SENATE DOCKET, NO. 910 FILED ON: 1/13/2009

SENATE . . . . . No. 1542

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act to promote the safe operation of utility vaults..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1: Chapter 166 of the General Laws is amended by inserting after section 34 the following sections:-

Section 34A. Definitions

"Company" shall mean a distribution company or electric company as defined in section 1 of chapter 164.

"Inspector" shall mean one or more employees of a municipality, including the inspector of buildings, building commissioner or local inspector of a city, town or district or a municipal inspector of wires appointed under section 32. An Inspector shall not be employed by or otherwise associated with an Owner or a Company.

"Owner" shall mean the owner of property on which a Transformer Vault is located; except that "Owner" shall not include any "Company" as defined in this section.

"Transformer Vault" or "Vault" shall mean a totally enclosed structure or room in which energized network transformers, network protectors and related equipment are housed.

Section 34B. Application

Sections 34A through 34F, inclusive, shall apply to all Transformer Vaults owned, leased or otherwise controlled by an Owner and which contain equipment owned, maintained, repaired or operated by a Company, but shall not apply to Company-owned Transformer Vaults

Section 34C. Scope

Sections 34A through 34F provide for the structural and related standards and requirements for Transformer Vaults. All Transformer Vaults shall comply with these sections.

Section 34D. Inspection

Every owner shall ensure that a Qualified Inspector performs a yearly inspection of all transformer vaults. The Inspector shall inspect the vault location, size, ventilation, doorways, walls, floors, ceilings, lighting, drainage and protective equipment to ensure that the Transformer Vault meets the minimum standards set forth in sections 34E. Nothing in this section shall be interpreted to require any public or private Inspector to perform an inspection except upon payment of such fees as are customary and usual.

Should the Inspector find that the Transformer Vault does not conform to the provisions of these sections in any material manner, the Inspector shall inform the Owner of items which do not so conform and which require maintenance or repair. The Owner shall maintain or repair such items requiring same. After completion of any required maintenance and repairs, the Inspector shall perform a re-inspection to ensure that the required maintenance and repairs have been completed. All inspection and re-inspection fees shall be paid by the Owner of the Transformer Vault to the municipality.

Section 34E. Standards

Transformer Vaults shall meet the following requirements:

(a) The Vault space shall be large enough to accommodate the transformer(s) and other equipment located within the Vault.

(b) The walls, wall partitions and roofs of Vaults shall be constructed of materials that have adequate structural strength for the conditions with a minimum fire resistance of 3 hours.

(c) Each doorway leading into a Vault from the building interior or out of a Vault to the building interior shall be provided with a tight-fitting door that has a minimum fire rating of 3 hours. The Inspector may also require a fire-rated door for an exterior wall opening where conditions warrant. Each door shall be properly hinged and self-closing.

(d) Doors shall be equipped with locks, and doors shall be kept locked, access being allowed only to qualified persons. Personnel doors shall swing out and be equipped with panic bars, pressure plates, or other devices that are normally latched but that open under simple pressure.

Sidewalk hatches located within or above Transformer Vaults shall be made accessible by ladders composed of fire and heat resistant materials. The location of doorways shall be marked with reflective tape located on the floors and doors. All doorways shall be marked with a sign reading “DANGER – HIGH VOLTAGE WITHIN – KEEP OUT – ACCESS RESTRICTED TO QUALIFIED PERSONS ONLY.”

(e) Transformer Vaults shall be constructed so as to maintain adequate ventilation of the Vault in the event of smoke or other unsafe condition. Ventilation openings shall be covered

with durable gratings, screens, or louvers, according to the treatment required in order to avoid unsafe conditions yet still provide for adequate ventilation of the Vault. All ventilation openings to the indoors shall be provided with automatic closing fire dampers that operate in response to a Vault fire. Ventilating ducts shall be constructed of fire resistant material.

(f) Vaults shall contain 24-hour lighting with an alternate power source.

(g) Vaults shall be equipped with smoke detectors, carbon dioxide detectors, grounding systems, convenience, and heat detection systems.

(h) Materials shall not be stored in Transformer Vaults.

Section 34F. Violations

If upon re-inspection the Inspector determines that the Owner has willfully or negligently failed within a reasonable time to perform any maintenance or repair required as a result of an inspection, such Owner shall be punished by a fine of not more than one thousand dollars in each instance.