

Dear Legislators,

The Consolidated Committee of Stationary Engineers is comprised of operating power engineers, who are licensed by the Commonwealth of Massachusetts Department of Public Safety. These men and women are trained and licensed professionals. They have an in depth understanding of the safety issues related to the operation of high pressure steam plants, turbines and electrical generating equipment. They understand the hazards to life and property when this equipment is operated improperly. The residents and businesses of this state have been, for generations, protected by good laws governing the safe operation of high pressure steam boilers, electrical generating turbines and their auxiliary equipment. The residents, businesses and workers of our state deserve nothing less. **As licensed professional operators and inspectors, we strongly object to House Bill 2208 and Senate Bill 917.**

#### **House Bill 2208 – Please Oppose**

House Bill 2208 that calls for changes in Chapter 146 by allowing the Department to grant waivers of the law simply at a request. This would make the law very difficult to enforce as well as flood an overburdened State Agency with requests to bypass the law. Additionally, this would enable political appointees (Commissioners) to grant waivers at the whim of political pressure. The supporters of this bill may believe that boiler controls have been improved over the years to a point where they can replace the intervention of licensed operators. Unfortunately, boiler controls are not fail-safe and in fact on a quarterly basis, the National Board of Boiler and Pressure Vessel Inspectors provide a report of national boiler inspections that demonstrate the vast number of boiler inspection violations include deficiencies in boiler controls.

As you may know, in 1999 periodic attendance was implemented for boilers rated between 9 and 250 horse power, and non-continuous attendance was implemented for boilers rated between 251 and 500 horse power, but continuous attendance was maintained for boilers over 500 horse power. This decision was made based on the fact that boilers with this kind of power require the presence of an operator to take action in case of emergency and prevent catastrophic accidents. The attempt to change the law again and potentially allow boilers of any size to run unattended jeopardizes public safety, particularly when decisions could be made based on political pressure and not sound engineering practice

The boilers in question are used to provide steam for power generation in colleges, hospitals, bio-tech plants, pharmaceutical plants, power plants, nuclear plants, paper mills, commercial and industrial buildings. Allowing high pressure steam boilers, and their engines, to run without the presence of an operator is an extremely dangerous practice. Passing this proposed bill would be an enormous mistake to public safety.

#### **Senate Bill 917 – Please Oppose**

Senate Bill 917 calls for the elimination of the position of Chief Inspections and the transfer of his/her power directly to the Commissioner of Public Safety. Although this bill appears to downsize government and eliminate bureaucracy, it actually creates unintended problems. This

bill eliminates the statutory position of the Chief of Inspections, who is appointed by the Commissioner and can only be removed for cause. The statute creating the Chief of Inspections was written that way to shield the position from making public safety decisions based on political pressure or job security. The position of Commissioner has traditionally been a position awarded to those who found favor with the standing Governor and may not have any experience or knowledge in the areas overseen by the Department. On the other hand, the Chief of Inspections has always had technical background and expertise in at least one of the three divisions of inspection.

This bill would give the Commissioner, who could have no professional experience in the fields related to the Department, with the ability to make decisions that have a huge impact on those fields. For instance, in cases where the statute requires either the Chief or a boiler inspector to sit on the Board of Boiler Rules, the new language states the "Commissioner or his designee".

Additionally, it is our understanding that the current Commissioner would not eliminate the position of Chief of Inspections, but it would keep the position with the statutory authority stripped from the position. That would make it very difficult for the Chief to perform his/her duties when inspectors of the Department, of which he/she oversees, would have more statutory authority.

We appreciate your attention to this critical matter and we believe that you will do what is best for the safety and well being of those who live and work in this Commonwealth. Please help maintain Massachusetts a leader in public safety and environmental protection.

Joseph M. Markawki  
Nicholas D'Allesandro  
Anthony Ciancimino  
Kevin Foley  
Matt Mooney  
Frank J. Zarella  
Eugene J. [unclear]

Anthony J. [unclear]  
James P. Barnard  
Peter E. Birkholz  
Relf R. [unclear]  
Ray A. [unclear]