



The Commonwealth of Massachusetts
Executive Office of Public Safety and Security
Board of Boiler Rules



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CHAIRMAN

Minutes
Board of Boiler Rules
Department of Fire Services
One State Road, Stow, MA 01775
Meeting of December 2, 2021

Meeting called to order by the Chairman, Ed Kawa, at 10:05 A.M. The Chairman opened this meeting of the Board of Boiler Rules, explaining that it is being held in accordance with M.G.L. Chapter 146 Section 3, this is a regular meeting of the Board. This meeting is being held online via Webex, and is being recorded.

1) The Board members in attendance were identified by roll call:

Board Members Present:

Edward Kawa, Chairman
 Anthony Lucia, Operating Engineers
 Leah Francis, Insurance Companies
 Max Greig, User Group
 Charles Perry, Boiler Manufacturers

Board Members Not Present:

None

**The Chairman reminded the Board members that all voting will be done by a roll call vote.*

DFS Staff Present:

Glenn Rooney, Staff Counsel
 Dan Laperle, DFS
 Alan Boston, DFS

Bob Vasconcelos, DFS
 Jerry Soltan, DFS
 Holly Bartlett, DFS

Attendees Present:

* The Chairman asked that attendees please identify themselves, and with whom they are affiliated:

Doug Smiley, Travelers
 Mike Robillard, Somp International

Glenn Robinson, HSB
 Jim Stiefel, HSB

Philip Bernier, HSB
Chris Fialkowski, FM Global
Brian Palmer, FM Global

Stephen Pritchard
Robert Rose, A-Z Corp
Keith Mazzaresse, A-Z Corp.

- 2) Minutes from previous meetings: The minutes from the previous meeting held on October 7, 2021, were reviewed. ***Motion to approve the minutes made by Leah Francis, seconded by Anthony Lucia; motion passed by unanimous roll call vote.***
- 3) Petitions for inspectional considerations: The following requests for extension of the inspectional requirement were entered into record:
 - a) MCI Framingham, request dated September 16, 2021, for a 6-month extension of the inspectional requirement for MA054137
 - b) DPH Pappas Rehabilitation Hospital, request dated November 4, 2021, for a 4-month extension of the inspectional requirement for MA230905, MA230906 and MA230907

Motion to ratify the approval of these requests made by Charlie Perry, seconded by Anthony Lucia; motion passed by unanimous roll call vote.

- 4) 522 CMR Proposed Draft, Public Hearing held on November 19, 2021: The Chairman informed the Board members that no comments were heard at the hearing on November 19. Glenn Rooney, Counsel for the Board, addressed the Board regarding the promulgation process for proposed changes to 522 CMR. The Board had voted to move forward with the promulgation. Since that time, the necessary approval from other agencies, including business impact standards, were granted, and the second round of approvals following the public hearing was initiated. The approved copy was submitted to the Secretary of State's office, the regulation will take effect on December 10, the date it is published in the Massachusetts Register. He went on to point out that this promulgation cycle happened very quickly. The Chairman thanked Counsel for his assistance in this process.
- 5) 522 CMR 1.05, Requests for Variance
 - a) A-Z Corp/MACOM Lowell: The Chairman explained that the Board had received a request from A-Z Corp, along with supporting documentation that was provided. The permit application for the unit in question has also been received by DFS. The Chairman asked Robert Rose, a representative from A-Z Corp present at this meeting, about the rationale behind installing a HRSG that was constructed in accordance with ASME Section VIII, and then not apply for an installation permit until after the fact. Mr. Rose explained that the delay in application for the necessary permit was due to an internal mistake. The Chairman went on to acknowledge that the installation of a Section VIII was done by an installer authorized to install a Section I vessel. Mr. Rose explained that the pressure of the vessel fell outside of the Section I requirements. The Chairman asked if Board members have any questions regarding this matter. Charlie Perry noted that the difference in manufacturing materials required in Section I and Section VIII. He also looked at the weld details, noting that they could have been used for either Section, and pointed out that if the variance were to be approved, the all the trim on the boiler should be in accordance with Section I. He also asked what provision there is for a shutdown of the boiler. The Chairman asked that in a low water condition, what actions are being taken? Is a by-pass damper to the engine gases being re-directed, or is the engine being tripped? Mr. Rose replied that he will have to verify this information, and reply to this question in writing.

The Chairman said that the Board will draft a list of questions to be addressed in considering this request. Max Greig added that it would be helpful to have a list of how it would be trimmed out to meet with Section I, beyond the information available in the drawings.

Keith Mazzaresse, A-Z Corp, addressed the Board, pointing out that the relief valves on the boiler are set to 15 PSI, and can prevent over-pressurization per Section VIII.

Motion to table consideration of this request until additional information can be provided to the Board made by Anthony Lucia, seconded by Leah Francis; motion passed by unanimous roll call vote, meeting adjourned

b) Northbridge Elementary School: The Chairman explained that DFS had received a request from Northbridge Elementary School regarding secondary means of egress, which was later withdrawn. So

6) Updates from DFS Staff: No updates from DFS Staff were presented at today's meeting.

7) Matters not reasonably anticipated:

The Chairman acknowledged that the Board Counsel Glenn Rooney has been promoted to DFS General Counsel, and thanked him for all of his work with the Board.

The Chairman announced that there are currently two BPV inspector positions open.

He also acknowledged that HSB is now participating in direct use of Jurisdiction Online to enter their inspectional activity

The new on-line payment and owner's portal have been available for use since October, and that there are plans to enhance the portal to include the capability to submit permit applications via the portal, and to initiate daily mailings of notices of upcoming certificate inspections. Hopefully these enhancements will be in place later this spring.

Leah Francis asked about writing violations regarding the lack of secondary egress means in existing buildings, as was the circumstance in the case of the variance request from Northbridge Elementary School. The Chairman explained that a violation had been written requiring this location to provide a secondary means of egress, and that to apply for a variance if the owner could not comply with this requirement. However, we have received variance requests of this nature in the past, and it was determined that the installation requirements in the NBIC are for new installation. So, with existing installations, DFS will not be enforcing the requirement for secondary egress unless there is a major modification to the structure/building/mechanical space. With that understanding, the violation for Northbridge Elementary was closed.

8) Adjournment: The next meeting is tentatively set for February 3, 2022. ***Motion to adjourn this meeting made by Anthony Lucia, seconded by Leah Francis; motion passed by unanimous roll call vote, meeting adjourned at 10:45 AM.***

List of Documents/Exhibits Used at this Meeting

- a. Minutes from meeting on October 7, 2021
- b. Extension Requests:
 - i. MCI Framingham
 - ii. DPH Pappas Rehabilitation Hospital
- c. Variance Requests:
 - i. A-Z Corp/MACOM Lowell
- d. Northbridge Public Schools