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Board of Boiler Rules

National Guard Armory, 14 Minuteman Ln. Wellesley, MA 02481

Meeting Minutes of July 23, 2009

Meeting called to order at 9:48 a.m.

1) Roll Call:

Members Present:

Edward Kawa, Chairman	Member
Ray Archambault	Member
Tom Healy	Member
Charles Perry	Member
Ernest Hall	Member

Visitors Preset:

Celeste Lam, DPS	F.M. Skip Dunnell, A.R.Sandri Inc
Jim Blackburn, DPS	Scott Nichols, Bioheat USA
Rob Rizzo, MA DOER	Paul Barra, Liberty Mutual
Brian Logan, Mirant	Don Stats, Travelers
Glenn Robinson, HSB	Mike Robillard, Chubb Insurance
Steve Sawyer, Travelers	Paul Logan, Steam Engineering Institute
Mark H. Carlisle, AES	Bruce Whittier, Whittier Plumbing and Heating
Arthur Torrey	

2) Minutes of previous meeting:

a) Motion to approve the meeting minutes of May 7, 2009 – Approved.

3) The Board reviewed requests for inspectional extensions and other considerations as listed:

- Lonza Biologics, Hopkinton, MA – *No action required. Inspection completed.*
- Bunker Hill Community College – Request for a six month extension – *Motion to approve extension – motion passed.*
- MATEP LLC – Request for a two month extension- *Motion to approve extension – motion passed.*
- UMass Dartmouth (71352) – Request for a six month extension – *Motion to approve extension – motion passed.*
- UMass Dartmouth (71353) – Request for a three month extension – *Motion to approve extension – motion passed.*
- Acushnet Rubber Co. – Request for a three month extension – *Motion to approve extension - motion passed.*

4) The Board reviewed requests for inspectional considerations as listed:

- Twin River Technologies – Trane rooftop air conditioning condensing units are not equipped with pressure relief devices. Request waiver for these units based on UL 1995 33.10 requirements. *No action taken. The Board requested more information and will need to review UL 1995 33.10 in order to discuss further.*

b) Steam Engineering Institute, Paul Logan – Petition to amend 522 CMR:

Mr. Logan explained that the petition was filed to challenge a revocation of a First Class Engineer license by DPS. Mr. Logan expressed disagreement that the Board of Boiler Rules has the authority to assign duties and responsibilities to any person licensed under MGL Chapter 146. He also expressed disagreement of Engineer-in-charge being under the Board of Boiler Rules. These duties and responsibilities are the function of the Chief of Inspections and the Division of Inspection. Mr. Logan proposed to repeal §2.02 of the Board of Boiler Rules and to repeal §15.01, which of any section of the “National Boiler and Pressure Vessel Inspection Code” that pertains to “Boiler Repairs and Alterations and Repair/Alternations Methods”. Mr. Kawa clarified that under Chapter 146 § 5 – “Enforcement of Statues & Rules of Inspection of Boilers” – that if this Board formulates rules for inspection, it is the authority of the division of the department to enforce those rules. *An additional petition was submitted to the board by Mr. Logan. The Board will revisit this petition after the appeal process of the revocation of the First Class Engineer license with the Department of Public Safety has been completed.*

c) BioHeatUSA – Asked the Board to adopt units built in accordance to the European Solid Fuel Pressure Vessel Code EN 303-5. Requested for exemption of ASME code with regard to wood and wood pellet boilers. Board members expressed the significant difference between the ASME code and the EN standard takes place in the inspection during construction. Mr. Kawa clarified that the Board does not regulate the fuel source of the boilers, the Board formulates rules for the construction, material and the methods that are used. *Request denied. The Board recommended that the wood boilers can be built in compliance to the ASME code.*

5) New Business:

a) Board of Boiler Rules Meetings – Board member Mr. Kawa suggested an additional meeting in September with the purpose to better serve the public and to increase the efficiency of the Board. Mr. Kawa also proposed an executive session after the meeting to discuss the agenda for September. *Motion to adopt new meeting schedule - Motion passed. The Board will review additional meeting times and locations, any decision and meeting notices will be notified.*

6) Adjournment.

Chairman Kawa adjourned the meeting at 10:36 a.m.

Minutes submitted by Celeste Lam