



DEPARTMENT OF FORESTRY AND FIRE PROTECTION
OFFICE OF THE STATE FIRE MARSHAL
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**OFFICE OF THE STATE FIRE MARSHAL
General Fireworks Advisory Committee
Meeting Minutes
February 13, 2013**

COMMITTEE GOAL

To provide a means of communication between the CAL FIRE - Office of the State Fire Marshal, representatives of industry, the public and the fire service; and to seek comments and specific views on proposed regulations and intended future action.

STAFF

Tony Guevara, Committee Chair
Tonya Hoover, State Fire Marshal
Ben Ho, Division Chief
Yevonne Costa, OSFM Staff
Diane Arend, OSFM Staff

MEMBERS PRESENT

George Apple Cosumnes Community Services District Fire Department
Dennis King, MP Associates
Dennis Revell, Revell Communications
Gary Brown, Pyro-Spectaculars
Ian Gilfillan, Pyro-Spectaculars
Kevin Kelly, Disney Entertainment
Linda Hass-Phantom Fireworks
Tad Trout, TNT Fireworks
*John Newman, Rocketry
*Mark Holthaus, Friends of Amateur Rocketry, Inc.

** Via Conference Call*

MEMBERS ABSENT

Thaine Morris, Roger George Rentals

GUESTS

Debbie Rozanno-Gord, Thunder Fireworks
Kris Lev-Twombly, California Association of Nonprofits

MEETING CALLED TO ORDER

Meeting was called to order by Chief Ben Ho at 10:05 A.M. on February 13, 2013.

ROLL CALL AND INTRODUCTIONS

A round table roll call was taken and it was determined that a quorum of members were present. A self-introduction was conducted and the meeting began.

OLD BUSINESS

Chief Ho gave an update on the current fireworks disposal issues; the law mandates the OSFM to dispose of illegal fireworks seized by local law enforcement and fire services. In the past, the disposal program was funded by the General Fund through the Arson and Bomb Investigation (ABI) Division. When we previously had the ABI Division, there were 15 investigators working on this statewide program and responsible for the fireworks disposal function. Eventually, the Division has been downsized from a Division to a Unit and has been re-assigned into the Fire Engineering Division. In the past, the most common and least expensive disposal method is to incinerate fireworks in containers or open earthen pits. Utilizing this method has allowed the Department to reduce destruction costs in the past. However, due to Federal and State environmental laws and regulations, open burning is no longer permitted, except in emergency instances for unstable and loose fireworks products that cannot be shipped.

Currently, there are two options for seized illegal fireworks disposal; pack and ship to a fireworks disposal site out of state and emergency burning in southern California for loosed, unstable products. Chief Ho shared a presentation regarding the current inventory, pack and ship operation and emergency burning. There was a discussion regarding the cost to move illegal fireworks out of California versus burning the product in California. The Department has identified the lack of proper funding for the program and the OSFM is working with the Department of Toxic Substances Control (DTSC) seeking for a long term solution.

Storage Work Plan

We are currently working with DTSC to ensure consistency in the disposal process.

Chief Hoover Update

Chief Hoover gave an update stating that for the best interest of the office and the industry, there will be no increase to any fees at this time. She stated that we will be seeking the General Fund for funding for our fireworks disposal activities. OSFM will submit a Budget Change Proposal (BCP) to request the funding. The fee increase authority under SB 839 will be the last option should the General Fund does not go through.

NEW BUSINESS

The advisory committee discussed an idea to allow the seized fireworks to be purchased by industry instead of being disposed. There are some legal concerns regarding this concept. Tad Trout suggested that a meeting be set up between CAL FIRE legal and industry to discuss current legal concerns.

Chief Ho stated the Lowenthal work group is still going on, and any committee members interested in this work group should attend. Everyone is trying to find a solution that will work for everyone involved.

Action Item: Chief Ho will inform SFM executive about putting together a meeting with CSAL FIRE legal and to discuss industry's legal concerns (Buy Back Program). I was mentioned that Orange County Fire Authority, San Bernardino County Sheriff's Department and Los Angeles County Fire should be included in this meeting.

OPEN FORUM

Mark Holthaus asked if the rocket regulations could be included in the current regulations package. Chief Ho stated since the proposed regulations is about the Safe and Sane Classification, the rocket regulation should be a separate proposal. Request should be submitted to Tony Guevara for the next meeting.

Update on the proposed Regulation for Safe and Sane Classification. It is ready to be finalized with some minor edits. Chief Ho asked the committee to review and send comments to Tony Guevara, a two week time frame was given to submit their comments back to Tony. Deadline for comments will be March 01, 2013 the package should be finalized once the public comment period is has closed. It was noted that the fireworks season and disposal activities are approaching that may delay this process.

Meeting adjourned at 1:00 P.M., a motion was made to adjourn the meeting by Gary Brown and a seconded was made by Tad Trout. No further meeting was scheduled at this time.