



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

P. O. Box 1025 ~ State Road

Stow, Massachusetts 01775

(978) 567~3780 Fax: (978) 567~3199

www.mass.gov/dfs



PETER J. OSTROSKY
STATE FIRE MARSHAL

EDWARD S. KAWA JR
CHAIRMAN

MAURA T. HEALEY
GOVERNOR

KIMBERLEY DRISCOLL
LIEUTENANT GOVERNOR

TERRENCE M. REIDY
SECRETARY

Minutes
Board of Boiler Rules
Department of Fire Services
One State Road, Stow, MA 01775
Meeting of May 4, 2023

Meeting called to order by the Chairman, Ed Kawa, at 10:10 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 holding a public hearing to hear petitions to make changes to 522 CMR; also, the Board is conducting a regular meeting. This meeting 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
 Leah Francis, Insurance Companies
 Max Greig, User Group

Board Members Not Present:

None

DFS Staff Present:

Dan Laperle, DFS
 John Russo, DFS
 John Lawrence, DFS

Allen Boston, DFS
 Greg Folsom, DFS
 Holly Bartlett, DFS

Attendees Present:

Glenn Robinson, HSB
 Jim Stiefel, HSB
 Chris Fialkowski, FM Global

Andrew Sweeney, Chubb
 Chris Hastings, Chubb

- 2) Public Hearing for Petitions to make Changes to 522 CMR: The Chairman asked if there was anyone in attendance who wanted to be heard. With no replies, he explained that the ‘hearing’ would remain

open for the duration of the meeting, and for a minimum of one hour in case anyone joins the meeting who wants to be heard.

- 3) Minutes from previous meetings: The minutes from the previous meeting held on February 2, 2023, were reviewed. ***Motion to approve the minutes made by Leah Francis, seconded by Anthony Lucia; motion passed by unanimous vote.***

- 4) Petitions for inspectional considerations: The Chairman explained that as these requests are received, they are reviewed by himself as the BPV Chief, who checks our records for boiler/facility compliance, and reviews the endorsement submitted by the Inspector of Record to ensure an extension would not adversely affect operation of the unit. The following requests for extension of the inspectional requirement were entered into record:
 - a) Coca-Cola Northampton, request dtd April 10, 2023, for a 1-month extension of the inspectional requirement for MA098519
 - b) NewCorr Packaging, request dtd April 4, 2023, for a 4-month extension of the inspectional requirement for MAS068486
 - c) Vicinity, Kendall Green Energy, request dtd March 30, 2023, for a 5-month extension of the inspectional requirement for MA101290
 - d) MCI Framingham, request dtd March 31, 2023, for a 3-month extension of the inspectional requirement for MA068398
 - e) Harvard University, Blackstone Steam Plant, request dtd April 6, 2023, for a 6-month extension of the inspectional requirement for MAS038033
 - f) Erving Industries, request dtd March 17, 2023, for a 6-month extension of the inspectional requirement for MA182260
 - g) Wheelabrator Millbury, request dtd March 15, 2023, for a 1-month extension of the inspectional requirement for MAS065454 and MAS065455
 - h) Precix, Inc, request dtd March 15, 2023, for a 3-month extension of the inspectional requirement for MAS012168
 - i) UMass Lowell, request dtd March 13, 2023, for a 1-month extension of the inspectional requirement for MA177033 and MA173678
 - j) Covanta Energy, request dtd February 21, 2023, for a 6-month extension of the inspectional requirement for MA069123 and MA069124
 - k) Crane & Co/Pioneer Mill, request dtd February 17, 2023, for a 4-month extension of the inspectional requirement for MA232874
 - l) Win-Waste Innovations Saugus, request dtd February 9, 2023, for a 1-month extension of the inspectional requirement for MAS022850
 - m) Holyoke Soldiers Home, requests dtd November 2, 2022, for a 3-month extension of the inspectional requirement for MA067328

Motion to approve these extensions as read made by Charlie Perry, seconded by Leah Francis; motion passed by unanimous vote.

- 5) Review of 522 CMR 1.03, Standards Adopted: The Chairman turned the meeting over to Anthony Lucia, the Chairman of the 522 CMR Committee. Mr. Lucia summarized the review that was conducted by the Committee with the help of Supervisor Laperle over the past several months. He drew attention to several significant changes, including ASHRAE 7.2 and 7.3, Machine Room Ventilation Requirements; adoption of the IIAR Standard IX, Minimum Safety Valve Requirements for Existing Closed-circuit Ammonia Refrigeration Systems; and ASME Section XIII, Rules for Over

Pressure Protection. The Subcommittee voted unanimously to recommended that the codes and standards listed be adopted. The Board Chair presented the Board with binders containing copies of the current statute and regulations, as well as summaries of the changes to the standards adopted in 1.03 of 522 CMR. He went on to explain that a draft of 522 with red-line changes will be ready for the Board to review at the June meeting, and that a vote would be likely in July, followed by a public hearing as the next step in the promulgation process. The Chairman asked Dan Laperle to provide a summary of the changes made to ASME XIII, a new section; Dan explained that ASME created a new section to follow the changes to the NBIC Part 4 code regarding pressure relief devices.

Motion to accept the Committee’s recommendation to adopt the current editions of the standards adopted in 1.03 made by Charlie Perry, seconded by Leah Francis; motion passed by unanimous vote.

- 6) 522 CMR: Proposed Changes: The Chairman opened a discussion of three areas of 522 that will be reviewed for proposed changes:
 - a) Definition of Authorized Inspector/In-Service Inspector: The Chairman reviewed the current definitions in 522, and proposed that the terms/definitions in NBIC, RCI 1, Rules for Commissioned Inspectors, so that 522 is in-line with the National Board’s terminology. Similarly, he proposed to replace the words ‘insurance agency’ with Authorized Inspection Agency.
 - b) Retention Schedule for Engineer’s Record Books: The Chairman explained Counsel stated that the State Record Retention Schedule does not cover these, and that the Board has the authority set the retention requirements for these records. He clarified that the Engineer in Charge is responsible for maintenance of these records. He also pointed out that the language regarding appointment of Engineer in Charge has been expanded to include the requirement for a Letter of Designation when appointed as Engineer in Charge, and to clarify reporting requirements.
 - c) Continuing Education, Correspondence and Online Courses: The Chairman recommended that Chapter 18 be amended to include specific requirements for providers to submit their protocol to verify that individuals participating in the online or correspondence are the individuals who will be receiving credit for participation.

The Chairman asked for a motion to incorporate these three items into 522. ***Motion to these three items into 522 made by Charlie Perry, seconded by Anthony Lucia; Motion passed by unanimous vote.***

- 7) Updates from DFS Staff: The Chairman informed the Board that the authorization to conduct meetings remotely has been extended until March 31, 2025.
- 8) Matters not reasonably anticipated: None.

Prior to Adjournment, the Chairman reminded members/attendees that the Hearing will remain open and available for public comment for the remainder of one hour since the meeting/hearing opened at 10:10AM.

- 9) Adjournment of Meeting: The next meeting is tentatively set for Thursday, June 1, 2023. ***Motion to adjourn the regular meeting made by Charlie Perry, seconded by Anthony Lucia; regular meeting adjourned at 10:50 AM.***
- 10) Adjournment of Public Hearing: ***The Chairman closed the Public Hearing at 11:10 AM.***

List of Documents/Exhibits Used at this Meeting

- a. Minutes from meeting on February 2, 2023
- b. Extension Requests:
 - i. Coca-Cola Northampton
 - ii. NewCorr Packaging
 - iii. Vicinity, Kendall Green Energy
 - iv. MCI Framingham
 - v. Harvard University, Blackstone Steam Plant
 - vi. Erving Industries, Inc.
 - vii. Wheelabrator Millbury
 - viii. Precix, Inc.
 - ix. UMass Lowell, North Campus
 - x. Covanta Energy Corporation
 - xi. Crane & Co., "Pioneer Mill"
 - xii. Win-Waste Innovations Saugus
 - xiii. Holyoke Soldiers Home
- c. Memo from 522 CMR Committee to Board of Boiler Rules with Recommendations
- d. Binders for Board Members containing:
 - i. Current Edition of 522 CMR
 - ii. Committee Review Recommendations
 - iii. Summaries of Changes to Standards in 522 1.03
 - iv. Other documents to assist Board members in their review