

MAURA T. HEALEY  
GOVERNOR

KIMBERLEY DRISCOLL  
LIEUTENANT GOVERNOR

TERRENCE M. REIDY  
SECRETARY

*The Commonwealth of Massachusetts*  
*Executive Office of Public Safety and Security*  
*Department of Fire Services*

*P.O. Box 1025 ~ State Road*

*Stow, Massachusetts 01775*

*Telephone (978) 567~3100*

*[www.mass.gov/dfs](http://www.mass.gov/dfs)*



ANTHONY P. CAPUTO  
CHAIRMAN

**BOARD OF FIRE PREVENTION REGULATIONS**  
**MINUTES OF BOARD MEETING**  
**December 7, 2023 1:00 p.m.**  
**Microsoft Teams Meeting**

**The following Board members were present:**

Alfonso Ibarreta  
Edward Williams  
John Correia  
John Cox  
Larry S. Fisher  
Patty Sheehan  
Paul Scheiner  
Richard Arruda  
Jon Davine  
Patrick Ellis

Registered Professional Mechanical Engineer  
Deputy Chief Brockton Fire Department  
Member of the Public  
Chemical Engineer/Environmental Engineer  
Electrical Contractor  
Inspector of Buildings  
Chemist  
Chief – under 25,000 population  
State Fire Marshal  
Boston Fire Marshal

**DFS Staffing were present:**

Maribel Fournier  
David Clemons  
Brian Ingram  
Mary Ann Smith  
Kristen McDonough  
John Wood III  
Glenn Rooney  
Rachel Perlman

Deputy State Fire Marshal  
Operations Section Chief  
Director, Fire Safety Division  
Code Administrator, Fire Safety Division  
Fire Protection Engineer, Fire Safety Division  
Code Compliance Officer, Fire Safety Division  
General Counsel  
Deputy General Counsel

**Guests were present:**

Linda Epstein  
Janna Serafim  
Jonathan Eisenberg  
Michael Pang, PE

## Monthly Board Meeting

Meeting was opened at 1:02 p.m. by Larry Fisher, Interim Chair.

Introductions, Mary Ann Smith called upon BFPR Members and DFS Staff to introduce themselves for the record.

1. *Minutes from the November 2, 2023 meeting of BFPR submitted for approval.*

**Motion to approve the November 2, 2023 meeting minutes made by Paul Scheiner seconded by Richard Arruda, two corrections to be made on page 3. All in favor. Motion carries.**

## New Business

1. Responses Request for Interpretations

1. 527 CMR 12.00, 110.26(A)(1), Table 110.26(A)(1) received from Christopher Polny, on October 24, 2023.

**Question # 1** Does the equipment installed per Fig #1 meet the working depth requirements of 110.26(A)(1) & Table 110.26(A)(1) Condition 1? Equipment is 120V to ground (240V/208V single phase).

**Response:** No. 36" required working on live part.

**Motion to accept the response as written made by Larry Fisher, seconded by Richard Arruda. All in favor. Motion carries.**

**Question # 2** Does the equipment installed per Fig #2 meet the working depth requirements of 110.26(A)(1) & Table 110.26(A)(1) Condition 1? Equipment is 120V to ground (240V/208V single phase).

**Response:** Yes

**Motion to accept the response as written made by Larry Fisher, seconded by John Correia. All in favor. Motion carries.**

2. 527 CMR 12.00, received from Jeffrey Vanacore, on October 22, 2023.

**Response:** No Response (No action taken)

3. 527 CMR 12.00, 210.12(B), 210.12(C) received from Jeff Perras, on October 30, 2023

**Question # 1:** Is the intent of Article 210.12(C) to require AFCI protection only in the *dormitory unit*, as established by the rated separations required by NFPA 101 and IBC, thus requiring AFCI protection only within the confines of the sleeping units or dormitory suites created by fire resistance rated separations?

**Response:** No

**Motion made by Larry Fisher, seconded by John Correia. All in favor. Motion Carries.**

**Question # 2:** Is the intent of Article 210.12(C) to require AFCI protection throughout the entire building, regardless of fire-resistance rated separations between sleeping areas because the building has sleeping accommodations provided for more than 16 persons, and the entire building is considered a *dormitory unit*?

**Response:** Yes

**Motion made by Larry Fisher, seconded by John Correia. All in favor. Motion Carries**

**Question # 3:** Is the intent of Article 210.12(C) to require AFCI protection for lighting when Article 210.12(C) applies?

**Response:** Yes

**Motion made by Larry Fisher, seconded by John Correia. All in favor. Motion Carries**

**Question # 4:** Is the intent of Article 210.12(B) to require AFCI protection only in the *dwelling unit*, as established by the rated separations required by NFPA 101 and IBC, thus requiring AFCI protection only within the confines of the *dwelling unit* created by fire resistance rated separations?

**Response:** No

**Motion made by Larry Fisher, seconded by John Correia. All in favor. Motion Carries**

**Question # 5:** Is the intent of Article 210.12(B) to require AFCI protection throughout the entire building, regardless of fire-resistance rated separations between *dwelling units* because the building has *dwelling units*?

**Response:** Yes

**Motion made by Larry Fisher, seconded by John Correia. All in favor. Motion Carries**

**Question # 6:** Is the intent of Article 210.12(C) to require AFCI protection for emergency lighting when Article 210.12(C) applies?

**Response:** Yes

**Motion made by Larry Fisher, seconded by John Correia. All in favor. Motion Carries**

4. Jonathan Eisenberg, Chairman of the NFPA 45 Work Group, to speak on the status of the Proposal submitted to BBRS for 780 CMR 428, 10<sup>th</sup> edition, Laboratory Suites.

**Motion for Jonathan Eisenberg to work together with DFS Staff to draft a letter to be presented to the BBRS during their public comment section made by John Cox, seconded by Paul Scheiner. All in favor. Motion carries.**

### **Old Business**

#### **1. Committee/ Reports**

##### **a. Administrative Code Committee**

- (1) Paul Scheiner requested a Work Group to meet prior to the Hazardous Committee to review Permits and Certificates related to Chapter 65(Explosives, Fireworks, Model Rocketry, Cannons, and Mortars)
- (2) Matt Murray, John Cox and John Wood to participate in the Work Group.

##### **b. General Requirements Code Committee**


- (1) Richard Arruda discussed the ongoing work being done in Chapter 11.

- c. *Occupancy Code Committee*
  - (1) *Richard Arruda discussed the review of Chapter 1's technical tables within the Occupancy Committee Chapters.*
- d. *Processing Code Committee*
- e. *Equipment Code Committee*
- f. *Hazardous Code Committee*
- g. *Electrical Code Committee*
- h. *Massachusetts Electrical Advisory Committee*
- i. *BFPR/BSEE Work Group*
  - (1) *Group is scheduled to meet 12/11/23 at 9 am.*

**Items not reasonably anticipated by the Chair**

**Adjournment**

A motion to adjourn the meeting was made by Paul Scheiner, seconded by Edward Williams. Motion passed unanimously. Meeting ended at 1:44 p.m.

Approved:  Date: 1/4/24