



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 October 7, 2021

Meeting called to order by the Chairman, Ed Kawa, at 10:03 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

Bob Vasconcelos, DFS
 Holly Bartlett, DFS

Attendees Present:

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

Glenn Robinson, HSB
 Jim Stiefel, HSB
 Philip Bernier, HSB

Chris Fialkowski, FM Global
 Erica Daigneault, FM Global
 Chris Hastings, Chubb

- 2) Minutes from previous meetings: The minutes from the previous meeting held on September 9, 2021, were reviewed. ***Motion to approve the minutes made by Leah Francis, seconded by Max Greig; 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) Bay State Linen / Zoots Dry Cleaners, request dated September 10, 2021, for a 6-month extension of the inspectional requirement for MAS072547
 - b) Twin Rivers Technologies, request dated September 21, 2021, for a 6-month extension of the inspectional requirement for MA072739A, MA072440 and MA187363
 - c) Rentschler Biopharma Inc, request dated September 16, 2021, for a 2-month extension of the inspectional requirement for MA140769 and MA183605
 - d) Schneider Electric, request dated September 17, 2021, for an 85-day extension of the inspectional requirement for MA022294A

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 Draft – Board Review and Discussion: The Chairman reminded everyone that the Board had reviewed the entire draft document at the last meeting in September, and that there were two items that needed further discussion. The first item is the definition of Reportable Accidents/Incidents, there had been some discussion that the proposed language was still unclear as to when a facility or an engineer in charge must report. The newly proposed language is:

“Accidents or incidents that result in Serious Injury/Illness or damage that results in the Boiler or Pressure Vessel being removed from service for work other than routine or scheduled maintenance, or Routine Repair work in accordance with the NBIC Part 3.”

Max Greig and Anthony Lucia agree that the newly proposed language does clarify this definition.

The next item to be discussed is in 2.02(1), regarding signing of log books. The language in the original draft might lead the reader to think that there is only one entry required during a shift. The newly proposed language is:

“When an engineer or fireman is operating steam Boilers or steam engines, he or she is actually engaged as an assistant to the person in charge, and during his or her hours on duty, he or she is held responsible for the proper operation of the Boilers and engines specified and their Appurtenances. Operators of stem Boilers shall sign the Operator’s Record Book, as provided for in M.G.L. c. 146, Section 46A, each time they assume responsibility as the licensed operator, and make necessary entries to the Operator’s Record Book during the shift. These records shall be made available to the Chief or any District Engineering Inspector upon request.”

Max Greig and Charlie Perry agreed with this newly proposed language.

The Chairman asked if there are any other comments/concerns. Hearing none, he asked for a motion. ***Motion to accept the draft of 522 CMR as amended made by Anthony Lucia, seconded by Charlie Perry; motion passed by unanimous roll call vote.***

Glenn Rooney, Counselor for the Board, reminded the Board that the promulgation process would take about eight weeks, including approval and review by other regulating bodies, including ANF and EOPSS, which would culminate in a public hearing to hear comment on the proposed changes. He will keep the Board posted of the status as the promulgation process proceeds.

- 5) Updates from DFS Staff: No updates from DFS Staff were presented at today's meeting.
- 6) Matters not reasonably anticipated: The Chairman asked the Board if there were any other matters that should be addressed at this time. Charlie Perry took a moment to thank all who worked on the update to 522, which was echoed by the Chairman.

The Chairman reminded the Board that there will be a public hearing on November 4 to hear proposals to change to 522 CMR. Additionally, there will be another public hearing to hear comment on the currently proposed changes, which will be scheduled once the draft has been approved by the Secretary of State's office.

- 7) Adjournment: ***Motion to adjourn this meeting made by Anthony Lucia, seconded by Leah Francis; motion passed by unanimous roll call vote, meeting adjourned at 10:33 AM.***

List of Documents/Exhibits Used at this Meeting

- a. Minutes from meeting on October 7, 2021
- b. Extension Requests:
 - i. Bay State Linen / Zoots Dry Cleaners
 - ii. Twin Rivers Technologies
 - iii. Rentschler Biopharma Inc.
 - iv. Schneider Electric
- c. Amended Sections to Draft of 522 CMR