



DEPARTMENT OF FORESTRY AND FIRE PROTECTION
OFFICE OF THE STATE FIRE MARSHAL
FIRE ENGINEERING DIVISION
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Flame Retardant Advisory Committee
MINUTES
Wednesday, August 25, 2010
Teleconference

Committee Goal: To provide a means of communications between the Office of the State Fire Marshal (OSFM), representatives of industry, the public and the fire service; and to seek comments and specific views on proposed regulations and intended future action.

SFM STAFF:

Jeannie Smith, Chair
Diane Arend, Technical Advisor
Yevonne Costa, Assistant Program Coordinator
Glenn Tong, Technical Advisor

MEMBERS ON LINE:

Amber Anderson, Cosumnes Community Services District
Tom Andrews, Turning Star, Inc.
Ellen Atkins, Delta Pacific Technologies, Flame Retardant/Flameproofing
Chris Bowness, QAI Laboratories
Juli Case, Industrial Fabrics Association International (IFAI)
Wendy Holt, Contract Services Administration Trust Fund
Joe McNally, Mountain View Christmas Tree Farm
Pedro Vega, Dazian Fabrics

MEMBERS ABSENT:

Jonathan Curtsinger, Fabric Flameproofing
Kathy Newman, Firetect Flame Retardants
Bobby Puett, Diversified Testing Laboratories

GUESTS:

Michael Lantier, City of Napa Fire Department
Randy Newman, Firetect Flame Retardants

I. CALL TO ORDER

The Chair called the teleconference to order at 11:03 A.M., on Wednesday, August 25, 2010, and made the following announcements:

- The appointment of new member Chris Bowness, QAI Laboratories.
- The attendance of Michael Lantier, Inspector, City of Napa Fire Department.
- The attendance of Randy Newman, representing Kathy Newman.

Yevonne Costa conducted a roll call; and a quorum was established.

II. APPROVAL OF MINUTES

After Amber Anderson noted a typographical error on the time the July 20, 2010 Flame Retardant Advisory Committee meeting adjourned – 12:09 P.M., the Chair asked for a motion to approve the minutes as corrected.

Wendy Holt motioned to approve the July 20, 2010 minutes; it was seconded by Juli Case; and with no objections, approved with minor changes.

III. OLD BUSINESS

A. Task Groups

1. Laboratories Testing Procedures Task Group

Glenn Tong provided an update. The Task Group is looking into a suggestion that Chris Bowness had made regarding standardizing the fuels and flame temperature for test procedures. The Task Group will be continuing this discussion.

2. Inherently Flame Retardant (IFR) Fabrics Task Group

Since Jonathan Curtsinger was not in attendance, there was no update for the IFR Fabrics Task Group.

3. Product Information Sheet Task Group

Ellen Atkins reviewed the revised Product Information Sheet. The Chair stated that the content of the outline is consistent with what the OSFM needs to have on file for each product. The outline will initially be filled out by the manufacturer for a new product, sent with the product to the approved laboratory for testing, sent back with the test report to the manufacturer, and then sent with the application and test report to the OSFM for registration. The Chair thanked the Task Group for its hard work in accomplishing its goal. Staff will take the outline provided by the Task Group and develop a form/application to be posted on the OSFM Flame Retardant Program webpage.

B. Fire Retardant for Christmas Trees

At the last meeting, several members requested a separate conference call to discuss the enforcement of fire retardant regulations as they pertain to Christmas trees. The conference call was held on July 27, 2010. Members on line were: Wendy Holt, Ellen Atkins, Diane Arend, Jeannie Smith, and Joe McNally. Joe McNally provided a briefing on the call. For the January 2011 adoption of the 2010 California Fire Code, Section 806 will not be adopted. Until that time, we will be under the directive issued by the State Fire Marshal. What this means is that Title 19 will continue to be enforced.

IV. NEW BUSINESS

Page-by-Page Proposed Regulations Review – Article 5 (Proposed Regulations – Page 25-29)

The Chair stated that the comments from the members regarding Article 5 were received and forwarded to all members. After reviewing the comments, a revised Article 5 was put together and emailed to the members. The Committee reviewed the revised Article 5. The following items will be reworded by staff:

- 1283(d) – delete reference to “within seven days of employment”
- 1283(e) – clarify place of business
- 1284(a)(1) – add wording to include all textile and non-textile items

Tom Andrews brought up the issue of Section 1280(a) “Any person or firm desiring to engage in the business of or perform for a fee...” The Chair reminded the members that at the last meeting Chief Ho stated he will be checking on our authority to change this regulation since the wording is in statute. As of this date, no determination has been made.

The Committee agreed with the changes that were made to the “revised” Article 5.

V. OPEN FORUM

- Tom Andrews noted that he would be willing to let the wording “perform for a fee” stay in Section 1280(a) if it specifies that all flame retardant applications must have a Certificate of Flame Resistance provided by a certified applicator. After discussion, Glenn Tong stated that the wording “perform for a fee” was not a negotiable item. The wording will be staying in the regulation until such time as a determination has been made by our Legal Office. Tom Andrews reiterated that he still recommends that a requirement of a certificate of fire resistance be provided if the CSFM wants to maintain any semblance of quality control and in particular, safety. The Chair stated that Tom’s recommendation will be forwarded to Chief Ho.
- Ellen Atkins stressed that the application of flame retardants should not be done by inexperienced individuals. There are many variables, such as application liability and the method of application, that could lead to unsafe or unprotected conditions and in turn lead to a false sense of security.
- The field flame test for fire resistance was discussed at length. Glenn Tong stated that the field test is not to take the place of a laboratory test or certification of a product. The Authority Having Jurisdiction (AHJ) has the authority to request a laboratory test to meet the requirements of statute¹. The field test is used for last-minute situations when there is no documentation or the AHJ looks at a fabric as questionable even though it has certification.
- Juli Case questioned when the proposed regulations are approved, do existing registered fabrics need to be recertified and retested every four-years. The

¹ *[Health and Safety Code Section 13119, in part: “It is unlawful for any person, firm or corporation to establish, maintain or operate...any other place of public assemblage used, or intended for use, as a place of amusement, entertainment, instruction, display, or exhibition, unless all drapes, hangings, curtains, drops and all other similar decorative materials that would tend to increase the fire or panic hazard, are made from a nonflammable material, or are treated and maintained in a flame-retardant condition...”]*

Chair responded that when the regulations are approved, existing registered products do not need to be recertified; however, the four-year retesting will be required.

- Chris Bowness discussed the Fire and Materials 12th International Conference in San Francisco, January 31-February 2, 2011. The conference is a forum on fire performance of materials and products. Chris will be forwarding a copy of the notice to the committee. Chris suggested that the Committee may want to make a presentation or provide a paper on the work it is doing. The Chair will place this item on the next meeting agenda for discussion.
- Mike Lantier and Amber Anderson announced the Northern California Fire Prevention Officers meeting in Napa starting Friday, August 27, 2010.

VI. SCHEDULE NEXT MEETING

The next teleconference was scheduled for Thursday, September 23, 2010, at 10:00 A.M. – 12:00 P.M.

VII. MEETING ADJOURNMENT

The meeting adjourned at 12:35 P.M.