



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



CHARLES D. BAKER
 GOVERNOR

KARYN E. POLITO
 LT. GOVERNOR

THOMAS A. TURCO, III
 SECRETARY

P.O. Box 1025 ~State Road

Stow, Massachusetts 01775

(978) 567-3100 Fax: (978) 567-3121

PETER J. OSTROSKY
 STATE FIRE MARSHAL

EDWARD S. KAWA JR
 CHAIRMAN

**Notice of Public Hearing
 Board of Boiler Rules**

Pursuant to M.G.L. c.30A, s. 2 and c. 146, sections 2 and 3, notice is given of a public hearing to be held by the Commonwealth of Massachusetts Board of Boiler Rules (the Board) at the Department of Fire Services (DFS), State Road, Stow, MA., in the Boards and Commissions Room on Thursday, September 19, 2019 at 1:00 p.m. for the purpose of hearing public comment on several proposed amendments to 522 CMR *et seq.* The proposed amendments reconcile provisions of said regulations consistent with recent statutory changes which transferred the Board and the boiler and pressure vessel program from the former Department of Public Safety to the Department of Fire Services as well as minor edits and/or corrections to increase clarity and usability of the existing code. A copy of the proposed amendments can be found at the DFS web page:

<https://www.mass.gov/files/documents/2019/05/28/Draft%20522%20CMR%20Redline%205-7-2019.pdf> -Written or oral comments may be submitted at the time and place of the hearing. One may also submit written comments by mailing or e-mailing comments to Holly Bartlett, Executive Administrator, Board of Boiler Rules, (Holly.Bartlett@massmail.state.ma.us) P.O. Box 1025, State Rd, Stow, MA. 01775 (Tel. 978-567-3782). To be considered by the Board, mailed or emailed comments must be received no later than 4:00 p.m., September 18, 2019.

Small Business Impact Statement
(As required by M.G.L. c. 30A §§ 2, 3 & 5)

CMR No: Board of Boiler Rules 522 CMR et seq:

Estimate of the Number of Small Businesses Impacted by the Regulation:

This amendment package, in large part, provides additional updates to national codes and standards, technical detail or otherwise relates to format, correction or clarity to the Board of Boiler Rules following the Article 87 reorganization action which, in part, transferred the Board of Boiler Rules and the related oversight program from the Department of Public Safety to the Department of Fire Services. The Board voted to add a Massachusetts amendment which would require owners of high pressure boilers that have undergone certain repairs to report such repairs (once made) on a form as approved by the Chief. We estimate this will effect less than 5% of high pressure boilers which have undergone repairs in any given year. There is no cost associated with the reporting requirement.

Select Yes or No and Briefly Explain

Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Will small businesses have to create, file, or issue additional reports? Yes, relative to reporting of certain repairs of pressure retaining items. See above.
Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Will small businesses have to implement additional recordkeeping procedures? Yes, relative to reporting of certain repairs. Currently, industry practice is to keep such records voluntarily.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to provide additional administrative oversight? The amendments do not cause small business to provide additional administrative oversight.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to hire additional employees in order to comply with the proposed regulation? No new additional requirements caused by these proposed amendments
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer, accountant, engineer, etc.)? No new requirements caused by these proposed amendments.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation require small businesses to purchase a product or make any other capital investments in order to comply with the regulation? The amendments do not require small businesses to purchase a product or make any other capital investments in order to comply with the regulation.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Are performance standards more appropriate than design/operational standards to accomplish the regulatory objective?(Performance standards express requirements in terms of outcomes, giving the regulated party flexibility to achieve regulatory objectives and design/operational standards specify exactly what actions regulated parties must take.) Due to the nature of the proposed amendments, they do not require an analysis of whether or not design standards vs. operational standards are appropriate.
Yes <input type="checkbox"/>	No <input type="checkbox"/>	Do any other regulations duplicate or conflict with the proposed regulation?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	The proposed amendments do not duplicate or conflict with any other regulations.
Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Does the regulation require small businesses to cooperate with audits, inspections or other regulatory enforcement activities? Yes, the records will have to be retained regarding certain repairs to pressure retaining items required to be reported as outlined above.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation require small businesses to provide educational services to keep up to date with regulatory requirements? The proposed amendments do not require small businesses to provide additional educational services to keep up to date with regulatory requirements.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Is the regulation likely to <i>deter</i> the formation of small businesses in Massachusetts? The proposed amendments do not discourage the formation of small business in the Commonwealth.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Is the regulation likely to <i>encourage</i> the formation of small businesses in Massachusetts? The proposed amendments are not likely to <i>encourage or discourage</i> the formation of small businesses in Massachusetts?
Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Does the regulation provide for less stringent compliance or reporting requirements for small businesses? The amendment does provide more or additional compliance for small business by way of the reporting requirements for repairs.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses? These proposed amendments do not establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Did the agency consolidate or simplify compliance or reporting requirements for small businesses? The proposed amendments are neutral in this regard.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Can performance standards for small businesses replace design or operational standards without hindering delivery of the regulatory objective? Due to the nature of the proposed amendments, they do not require an analysis of whether or not design standards vs. operational standards are appropriate.
Yes	No	Are there alternative regulatory methods that would minimize the adverse impact on small businesses?

<input checked="" type="checkbox"/>	<input type="checkbox"/>	This proposal, in large part, represents a national, minimum, consensus standard. The impact on small business is minimal, as explained throughout this submission.
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