

**BOARD OF FIRE PREVENTION REGULATIONS
MINUTES OF BOARD MEETING
AUGUST 2, 2018**

The Board of Fire Prevention Regulations held a Board meeting on Thursday, August 2, 2018 at the Department of Fire Services, Boards and Commissions Room, Stow, Massachusetts.

The following Board members were present at this meeting:

Richard K. Arruda	Chief, Dartmouth Fire District 3
Anthony Caputo	Registered Professional Fire Protection Engineer
John J. Clancy	Inspector of Buildings in a City/Town
Jeffrey Cox	Registered Professional Electrical Engineer
John D. Cox	Registered Professional Chemical 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
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
Kenneth A. Smith	Blasting Association Member

DFS/BFPR staffing present at this meeting:

Maribel Fournier	Deputy Fire Marshal
Richard Fredette	Board Executive Director
Jennifer Hoyt	Division of Fire Safety
Christina Rodriguez	Division of Fire Safety
Peter Senopoulos	Legal Counsel, Department of Fire Services
Paul Vigneau	Director, Division of Fire Safety

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

Edward Poulin	DPL
Jack D (non-legible sign-in)	MBTA
Joseph Gurter	MBTA
Mark Poirier	Bellingham Fire Department
Paul J. Kennedy Jr.	Unaffiliated
Bev Kennedy	Kennedy Seminars
Ada Alfonso	BSEE

Monthly Board Meeting

1. Chairman to open the meeting.

Chairman Caputo opened the meeting at 1:00 p.m.

2. Member Introductions

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

Advertised Regulatory Public Hearing

1. Chair to Open Hearing and read public notice

In accordance with M.G.L. c.30A, s.2 and s.3 and c. 143, s. 3L, notice is hereby given of a public hearing by the Board of Fire Prevention Regulations (BFPR) at the Department of Fire Services, State Road, Stow, MA., in the Boards and Commissions Room on Thursday, August 2, 2018 at 1:00 p.m. for the purpose of hearing public comment on proposed technical amendments to the Massachusetts Electrical Code (527 CMR 12.00). Said code is, in large part, based upon the National Electrical Code (NFPA 70, 2017 Edition). The amendments reflect technical interim amendments made to the base NFPA 70, after the original effective date (1-1-17) and are, in large part, corrective in nature and provide more detail or clarity to existing technical installation methods. Written comments regarding the proposed amendments may also be forwarded to Richard Fredette, BFPR's Executive Director, P.O. Box 1025, State Rd, Stow, MA. 01775 (Tel. 978-567-3713 by 3:00 p.m., August 1, 2018. Copies of the proposed amendments are also available at the BFPR's web page at: <http://www.mass.gov/eopss/agencies/dfs/> or by contacting Mr. Fredette.

2. Receipt of public Comments

Mr. Fredette received 1 public comment by email on July 17, 2018 from Frederic Hartwell to withdraw TIA 450.23(A).

Mr. Laidler advised board that the MA Code Advisory Committee went through the proposed amendments to be sure they would not be a large impact on the citizens of the Commonwealth. The subcommittee recommends the board votes pass the proposed new amendments. Ada Alfonso agreed with Mr. Laidler.

A motion was made by Mr. Keith to close the public hearing, seconded by Mr. Scheiner. The board voted unanimously on this motion.

3. Minutes from the March 1, 2018 meeting submitted for approval

Upon a motion made by Mr. Laidler, seconded by Mr. Keith, the Board unanimously voted to approve the minutes of the March 1, 2018 meeting as submitted.

New Business

1. Minutes from our statutory public hearing, held May 3, 2018 in accordance M.G.L. c.148 § 10.

A motion was made by Mr. Laidler, seconded by Mr. Keith, the Board unanimously voted to approve the minutes of the May 3, 2018 statutory public hearing.

2. Review comments received relative to today's Regulatory Public Hearing and possible vote to submit proposed amendment 527 CMR 12.00 (Massachusetts Electrical Code) to the Secretary of State's office for final promulgation.

A motion was made by Mr. Laidler, seconded by Mr. Cox, the Board unanimously voted to approve deletion of the proposed amendment on article 450.23(A).

Mr. Laidler made a motion, seconded by Mr. Fisher, the Board unanimously voted to make final promulgation and accept the modification as amended and submit to the Secretary of State's Office, except which was voted to be deleted.

3. *Communication from Robert O'Connell, Deputy Fire Chief for the Town of West Boylston pertaining to the silencing / resetting of fire alarm systems in conjunction with the required periodic inspection of fire sprinkler systems (NFPA 25) and chemical suppression systems (such as kitchen suppression, dry chemical special hazards, and clean agent type systems NFPA 12; 17; 17A; 2001).*

Mr. Senopolous spoke about a draft which staff worked on, but upon review the staff's recommendation is to not send out. This falls more within the jurisdiction of the Electrical Examiner's Board because it talks about the systems licensing. Respond to individual with the interpretation received from the Electrical Examiner's board and contact the board directly with further questions.

A motion was made by Mr. Laidler, seconded by Mr. Keith, the Board unanimously voted to promulgate.

4. *Communication from Nick Ferzacca, PE, LEED, Principal, Architectural Engineers, Inc. request for an interpretation regarding the use of PVC installed at the Wonderland MBTA Station.*

Mr. Laidler made a motion, seconded by Mr. Keith, the Board unanimously voted for response to be sent from Electrical Code Interpretation Committee.

Mr. Cox stated it does involve some interpretation of occupancy, which we cannot comment on more of a building code issue, but we can make some general comments on some of these questions.

5. *Communication from Philip Motta, Past President, Massachusetts Agricultural Fairs Association, regarding interpretation of NFPA 1 provision 10.14.8.*

Mr. Vigneau stated we drafted up a response to the interpretation and our recommendation is that this gets referred to committee for more discussion in order to provide a better answer to the question, as well as give us time to reach out to NFPA because this is base code language. And to get an interpretation from NFPA as to what exactly they are talking about in this situation with 10 foot clearance on two sides of a structure. NFPA's interpretation to bring to committee and come back to the full board with an interpretation that's well rounded.

Mr. Fredette relayed the committee we would like to refer to is the General Requirements Code.

Mr. Senopolous stated the NFPA can render interpretations and we can ask for their input, but the ultimate say to interpret 527 CMR 1.00 is from the Board.

Mr. Ostroskey made a motion, seconded by Mr. Smith, the Board unanimously voted to bring this to the General Requirements Committee.

Mr. Vigneau relayed when Commissioner Conant left the Board, he was the Chair of the General Requirements Committee, so currently we do not have a chair for the committee. Can another board member cover on an interim basis? Mr. Caputo and Mr. Vigneau to speak to come up with a chair. A motion by Mr. Caputo, seconded by Mr. Ostroskey, the Board unanimously voted for the board to grant the chair the person to appoint chairman's for that board.

Old Business

1. Update on 2018 code process

Mr. Vigneau stated while the board has not met in quite a few months, but a lot of work has taken place behind the scenes with regard to moving forward with comparing the 2015 edition with the 2018 and preparing those comparison documents for the committees as we move forward. That process is going to start in September. We will be reaching out to the chairs of the committees and will begin to set up committee meetings to review work we've done to this point. Holding us up to this point is we've approached this as an opportunity to remove as many state amendments from the 2018 edition as possible. Many of the amendments made in the 2015 edition are strikeouts, 60-70% of what the amendments are. Part of the reason we had to do this was due to working with DPL and where there was overlap and potential conflict within the code. Sat with the Commissioner of DPL, along with his staff, the Marshal and DFS staff to discuss what the term AHJ really means within the context of the code. In some way revert back to the NFPA definition of what the AHJ is. Perhaps put guidance information into the appendix of the next version of our code that describes where the AHJ may be the Building Commissioner, it may be the head of the fire department, it may be some other agency for that particular content within those chapters. They are reviewing that information and we are awaiting a response from DPL to say if they are comfortable with what we presented to them. The Commissioner of DPL wanted to take it back, review it and look it over with his folks to get their feelings on it.

2. Committee/ Reports

- a. *Administrative Code Committee*
- b. *General Requirements Code Committee*
 - i. *Discussion of chairman for the General Requirements Code Committee*
- c. *Occupancy Code Committee*
- d. *Processing Code Committee*
- e. *Equipment Code Committee*
- f. *Hazardous Code Committee*
- g. *Electrical Code Committee*
 - i. *Interpretation Code Committee (Electrical) - Communication, received February 20, 2018, from Russell LeBlanc requesting interpretation of 334.10(3).*

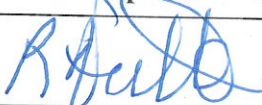
Mr. Laidler made a motion, seconded by Mr. Cox, the Board unanimously voted to accept recommendation by Code Interpretation Committee, except for the typo.

3. Items not reasonably anticipated by the Chair

A motion was made by Chairman Caputo and seconded by Mr. MacKendrick to adjourn the meeting at 1:27 p.m. The board voted unanimously on this motion.

The next meeting of the Board of Fire Prevention Regulations will be held on Thursday, September 6, 2018 at 1:00 pm at the Department of Fire Services, Boards and Commissions Room, Stow, MA. Please contact the Board's Executive Director if your code committee wants to meet on or before September 6, 2018.

Submitted by: Executive Director _____



Date: Nov 1, 2018