

**BOARD OF FIRE PREVENTION REGULATIONS**  
**MINUTES OF BOARD MEETING**  
**September 7, 2017**

The Board of Fire Prevention Regulations held a Board meeting on Thursday, September 7, 2017 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
Richard K. Arruda	Chief, Dartmouth Fire District 3
Jeffrey Cox	Registered Professional Electrical Engineer
John Dempsey	Designee of the Boston Fire Commissioner
Larry S. Fisher	Electrical Contractor
Alfonso F. Ibarreta	Registered Professional Mechanical Engineer
Gary S. Keith	Representative of the Public
William Laidler	Hanover Wiring Inspector
Robert MacKendrick	FPAM Representative
Peter Ostroskey	State Fire Marshal
Paul C. Scheiner	Chemist
John J. Clancy	Inspector of Buildings in a City/Town
Joseph Conant	Commissioner, Springfield Fire Department
Michael Hazel	Chief, Tewksbury Fire Department
Kenneth A. Smith	Blasting Association Member

The following Board members were absent from this meeting:

John D. Cox	Registered Professional Chemical Engineer
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DFS/BFPR staffing present at this meeting:

Jake Nunnemacher	Division of Fire Safety
Peter Senopoulos	Legal Counsel, Department of Fire Services
Paul Vigneau	Director, Fire Safety Division
Richard A. Fredette	Executive Director and Code Administrator

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

Jeff Sargent	National Fire Prevention Association
Chris Towski	Cambridge Fire Department, FPAM
Core Fisher	Code Red, Consultant, LLC
Ricky Houde	Notifier by Honeywell
Mark Poirier	BDF

## **Regulatory Public Hearing**

1. *1:01pm Open Hearing and member introductions.*

Chairman Caputo opened the hearing at 1:01 p.m. and asked the members of the Board and the Division of Fire Safety staff to introduce themselves for the record.

2. *Receipt of public comments to proposed amendments to the Massachusetts Fire Safety Code, 527 CMR 1.00, pursuant to M.G.L. c. 148, s. 10 and c. 30A.*

The Chairman read the notice of public hearing as published in the newspaper and in the Massachusetts Register.

The Chairman asked if there was anyone present who wanted to provide comments on the proposed amendments to 527 CMR 1.00, which in large part adopts the 2015 Edition of NFPA-1 with amendments particular to Massachusetts.

Chris Towski, from FPAM, addressed the Board and submitted oral comments supporting adoption of the amendments as proposed by the Board.

The Chairman asked if there were any additional public comments on any the proposed amendments.

Mr. Fredette advised the Board that there were not additional written comments received by him in accordance with the public hearing notice.

## **Monthly Board Meeting**

1. *1.05pm, the Chairman opened the Board of Fire Prevention Regulations monthly scheduled meeting.*
2. *Minutes of the May 4, 2017 meeting submitted for approval.*

Upon a motion made by Mr. Laidler seconded by Mr. Fisher, the Board unanimously voted to approve the minutes of the May 4, 2017 meeting as submitted.

3. *Possible discussion on any comments received relative to today's Regulatory Public Hearing on amendments to 527 CMR 1.00.*

Upon a motion made by Marshal Ostroskey seconded by Mr. Laidler, to table this agenda item to the end of today's agenda to allow more time in the event a person arrives late to provide public comment on the proposed amendments. The board voted unanimously on this motion.

## **Monthly Board Meeting – New Business**

1. *Board of State Examiners' of Electricians- Advisory Ruling requested*

A motion was made by Mr. Laidler and seconded by Mr. Cox to send this agenda item to the *Electrical Code Advisory Committee*. The Board voted unanimously in favor of this motion.

2. *Mr. Dufore, North Division Manager, Drilling & Blasting- interpretations requested*

A motion was made by Mr. Smith and seconded by Mr. Laidler to send this agenda item to the *Hazardous Code Committee*. The Board voted unanimously in favor of this motion.

3. *NFPA 241- general discussion, submitted by Paul Vigneau*

A motion was made by Dr. Scheiner and seconded by Mr. Dempsey to send this agenda item to the *General Requirements Code Committee*. The Board voted unanimously in favor of this motion.

### **Monthly Board Meeting - Old Business**

1. *Committee/ Reports*

- a. *General Requirements Code Committee-Code Committee Chair /DFS Staff to report*
  - i. *Work clearances PV. Next meeting TBD*

Mr. Vigneau advised the Board the next meeting of the PV joint working group has not been scheduled and that this is work in progress.

- b. *Processing Code Committee – Committee Chair/DFS Staff to report*
  - 1. *Hydrogen discussion- 527 CMR 1.00:42.7.4 and 42.7.4.5*

Upon a motion made by Mr. Keith, seconded by Mr. Arruda the Board unanimously voted to accept staff's draft interpretation (see attached) in reply to Director Vigneau's April 28, 2017 request for information relative to attendant and suppression requirements for hydrogen Fueling facilities.

- 2. *Bernhard A. Arciero, Manager of North American Homes, LLC-RockFrac*

*1:47 p.m. Dr. Scheiner recused himself from this agenda item and left the meeting room.*

Upon a motion made by Marshal Ostroskey seconded by Mr. McKendrick the Board unanimously voted to accept response letter as submitted (see attached) with one typographical correction; add the word "Consumer" before the word "Product".

*1:53 p.m. Dr. Scheiner returned back to the meeting room and meeting.*

- c. *Administrative Code Committee– Committee Chair/DFS Staff to report*

Mr. Fredette advised the Board that the code committee's should be able to start their review once the 2018 Edition becomes available, estimated to be in October.

- d. *Electrical Code Advisory Committee Code – Committee Chair/DFS Staff to report*

Mr. Laidler advised the Board that the (3) TIA's generated by NFPA would be discussed at the Electrical Code Advisory Committee.

2. *BBRS review of "replacement in kind"*

Mr. Vigneau advised the Board this is work in progress

3. *Joint venture with DFS and BBRS on NFPA 241*

Upon a motion made by Marshal Ostroskey and unanimously accepted by the board, to remove this item and incorporate this item with agenda item # 3 under New Board Business.

*Possible discussion on any comments received relative to today's Regulatory Public Hearing on amendments to 527 CMR 1.00.*

At 1.58pm, The Chairman, with the unanimous consent of the Board opened up discussion on the tabled item #3 relative to today's Regulatory Public Hearing regarding amendments to 527 CMR 1.00. The Chairman once again asked if there was anyone present who wanted to provide comments on the proposed amendments to 527 CMR 1.00 as per the Notice of Hearing. With no further public comments heard, a motion was made by Marshal Ostroskey and seconded by Dr. Scheiner to close the public hearing/comment period. The board voted unanimously to accept this motion. Hearing no additional comments, the Chairman placed the matter before the Board for action.

Upon a motion made by MacKendrick, seconded by Marshal Ostroskey to add the words "as of July 1, 2018 in the first sentence of 41.7.1 before the words "An individual". The board voted unanimously to accept this motion.

Upon a motion made by Dr. Scheiner, seconded by Marshal Ostroskey, to promulgate the proposed set of amendments to 527 CMR 1.00 which incorporates much of the 2015 Edition NFPA-1 with amendments unique to Massachusetts which was the subject of today's hearing. The board voted unanimously to accept this motion.

Upon a motion made by Dr. Scheiner, seconded by Marshal Ostroskey to allow staff to make non-substantive editorial corrections and file said amendments together with necessary supporting documents with the Secretary of State's Office after approval of ANF. The board voted unanimously to accept this motion.

Upon a motion made by Dr. Scheiner, seconded by Marshal Ostroskey that the regulation shall have a future effective date on or about January 1, 2018. The board voted unanimously accept this motion.

4. *Items not reasonably anticipated by the Chair*  
No further discussion/action.

A motion was made by Marshal Ostroskey and seconded by Dr. Scheiner to adjourn the regular meeting at 2:02 p.m. The board voted unanimously to accept this motion.

Submitted by: Executive Director, Board of fire Prevention Regulations



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Date: 12/7/2017