

**MAINE FUEL BOARD
MEETING MINUTES**

Meeting Date: February 12, 2015
Meeting Location: Central Conference Room
Time Meeting Began: 9:00 a.m.

CALL TO ORDER AND WELCOME/INTRODUCTIONS

Board Chair, Barry Austin, called the meeting to order.

The following members were present:

Barry Austin
Lionel Landry
Jeffrey Choate
Charles Martin
Mark Bossie
Dale Canning
Richard McCarthy
David Foster

The following member was absent:

Paul McClay

Staff Present:

Catherine Carroll, Board Administrator
Vickey Gray, Board Clerk
Peter Holmes, Senior Inspector
Dale Hersey, Inspector
Bruce Bristow, Inspector

AAG Present:

Judith Peters

OLD BUSINESS

Action on Board Minutes of October 9, 2014 - A motion was made to approve the October 9, 2014 minutes as written.

Motion: Dale Canning
Second: Mark Bossie
Unanimous

NEW BUSINESS

Election of Chairman and Other Officers

Barry Austin nominated Lionel Landry as Board Chairman.

Motion: Barry Austin
Second: David Foster
Unanimous

Mr. Austin also announced that he was resigning as a board member effective February 13, 2015.

Adjudicatory Hearing – Appeal of Order of Correction - #09/10-244

Board Chair Lionel Landry opened the hearing of an appeal of an Order of Correction. The appellant was not present and was not represented by counsel.

A motion was made to uphold the Order of Correction based on default.

Motion: Barry Austin
Second: David Foster
Unanimous

Maine Energy Systems – Emerging Technologies Project – Request for Extension

Leslie Otten, LBO Holdings, addressed the Board regarding their October 2014 denial of Maine Energy Systems' request for continuance of the pilot project.

Mr. Otten asked that the members reconsider Maine Energy Systems' request for a continuance of the pilot project.

At 10:40 a.m. a motion was made to enter executive session for the purpose of receiving consultation from the Board's legal counsel concerning the legal rights and duties of the board.

Motion: Charles Martin
Second: Dale Canning
Abstain: David Foster
Unanimous

At 11:02 a.m., the chair reconvened the meeting.

A motion was made to table the discussion to a future meeting.

Motion: Dale Canning
Second: Mark Bossie
Abstain: David Foster
Unanimous

Administrators Report

Catherine Carroll suggested that members bring the December 2011 and the September 2014 versions of their Maine Fuel Board Laws and Rules for use during board hearings, etc.

The members were informed that Catherine is working on a request for proposal for a new contract for an examination vendor.

Staff has been assisting the Section 13.7 (gas conversion burners) sub-committee during its meetings.

The members were informed that the Maine Fuel Board will have a booth at the PHCC conference in March.

The members were given a copy a legislative document entitled "An Act to Allow a Home Heating Oil Delivery Driver to Bleed a Home Heating Oil Burner". Catherine reported that this L.D. had just been printed and that the Department had not taken a position at that time.

Senior Inspector's Report

Peter Holmes reported on the following:

Maine State Fire Marshal's Office/ Other Agencies

- There was 1 LP explosion – damage to chimney and foundation wall. No fire or injuries. Unable to rule out gas boiler but later confirmed by destructive testing by insurance company that it was a defective gas valve.

There was 1 restaurant fire – determined not to be caused by gas equipment.

There was 1 fire in a manufactured home with stick built addition – malfunction of oil furnace ruled out as cause.

There was 1 commercial fire where it was determined that the condition of the old W/A furnace was at least a contributing factor of the fire. Consensus between the local fire department, the State Fire Marshall's Office and our inspector determined that the system needed to be replaced and brought up to code prior to the building being re-occupied.

Dispensers

- The Maine Fuel Board licensed 33 new dispensing stations in 2014. These stations are dispersed throughout the state with expected concentrations in the southern part of the state.

CNG

- The inspectors are currently working on licensing two CNG dispensing stations in Eliot and Baileyville. Both are to supply tractors used to move CNG daughter station trailers. There are unique situations unlike the other current CNG dispensing stations in Portland, because the owner has chosen to integrate the dispensers into the existing compression stations, which takes a system formerly not covered by our requirements and makes it our jurisdiction by virtue of the dispenser.

No additional progress in folding the CNG compression stations into NFPA 55 as reported at previous meetings.

Bulk Permits

- There were 16 bulk permits issued in 2014 as opposed to 23 in 2013. Many of these are additions to existing bulk plants.

Natural Gas

- The natural gas expansion is reportedly steady although the number of calls we have been receiving on conversion questions has slowed. We currently had only 2 complaints related to the recent news reports of a natural gas conversion contractor going out of business. Most of the complaints have been centered around payment of deposits without the equipment being installed. The 2 installation complaints which are currently being investigated did have a licensed technician do the installation so the investigations are proceeding.

Portland Municipal Issues

- Peter Holmes has been working with John Burpee on problems that have surfaced from the conversion from oil to oil/gas at 2 Portland school buildings. At both buildings there have been multiple burner tube and turbulator burn out problems with one resulting in failure of a boiler.

Kennebec Valley Community College

- KVCC has requested approval of their solid fuel course as satisfying the requirements for eligibility to sit for the solid fuel journeyman exam. Review of current law as written indicates that if an individual has the requisite 1 year course which the board approved, they can sit for the solid fuel exam. This solid fuel course is a 60 hour course and the recommendation will be that Kennebec Valley Community College adds this to their Energy Services and Technology (EST) Associates Degree Program.

Electrician's Examining Board

- On January 16, 2015 Peter Holmes met with the Electrician's Examining Board regarding the current Memorandum of Understanding and the issue that has arisen with wall mounted boilers.

When the current MOU was signed the Maine Fuel Board did not have a requirement for a complete dedicated circuit with requirements such as thermal switches, service switches and emergency switches. Therefore, with plug-in wall mounted boilers and water heaters, the plug had to be installed by a licensed electrician. With the adoption of the new Maine Fuel Board Rules in September of 2014, the requirement is a complete dedicated circuit for central heating appliances and water heaters, with all the same electrical requirements of an oil system.

Peter was seeking allowances from the Electrician's Examining Board for licensed gas technicians, as part of that circuit, be allowed to wire in single plug outlets for boilers, water heaters and condensate pumps. The use of a single outlet (or two single outlets w/condensate) instead of a duplex outlet was proposed to alleviate the issue of a homeowner using the extra outlet for something not associated with the system.

The discussion alleviated several concerns on the part of the electricians in regard to the allowance being extended to such things as space heaters, ranges and fireplace units.

Peter explained that the Maine Fuel Board Rule specifically dealt with the circuit which had the specific requirements for **“For central heating equipment and water heating appliances where the interruption of an electrical circuit will arrest the combustion process”**.

The Electrician’s Examining Board decision to allow licensed gas technicians to install single outlets for central heating and water heating appliances which are designed and listed as plug in units was recorded in that board’s minutes and Peter Holmes will seek a change in the Memorandum of Understanding between the boards in a future rulemaking session.

OTHER BUSINESS

Update – Section 13.7 Subcommittee Meeting

Dale Canning reported out on the subcommittee’s findings. A motion was made to initiate rulemaking for Chapter 13, Sections 13.7.1 and 13.7.2 based on the subcommittee’s recommended language and to amend the language in Section 13.7.3.2 to read “The fill pipe must be removed completely and the tank must be plugged with a threaded **black** iron plug”.

Motion: David Foster
Second: Barry Austin
Unanimous

The members were asked if they wanted to continue the practice of sending decisions and orders directly to the chair for signature or to prepare them for a full board review prior to signature.

A motion was made have all board decisions and orders sent directly to the chair for signature.

Motion: Barry Austin
Second: David Foster
Unanimous

ADJOURNMENT

A motion was made to adjourn at 12:13 p.m.

Motion: David Foster
Second: Dale Canning
Unanimous

*Respectfully submitted,
Vickey Gray*