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Board of Boiler Rules

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

Meeting Minutes of September 17, 2009

Meeting called to order at 9:30 a.m.

1) Roll Call:

Members Present:

Edward Kawa, Chairman

Ray Archambault

Tom Healy

Charles Perry

Member

Member

Member

Member

Member Absent:

Ernest Hall

Member

Visitors Present:

Celeste Lam, DPS

Jim Blackburn, DPS

Steve Bakas, DPS

Francis Bucchiere, DPS

Paul Logan, Steam Engineering Institute

Mark Mooney, Liberty Mutual

James Mahesey, Chapter 146 Association

Don Stats, Travelers

Bob Kelliher, Chapter 146 Association

Mike Robillard, Chubb Insurance

Nicholas Dalessandro, Chapter 146 Association

Matthew Smith, Chapter 146 Association

Keith Gott, Chapter 146 Association

2) Minutes of previous meeting:

a) Motion to approve the meeting minutes of July 23, 2009 – Approved.

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

a) Twin Rivers Technology, Quincy – Request for a two month extension – *Motion to approve extension – motion passed.*

b) Quincy Medical Center, Quincy – Request for a six month extension – *Motion to approve extension – motion passed.*

c) MATEP LLC, Boston – Request for a two month extension- *Motion to approve extension – motion passed.*

d) Bridgewater Correctional Complex, Bridgewater – Request for a one month extension – *Motion to approve extension – motion passed.*

4) New Business: Open for public comments.

a) Paul Logan, Steam Engineering Institute - a letter was submitted to the Chairman to request a committee to be formed for the Board of Boiler Rules. The letter will be submitted to the members for consideration.

Letter forwarded to the Board members on September 22, 2009.

- b) Don Stats, Travelers – requested clarification on the process of the CMR rewrite. Chairman Kawa explained a brief schedule for the rewrite process, and that the Board will be accepting petitions from the general public in the November statutory meeting.
- c) Nicholas Dalessandro, Chapter 146 Association – requested clarification on the purpose of the CMR rewrite. Chairman Kawa explained the purpose is to incorporate new proposed regulations in order to keep the regulation up to date.

*Acknowledgement of Abby Dvorkin, legal counselor for DPS.

- d) Paul Logan, Steam Engineering Institution – requested a copy of the July meeting minutes. Chairman Kawa explained that a copy of the minutes will be posted on the DPS website upon the Board's approval.
 - e) Don Stats, Travelers – requested clarification on the authority of the Board and the promulgation process. Ms. Dvorkin clarified that any proposed changes to the regulation has to go through a standard filing process and a formal public hearing process in order to become effective. All proposed changed must be submitted in written form.
 - f) Mark Mooney, Liberty Mutual – requested clarification on if the Board can grant variances for companies to have extended- stay on the current code because of the promulgation process for the new code. Inspector Blackburn explained that most inspectors would enforce the newest code out on the field. Chairman Kawa clarified that the inspectors can make recommendation on the field, however, the enforceable code remains to be the one adopted by the regulation. It is the main reason the Board is updating the regulation.
 - g) Paul Logan, Steam Engineering Institute – requested clarification on public notification of the changes to be made to the regulation. Ms. Dvorkin clarified that the public will be notified of all public hearings and the proposed changes will be posted on the DPS website.
- 5) Adjournment.
Chairman Kawa adjourned the meeting at 9:56 a.m.

** Executive Session

Meeting called to order at 10:16 a.m.

- 1) Follow up on BioHeat.
- 2) Promulgation process for 522 CMR.
- 3) Handbook for Board members.
- 4) General Timeline to update the code.
- 5) Regulations manual.
- 6) Entertain petitions from public in November.
- 7) Redline version and clean version of 522 CMR.
- 8) Update the code of construction.
- 9) Create a historic boilers section or sections to address the existing boilers.
- 10) Duties of operators – administrative ruling.
- 11) Section 2 & section 18 to 520 CMR.
- 12) Public hearing notices.
- 13) Emergency regulations.
- 14) Board forms.
- 15) Open meeting guidelines.
- 16) Look for conflicting languages.

Chairman Kawa adjourned the meeting at 11:29 a.m.

Minutes submitted by Celeste Lam