



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

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JON M. DAVINE
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 September 7, 2023

Meeting called to order by the Chairman, Ed Kawa, at 10:00 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 recorded.

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

Board Members Present:

Edward Kawa, Chairman
 Charles Perry, Boiler Manufacturers
 Leah Francis, Insurance Companies

Board Members Not Present:

Anthony Lucia, Operating Engineers
 Max Greig, User Group

DFS Staff Present:

Jon Davine, DFS
 Rachel Perlman, DFS
 Dan Laperle, DFS
 John Lawrence, DFS

Andrew Crear, DFS
 Greg Folsom, DFS
 Holly Bartlett, DFS

Attendees Present:

Glenn Robinson, HSB
 Jim Stiefel, HSB
 Philip Bernier, HSB
 Mike Whitlock, HSB
 Henry Geryk, Travelers

Chris Fialkowski, FM Global
 Tyler Havriliak, FM Global
 Mike Snee, Wilkinson

- *The Chairman introduced Marshal Jon Davine to the Board. The Marshal greeted the Board, he's a veteran and former Chief of the Northampton FD.*

- 2) Minutes from previous meetings: The minutes from the previous meeting held on July 13, 2023, were reviewed. ***Motion to approve the minutes made by Charlie Perry, seconded by Leah Francis; motion passed by unanimous roll call vote.***
- 3) 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) Artisan Chef, request dtd July 19, 2023, for a 1-month extension of the inspectional requirement for MA232251
 - b) Newton Wellesley Hospital, request dtd July 24, 2023, for a 30-day extension of the inspectional requirement for MA0215084 and MA215085
 - c) Crane & Company, Byron Weston Power Plant, request dtd July 2, 2023, for a 2-month extension of the inspectional requirement for MAS000786
 - d) Cooley-Dickinson Hospital (Partners Health), request dtd August 18, 2023, for a 6-month extension of the inspectional requirement for MA06383
 - e) Tanner Street Generation, original request dtd January 18, 2023, for a 6-month extension of the inspectional requirement for MA138166, MA1381767, MA138168, currently requesting additional extension
 - f) Mass. Container Corp, request dtd August 21, 2023, for a 3-month extension of the inspectional requirement for MA068548

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

- 4) Request for Reclassification of Boiler Horsepower Capacity – UNITEX: This matter is a continuation that has been discussed at the last two meetings. The Chairman explained that after the last meeting, we received correspondence from Unitex notifying the Board that they are withdrawing their request for consideration to reclassify the plant, and that they would be moving forward in a different direction. There is no need for further action from the Board at this time.
- 5) Variance Request – Northeastern University, 2019 NBIC Part 1,2.3.3.c: The Chairman explained that this request was received from Wilkinson, and asked Mike Snee, from Wilkinson, to address the Board, and explain the nature of the request. Mr. Snee explained that this boiler was installed at Northeastern University. The requirement of 7' overhead clearance from the man-hole access was overlooked during installation. Mr. Snee pointed out that this access is for inspection purposes, that there would not be any need for a person to enter the boiler thru this access, which is the basis for their variance request. DFS Inspector Andrew Crear stated that he had inspected the boiler, and that he agrees with Mr. Snee in that the boiler can be thoroughly inspected as installed. Charlie Perry commented that he felt there could be occasion to have to enter the access to inspect, but that the 4' clearance should be adequate to accommodate that.

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

- 6) 522 CMR: Promulgation Status Update: The Chairman reminded everyone that the proposed changes were approved by the Board in July. The Chairman had worked with DFS Legal to prepare the necessary documents to submit the changes to 522 CMR. Once these changes have been approved, the next step is to hold a public hearing to hear comments on proposed changes.
- 7) Updates from DFS Staff: The Chairman informed the Board that, as the jurisdictional chief, he would be attending the National Board's annual Chiefs' Technical Conference during the first week in October.
- 8) Matters not reasonably anticipated: None.
- 9) Adjournment of Meeting: The next meeting is tentatively set for Thursday, October 12, 2023. ***Motion to adjourn the meeting made by Leah Francis, seconded by Charlie Perry; motion passed by majority roll call vote, regular meeting adjourned at 10:19AM.***

List of Documents/Exhibits Used at this Meeting

- a. Minutes, Board Meeting on July 13, 2023
- b. Unitex, Withdrawal of Variance Request
- c. Northeastern University, Request of Variance from 2019 NBIC Part 1, 2.3.3.c
- d. Red-Lined Draft of Proposed Changes to 522 CMR