasonably anticipated by the Chair

Stephen Russell, Department of Energy Resources, addressed the Board regarding their draft EV-Ready Regulations. Mr. Russell indicated that he would be attending the 527 CMR 12 Massachusetts Electrical Advisory Committee meeting on Tuesday, May 10, 2016.

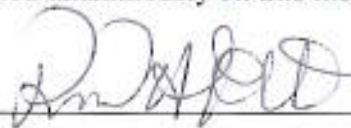
DFS Counsel Steven Rourke recommended that the Board defer any action until the outcome of Senate Bill 2266.

Felix Zemel, Department of Public Safety, advised the Board that they will be forwarding a code change proposal on Section 18.2 shortly.

The Chairman advised staff to send this proposal directly to the General Requirements Code Committee.

A motion was made by Dr. Scheiner and seconded by Mr. MacKendrick to adjourn the regular meeting at 1:55 p.m. The board voted unanimously on this motion.

Submitted by: Executive Director



Date:

6/3/2016