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PETER J. OSTROSKY
STATE FIRE MARSHAL

MEMORANDUM

To: Heads of Fire Departments, and other interested parties

From: Peter J. Ostroskey, State Fire Marshal

Date: June 25, 2020

Re: Emergency Amendment to 527 CMR 12.00: Massachusetts Electrical Code Article 230.85 (Effective June 26, 2020)

The Board of Fire Prevention recently promulgated an emergency revision to 527 CMR 12.00: article **230.85 Emergency Disconnects** of the *Massachusetts Electrical Code* which is largely based upon the 2020 Edition of NFPA-70.

The modification to this article is based upon safety and economic concerns that wiring inspectors, licensed electricians, and property owners encountered in applying the unamended requirements contained in the article's base code language. This was a new provision in the 2020 Edition of NFPA 70 *National Electrical Code* and these unintended consequences led to this modification. The new amended language is attached, and will become effective on June 26, 2020.

The base code language remains unchanged and the amendment adds certain exemptions to the article. Municipal wiring inspectors and licensed electricians were interpreting this safety specific section differently and applying it to new installations, but not necessarily to repair work, whereas other inspectors were requiring it for both. An attempt was made by the BFPR to issue a formal written interpretation to the section, however, the interpretation could not cover the breadth of the various scenarios experienced by licensed electricians and municipal wiring inspectors, and uneven application of the provision remained among inspectors and electricians. Due to significant cost of installation in certain scenarios, some homeowners were foregoing critical electrical service work altogether. This amendment is meant to clarify the application of this section in order to specify exactly the types of installation (new or certain repairs/ service upgrades) that it applies to.

Due to the emergency nature of these changes, a public hearing on the changes will be held on July 23, 2020 at 10:00 a.m. via teleconference at (866) 916-2030, Pass Code 7460297# beginning at 10:00 a.m.

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NEC 70 base language as contained in 527 CMR 12.00

UNDERLINED SECTIONS ARE PROPOSED MA AMENDMENTS

230.85 Emergency Disconnects. For one- and two-family dwelling units, all service conductors shall terminate in disconnecting means having a short-circuit current rating equal to or greater than the available fault current, installed in a readily accessible outdoor location. If more than one disconnect is provided, they shall be grouped. Each disconnect shall be one of the following:

- (1) Service disconnects marked as follows:
EMERGENCY DISCONNECT
SERVICE DISCONNECT
- (2) Meter disconnects installed per 230.82(3) and marked as follows:
EMERGENCY DISCONNECT
METER DISCONNECT
NOT SERVICE EQUIPMENT
- (3) Other listed disconnect switches or circuit breakers on the supply side of each service disconnect that are suitable for use as service equipment and marked as follows:
EMERGENCY DISCONNECT
NOT SERVICE EQUIPMENT

Exception to (1), (2), and (3): A building supplied by a service lateral or by underground service conductors shall be permitted to be capable of disconnection from a readily accessible location outside of the dwelling by using a method providing remote control of the service disconnecting means, and marked: EMERGENCY ELECTRICAL DISCONNECT and NOT SERVICE EQUIPMENT.

Markings shall comply with 110.21(B). This section shall only apply to the following:

- (1) New one- and two-family dwellings, or new buildings of double occupancy, at least one of which is a dwelling unit.
- (2) Two-family dwellings or buildings of double occupancy at least one of which is a dwelling unit, and newly created by subdivision of an existing one-family dwelling.
- (3) One- and two-family dwellings where the service(s) is (are) entirely replaced.
- (4) One- and two-family dwellings where the service(s) is (are) increased in capacity in terms of its (their) rating in amperes.