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The Commonwealth of Massachusetts
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Board of Boiler Rules

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EDWARD S. KAWA JR
CHAIRMAN

Minutes
Board of Boiler Rules
Department of Fire Services
One State Road, Stow, MA 01775
Meeting of May 4, 2017, 10:00 A.M.

1. Meeting called to order by the Chairman Ed Kawa at 10:15 A.M. The Chairman asked that members present identify themselves, and indicate whom they represent as Board members:

Board Members Present:

Edward Kawa, Chairman
Charles Perry, Boiler Manufacturers
Leah Francis, Insurance Companies
Ray Archambault, Operating Engineers

Board Members Not Present:

Anthony Lucia, Users Group

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

Attendees Present:

Steve Sawyer, Travelers
Frank Zarrella, Travelers
Chris Hastings, Travelers
Steve Kapnis, CNA
Mike Roby, FM Global
Rick Gillis, Liberty Mutual
William Grudzinski, WPI
Glenn Robinson, HSB
Michael Collin, HSB
Mike Robillard, Chubb
Yu Shen, CNA
Keith Gott, Chapter 146 Assn.

Antoine Chamoun, TLC
Tom O'Rourke, NRG Services
Fire Marshal Peter Ostroskey, DFS
Deputy Fire Marshal Maribel Fournier, DFS
Peter Senopoulos, DFS Counsel and Board Counsel
Paul Vigneau, Director of Fire Safety, DFS
Henry Geryk, DFS
Dan LaPerle, DFS
Holly Bartlett, DFS

2. Minutes from previous meeting: The minutes from the previous meeting held on November 3, 2016, were reviewed. *Motion to enter the minutes into record made by Ray Archambault, seconded by Charlie Perry; motion passed by unanimous vote.*
3. State Fire Marshal Peter Ostroskey: Marshal Ostroskey addressed the Board and guests, welcoming the Board of Boiler Rules to the Department of Fire Services. He summarized the services and responsibilities of the Department, and clarified how the Boiler and Pressure Vessel Program would fit in the structure of the DFS.
4. Petitions for inspectional considerations: The following requests for extension of the inspectional requirement were entered into record:
 - a. Covanta Energy, Extension Request dated November 9, 2016, for a 1-month extension of the inspectional requirement for one unit, MA064654. *Motion to accept this extension into record made by Ray Archambault, seconded by Charles Perry; motion passed by unanimous vote.*
 - b. Brigham & Women's Hospital, Extension Request dated November 30, 2016, for a 6-month extension of the inspectional requirement for three units, MA188813, MA188814 and MA188815. *Motion to accept this extension into record made by Leah Francis, seconded by Charles Perry; motion passed by unanimous vote.*
 - c. T.E. Connectivity, Extension Request dated December 19, 2016, for a 4-month extension of the inspectional requirement for one unit, MA102505. *Motion to accept this extension into record made by Charles Perry, seconded by Ray Archambault; motion passed by unanimous vote.*
 - d. Tanner Street Generation, Extension Request dated February 16, 2017, for a 3-month extension of the inspectional requirement for three units, MA138167, MA138166 and MA138168. *Motion to accept this extension into record made by Ray Archambault, seconded by Charles Perry; motion passed by unanimous vote.*
 - e. Exelon Generation, Mystic Stations 8 & 9, Extension Request dated April 20, 2017, for a 52-day extension of the inspectional requirement for two units, MA103139 and MA103073. *Motion to accept this extension into record made by Leah Francis, seconded by Ray Archambault; motion passed by unanimous vote.*
 - f. Good Samaritan Medical Center, Extension Request dated March 9, 2017, for a 6-month extension of the inspectional requirement for two units, MA71735 and MA 71734A. *Consideration of this request was tabled until the next meeting, as the application is missing documentation.*
5. Petitions for Changes to the Rules: In accordance with M.G.L. Chapter 146 Section 3, the Chairman opened the floor for members of the public to present petitions to make change to the rules. Tom O'Rourke, NRG, presented a request that the Board consider acceptance of a code interpretation transcribed by HSB regarding the requirement of a Form P-4B when a disassembled boiler is re-assembled in the field. Mr. O'Rourke is asking that the Board clarify that the Form P-4B be required only when modifications are made. The Chairman acknowledged that the Board will consider the documentation provided by Mr. O'Rourke, and whether changes will need to be made to the rules. Peter Senopoulos, Board Counsel, suggested that Mr. O'Rourke submit his question in writing with more detail.

Frank Zarrella, Travellers, asked if the Board has latitude in looking to national code to provide interpretation to the Board. Counselor Senopoulos clarified that the Board can consult with other codes for information when making their own interpretation, with the Board being the ultimate decision making authority for interpreting 522 CMR.

Attorney Senopoulos addressed the Board regarding the need for review of 522 following the Article 87 Reorganization, recommending that the Board initiate, either through staff or committee, activity to bring the regulation into conformance. Steve Sawyer asked if this would also be an opportunity to review other language in the CMR, such as the BTU threshold for hot water boilers versus low pressure steam; the Chairman acknowledged that this would be such an opportunity. Paul Vigneau clarified that much of the 'housekeeping' activity would be done by DFS staff, and that a committee could be formed to provide recommendations for changes to the code to the Board. Peter Senopoulos recommended that the Board move forward with establish a committee, and ask that staff conduct 'housekeeping' review of 522. ***Motion to have 'staff' conduct a 'housekeeping' review of 522 to be presented at the next Board meeting made by Charles Perry, seconded by Leah Francis; motion passed by unanimous vote***

Motion to add to the agenda for the next meeting establishment of a committee to solicit changes to 522 CMR, made by Charles Perry, seconded by Leah Francis; motion passed by unanimous vote.

Antoine Chamoun, TLC, requested for the Board to clarify the definition of air tanks. The Chairman advised him to submit such request to the Board in writing.

6. Adjournment – The date of the next regular meeting will be on June 8, 2017. ***Motion to adjourn this meeting made by Ray Archambault, seconded by Charlie Perry; motion passed by unanimous vote, meeting adjourned at 10:53 AM.***

List of Documents/Exhibits Used at this Meeting

- a. Minutes from meeting on November 3, 2016
- b. Extension Request – Covanta Energy SEMASS
- c. Extension Request – Brigham & Women's Hospital
- d. Extension Request – T.E. Connectivity
- e. Extension Request – Tanner Street Generation
- f. Extension Request – Exelon Generation, Mystic Stations 8 & 9
- g. Code Interpretation presented by Tom O'Rourke