



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



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Minutes

Board of Boiler Rules

Department of Fire Services

One State Road, Stow, MA 01775

Meeting of September 19, 2019, 1:00 P.M.

1. Meeting called to order by the Chairman, Ed Kawa, at 1:05 P.M. The Chairman opened this meeting of the Board of Boiler Rules, and explained that the Board will be conducting a regular meeting of the Board, and a hearing to hear comments on proposed changes to 522 CMR, in accordance with M.G.L. Chapter 146 §3.

Before proceeding with the meeting, the Chairman paused to acknowledge the passing of Ray Archambault, a member of the Board of Boiler Rules for over 35 years, and friend and colleague of tradesmen throughout the Commonwealth.

2. The Chairman then asked that members present identify themselves, and indicate whom they represent as Board members:

Board Members Present:

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

Board Members Not Present:

(Vacant), User Group

DFS Staff Present:

Glenn Rooney, DFS, Board Counsel
 Paul Vigneau, DFS
 Dan LaPerle, DFS

Holly Bartlett, DFS
 Jeff Ortiz, DFS

Attendees Present:

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

Tom Stanton, Arise
 Steve Sawyer, Travelers
 James Stiefel, HSB

Philip Bernier, HSB
 Glenn Robinson, HSB
 Mike Robillard, Chubb

3. Hearing of petitions to make changes to 522 CMR: Glenn Rooney, counsel for the Board, informed the Board members that the draft regulations have been posted on the DFS website since May 2019, and that notices have been published in several print publications, as required by statute. The Chairman proceeded to read the Notice of Public Hearing, as it was posted. The Chairman asked if there were any members of the public who would like to petition the Board with comment on the proposed changes to 522 CMR. There were no replies, and the Chairman noted that no attendees had indicated on the sign-in sheet that they wanted to be heard. The Chairman stated that the opportunity to be heard would remain open for the duration of the regular meeting.
4. Minutes from previous meeting: The minutes from the previous meeting held on May 2, 2019, were reviewed. ***Motion to approve the minutes made by Leah Francis, seconded by Charlie Perry; motion passed by unanimous vote.***
5. Petitions for inspectional considerations: The following requests for extension of the inspectional requirement were entered into record:
 - a. Pinetree Power, request dated May 1, 2019, for a 60-day extension of the inspectional requirement for MA068133.
 - b. Pinetree Power, request dated May 7, 2019, for a 60-day extension of the inspectional requirement for MA072532A.
 - c. Covanta Haverhill, request dated May 10, 2019, for a 3-month extension of the inspectional requirement for MA069124.
 - d. MCI Norfolk, request dated May 6, 2019, for a 6-month extension of the inspectional requirement for MA126922.
 - e. Tribe Mediterranean Foods, request dated May 17, 2019, for a 1-month extension of the inspectional requirement for MA161121.
 - f. Baystate Linen, request dated May 23, 2019, for a 3-month extension of the inspectional requirement for MAS07547.
 - g. Wilkinson Mobile Boiler request dated May 21, 2019, for a 2-month extension of the inspectional requirement for MA119123.
 - h. Community Eco Power/Covanta Pittsfield, request dated June 26, 2019, for a 2-month extension of the inspectional requirement for MA024145.
 - i. Lahey Hospital, request dated July 12, 2019, for a 60-day extension of the inspectional requirement for MA188368.
 - j. Clean Products, LLC, request dated August 13, 2019, for a 60-day extension of the inspectional requirement for MA174129.
 - k. Veolia – Scotia St Plant, request dated August 22, 2019, for a 6-month extension of the inspectional requirement for MA120334A.

Motion to ratify the approval of these requests made by Anthony Lucia, seconded by Leah Francis; motion passed by unanimous vote.

6. Board Member Vacancy Announcement: The Chairman explained that due to the passing of Ray Archambault, the position Representing Users is now vacant, and announced that the Board would be considering letters of interest/resumes from anyone interested in filling this vacancy. He went on to explain that the Board would review any letters of interest received, and make recommendation to the Marshal, who has authority to appoint a new member. In response to a question regarding what would be the official

definition of ‘user’ as far as the Board is concerned, the Chairman explained the user representative would be an individual that is subject to the Board’s Rules.

7. Close of Public Hearing: The Chairman asked again if there is anyone who would like to present comment on the proposed changes to 522 CMR; there were no replies. ***Motion to accept the proposed changes to 522 CMR made by Anthony Lucia, seconded by Leah Francis; motion passed by unanimous vote.*** Counsel explained that since the Board has voted to approve the changes, the final step in the promulgation process is that the regulations go to Administration and Finance for final review, and consideration of the Small Business Impact Statement. He will let the Board know when the changes have taken effect.
8. Matters not reasonably anticipated: The Chairman asked the Board if there were any other matters that should be addressed at this time; there were no replies.
9. Adjournment: The Chairman explained that the next meeting of the Board is the statutory meeting on Thursday, November 7. ***Motion to adjourn this meeting made by Anthony Lucia, seconded by Leah Francis; motion passed by unanimous vote, meeting adjourned at 1:25 PM.***

List of Documents/Exhibits Used at this Meeting

- a. NOTICE: Public Hearing, Board of Boiler Rules, September 19, 2019 @1PM
- b. Minutes from meeting/hearing on May 2, 2019
- c. Extension Requests:
 - i. Pinetree Power (2 requests)
 - ii. Covanta Haverhill
 - iii. MCI Norfolk
 - iv. Tribe Mediterranean Foods
 - v. Baystate Linen
 - vi. Wilkinson Mobile Boilers
 - vii. Community Eco Power/Covanta Pittsfield
 - viii. Lahey Hospital
 - ix. Clean Products, LLC
 - x. Veolia – Scotia St. Plant
- d. Red-line Draft of proposed changes to 522 CMR