



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

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STATE FIRE MARSHAL

EDWARD S. KAWA JR
CHAIRMAN

Minutes
Board of Boiler Rules
Department of Fire Services
One State Road, Stow, MA 01775
Meeting of March 7, 2024

Meeting called to order by the Chairman, Ed Kawa, at 10:04 A.M. The Chairman opened this meeting of the Board of Boiler Rules, explaining that in accordance with M.G.L. Chapter 146 Section 3, the Board is conducting a regular meeting. This meeting is being held online via Microsoft TEAMS, and is being recorded.

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

Board Members Present:

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

Board Members Not Present:

Leah Francis, Insurance Companies

DFS Staff Present:

Rachel Perlman, DFS
 Dan Laperle, DFS
 Jerry Soltan, DFS

Greg Folsom, DFS
 Holly Bartlett, DFS

Attendees Present:

Glenn Robinson, HSB
 Henry Geryk, Travelers
 Mike Robillard, Sampo

Randy Buswell, FM Global
 Henry Tessman, Great Wolf Lodge

- 2) Minutes from previous meetings: The minutes from the previous meeting held on November 2, 2023, were reviewed. ***Motion to approve the minutes made by Anthony Lucia, seconded by Charlie Perry; motion passed by unanimous roll call vote.***

3) Petitions for inspectional considerations: The following requests for extension of the inspectional requirement received since the last regular meeting in November were entered into record:

- a) Taunton Superior Court, request dtd November 13, 2023, for a 6-month extension of the inspectional requirement for MAS073850 and MAS073851
- b) Catalent, Inc, request dtd November 14, 2023, for a 60-day extension of the inspectional requirement for MA104378
- c) RecBioPharma, request dated November 17, 2023, for a 3-month extension of the inspectional requirement for MA232751, MA232752, MA232753, MA232347, MA232348, MA232349, MA232766, MA232767, MA232770, MA232769, MA232764, MA232765
- d) Edward Brooke Courthouse, request dtd December 13, 2023, for a 6-month extension of the inspectional requirement for MA190028
- e) Wheelabrator Millbury, request dtd December 18, 2023, for a 3-month extension of the inspectional requirement for MA072166 and MA072167
- f) Pfizer, request dtd December 19, 2023, for a 3-month extension of the inspectional requirement for MA115021
- g) HRI Hospital, request dtd December 28, 2023, for a 4-month extension of the inspectional requirement for MAW099611, MAW099612, MAW099613, MAW099614, MAW099615
- h) Blackstone Power Generation, request dtd January 22, 2024, for a 6-month extension of the inspectional requirement for MA068631
- i) Win-Waste Innovations, request dtd January 17, 2024, for a 3-month extension of the inspectional requirement for MAS022850
- j) Constellation (Exelon) Mystic 8 & 9, request dtd February 5, 2024, for a 6-month extension of the inspectional requirement for MA118602

Max Greig noted that some extension requests are submitted after the expiration date of the Certificate of Inspection, and asked how these are handled. The Chairman explained that these are considered on a case-by-case basis, and that information such as the supporting document submitted by the inspector of record is taken into consideration in addition to the expiration date of the COI.

Motion to approve these extensions as read made by Charlie Perry, seconded by Anthony Lucia; motion passed by unanimous roll call vote.

4) Variance Request – Great Wolf Lodge: The Chairman explained that Henry Tessman had submitted an Application for Variance from 522 CMR 15.00 on behalf of Great Wolf Lodge in Fitchburg. A violation had recently been issued by an insurance inspector, stating that a second means of egress is required by the NBIC. The Chairman explained that the Board has addressed these requests in the past; that section of the NBIC is in the installation codes, and applies to new construction or major modification. For this facility, this was not new construction, nor was there major modification of the facility. DFS Supervisor Laperle and Inspector Soltan did a compliance inspection of the facility. Also, Mr. Tessman received supporting documentation from the local fire department indicating that they would support the variance request. Mr. Tessman addressed the Board, pointing out the boiler room is in the basement of the facility, and that there is only one wall where there is currently a door to the room, and that there is no egress space on the other side of the other three walls. Supervisor Laperle addressed the Board, verifying the layout as described by Mr. Tessman, and that he has no objections to the variance request.

Motion to approve this variance made by Charlie Perry, seconded by Anthony Lucia; motion passed by unanimous roll call vote.

- 5) 522 CMR: Promulgation Status Update: Rachel Perlman, Board Counsel, addressed the Board to report that a public hearing was held to take public comment on the proposed changes, and that there was a meeting after the hearing to discuss the comments received and incorporate those changes as necessary. Other than that, the promulgation process is moving along,
- 6) Board Membership: The Chairman informed the Board that Leah Francis, who represents Insurers of Boilers on the Board since 2012, will not be seeking re-appointment to the Board. So that position will be vacant as of May 2024. DFS will be accepting letters of interest/resume from individuals who are interested in serving on the Board.
- 7) Updates from DFS Staff: The Chairman informed the Board that there is currently a vacant District Inspector position; interviews are being conducted, and we hope to have this position filled within the next few months.
- 8) Matters not reasonably anticipated: None.
- 9) Adjournment of Meeting: The next meeting is tentatively set for Thursday, April 4, 2024. ***Motion to adjourn the meeting made by Anthony Lucia, seconded by Charlie Perry; motion passed by majority roll call vote, regular meeting adjourned at 10:41AM.***

List of Documents/Exhibits Used at this Meeting

- a. Minutes, Board Meeting on November 2, 2023
- b. Extension Requests
 - i. Catalent, Inc.
 - ii. Taunton Superior Court
 - iii. RecBioPharm
 - iv. Edward Brooke Courthouse
 - v. Wheelabrator Millbury
 - vi. Pfizer, Inc.
 - vii. HRI Hospital
 - viii. Blackstone Power Generation
 - ix. Win-Waste Innovations Saugus
 - x. Constellation (Exelon) Mystic 8 & 9 Generating Station
- c. Variance Request – Great Wolf Lodge