

New England Convenience Store & Energy Marketer Association

January 29, 2016

Richard Fredette Executive Director
Commonwealth of Massachusetts Board of Fire Prevention Regulations
PO Box 1025-1 State Road, Stow, MA
RE: Proposed Revision 527 CMR 1.00 § 42.7.4.2

Dear Mr. Fredette:

The New England Convenience Store & Energy Marketer Association (NECSEMA) formally IOMA, recommends eliminating the requirement that facilities of more than 1,000 square feet of retail sales area and less than eight fueling positions, shall be operated by more than one employee. We propose that the Board strike the current Massachusetts amendment and adopt the “virgin” language of NFPA 1 § 42.7.4.2. We make this proposal for the following reasons.

- The National Fire Protection Association (NFPA), NFPA 1, which is the National Standard, does not require more than one attendant on duty at Self Service Facilities, regardless of the number of fueling positions and the size of the store. The National Fire Protection Association (NFPA) is a global nonprofit organization established in 1896 and devoted to eliminating death, injury, property and economic loss due to fire, electrical and related hazards. NFPA’s 300 codes and standards are designed to minimize the risk and effects of fire by establishing criteria for building, processing, design, service, and installation in the United States, as well as many other countries. Its more than 200 technical code- and standard- development committees are comprised of over 6,000 volunteer seats. Volunteers vote on proposals and revisions in a process that is accredited by the American National Standards Institute (ANSI).
- According to the NFPA Fire Analysis and Research Division, since 1980, service station fires fell 46% from 7,860 in 1980 to 4,280 in 2008. Between 1980 and 2008, structure fires, and outdoor/other fires at service stations dropped by 70%, each (structure fires from 1,910 to 580, and outside/other fires from 4,010 to 1,200).

We would argue, actually the NFPA Fire Analysis and Research Division suggests, that minimizing the risk and severity of fires at service stations is a result of adhering to NFPA 30A, Code for Motor Fuel Dispensing Facilities and Repair Garages rather than mandating the quantity of operating attendants. NFPA 30A, adopted by reference in 527 CMR 1.00 places emphasis on:

- Storage of liquid motor fuels in tanks and containers
- Special siting requirements for aboveground motor fuel storage tanks

P.O. Box 1827
North Falmouth, MA 02556

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- The fuel dispensing system and its components
- Building construction requirements for motor fuel dispensing facilities and repair garages
- Electrical system area classification criteria for hazardous (classified) electrical equipment
- Operating requirements for motor fuel dispensing

Finally, The Underwriters Laboratories publishes a number of standards that are directly related to motor fuel dispensing system components. The following are directly referenced in NFPA 30A:

- UL 87 - Standard for Power-Operated Dispensing Devices for Petroleum Products
- UL 842 - Standard for Valves for Flammable Fluids
- UL 2080 - Standard for Fire Resistant Tanks for Flammable and Combustible Liquids
- UL 2085 - Standard for Protected Aboveground Tanks for Flammable and Combustible Liquids
- UL 2245 - Standard for Below-Grade Vaults for Flammable Liquid Storage Tanks
- UL 1254 – Standard for Pre Engineered Dry Chemical Extinguishing Systems Units

Thank you for your consideration for this important issue for our industry. Please contact my office should you have any questions.

Respectfully submitted

Peter Romano

Peter R. Romano, NECSEMA

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