



State Board of Fire Services



MINUTES

Thursday, November 19, 2015
Office of the State Fire Marshal
1131 'S' Street, Sacramento CA

Chair/Ex-Officio
Tonya L. Hoover
State Fire Marshal

Vice Chair
Jerry Davies
Insurance Industry

Members:

Teresa Deloach Reed
California Metropolitan Fire
Chiefs Association

David Gillotte
International Association
of Fire Fighters

Steve Kovacs
Fire Districts Association of
California

Frank Lima
California Labor
Federation

Michael Lopez
CAL FIRE Firefighters,
Local 2881

Robert Magee
City Government

Lou Paulson
California Professional
Firefighters

Russell Rawls
California State
Firefighters Association

Michael Smith
California Fire Chiefs
Association

Anne Walker
Fire District

Michael S. Williams
California State
Firefighters Association

County Government
(vacant)

Ex-Officios:

Janet Barentson
CAL FIRE

Mark Ghilarducci
California Governor's
Office of Emergency
Services

Dan Terry
California Fire Fighter
Joint Apprenticeship
Committee

MEMBERS PRESENT: (* attended via conference call)

Tonya Hoover, Office of the State Fire Marshal
Janet Barentson, CAL FIRE*
Teresa Deloach Reed, CA Metropolitan Fire Chief Association
David Gillotte, International Association of Fire Fighters
Steve Kovacs, Fire Districts Association of California*
Frank Lima, California Labor Association*
Michael Lopez, CAL FIRE Firefighters, Local 2881*
Lou Paulson, California Professional Firefighters*
Russell Rawls, California State Firefighters Association
Michael J. Smith, California Fire Chiefs Association*
Anne Walker, Fire District
Michael S. Williams, California State Firefighters Association

MEMBERS ABSENT:

Jerry Davies, Insurance Industry
Mark Ghilarducci, California Governor's Office of Emergency Services
Robert Magee, City Government
Dan Terry, California Fire Fighter Joint Apprenticeship Committee

STAFF:

Greg Andersen, Code Development and Analysis
Kirsti Fong, CAIRS Coordinator
Sherry Habon, Support Services
Mike Richwine, Assistant State Fire Marshal
Diane Seiple, Support Services

GUESTS:

Kim Zagaris, California Emergency Management Agency (Cal EMA)
Linda Vaughn, South Bay Regional Public Safety

I. CALL TO ORDER

- ROLL CALL/Determine Quorum
Chair Tonya Hoover called the meeting to order at 10:01a.m. Roll was called and a quorum was established.
- Approval of the State Board of Fire Services (SBFS) minutes from August 20, 2015 meeting (*Discussion/Action*) [Attachment 1]
Chair Hoover opened the floor for discussion on the August 20, 2015, SBFS meeting minutes.

Motion – Michael S. Williams moved to approve the minutes; motion was seconded by Russell Rawls. Board members unanimously approved the August 20, 2015 minutes as submitted.

- Announcements
Mike Richwine – I am pleased to announce that Greg Andersen is our new Division Chief for Code Development and Analysis. He will be giving a report later in the meeting.

II. CONSENT ITEMS

A. State Fire Training Division (SFT)

1. Accreditation of 4 colleges as Accredited Regional Training Program (ARTP) and 2 fire departments as Accredited Local Academies (ALA).

(Discussion/Public Comment/Action) Seeking SBFS approval for reaccreditation of Porterville Community College, College of the Sequoias, Lake Tahoe Community College, South Bay Consortium as Accredited Regional Training Programs (ARTP's) and San Diego Fire - Rescue as an Accredited Local Academy (ALA). Also seeking SBFS approval for Sacramento Metropolitan Fire Department as a new Accredited Local Academy (ALA).

Mike Richwine made a point of order, one of the accredited academies listed Sacramento Metropolitan Fire is a new application. "I want to see if the Board would like hear it separately. I would also like to mention, there was an error in the staff report. The report had San Diego Fire – Rescue as a new Accredited Local Academy; it is actually a reaccreditation".

Chief Hoover asked for a motion for approval. Anne Walker made the motion, Michael S. Williams seconded. Board members unanimously approved.

Mike Richwine welcomed guest Linda Vaughn, from the South Bay Regional Consortium; she is also the chair of the Chancellor's Office Public Safety Advisory Committee.

Ms. Vaughn thanked everyone, and commented that they are excited as to the direction things are headed and appreciate partnering with State Fire Training. The Consortium based in San Jose and services the greater San Francisco area.

III. PROGRAM and ADVISORY COMMITTEE REPORTS

A. Fire Engineering Division

1. Fireworks Update *(Information/Discussion)*

Update on the disposal/destruction of seized dangerous and illegal fireworks.

Paul Eck- The focus this year has been on fireworks disposal. The program was granted funds from the State to dispose of the fireworks backlog held by all the different municipalities and agencies. There was approximately 226,000 pounds of seized fireworks held over from prior years. There were additional seizures this year, with several disposal shipments to Utah and Louisiana for disposal. At the present time we have approximately 164,000 pounds in the state for disposal. We are working with our contractor, Clean Harbors; everything appears to be on track for the disposal and destruction of our seized product by June 30, 2016.

There is a proposal before the Governor's Office with regards to the possibility of taking seized product in original performance packaging to be reused by the fireworks industry; this product is known as viable product. It will be used outside of our jurisdiction (outside of California) where approved for general consumer use under Federal guidelines. The purpose is so that we can now develop a viable, ongoing disposal process and funding mechanism so that we can continue operations with regard to seizures within the state without having to rely on taxpayer funding, or on individual department funding. That viable product will be sold by the fireworks industry outside of the state and those proceeds will be used by the fireworks industry to fund a disposal mechanism similar to what we currently have in place.

Mike Richwine- This is known as an extended producer responsibility (EPR) program. Essentially, cradle-to-grave management of the fireworks seized by authorities and public safety agencies. It grants the OSFM authority to manage the program, with oversight and audit authority. Industry companies that wish to participate have to submit operational and financial plans to the OSFM. Those companies would be responsible for the disposal portion, and any viable product can be repurposed and sold to non-contiguous states to fund the program in California. This is being proposed and supported by the Governor's Office. The Governor's Office is in direct negotiations with the stakeholders.

Tonya Hoover- Seized product will go back to those fireworks companies that are participants in the extended producer responsibility program.

Mike Richwine- The way we're currently envisioning it, authorities will still make seizure notifications and we would communicate that to the EPRs; the EPRs then determine that which is viable and which is not. That

which is not viable, EPRs would be responsible for its disposal in the manner we are currently doing. That which is viable can be repurposed and sold.

2. Sprinkler Fitters Certification Program (*Information/Discussion*)
Update on the implementation of new program

Paul Eck- In 2013, legislation passed allowing the OSFM to promulgate regulations regarding additional fire related safety matters. One was regulations for a pipefitter program for automatic extinguishers. An advisory committee has been established; the committee recommended that regulations be promulgated to put some guidelines with regard to training requirements for the certification of pipefitters to ensure competency statewide. A draft regulations package is currently being fine-tuned. We expect to have a full regulations package through Office of Administrative Law with an effective date of July 1, 2016. Apprenticeship programs are currently available and are accepting work history credit for those in the industry performing this duty for a number of years. We have been in contact with various apprenticeship programs, both union and non-union organizational representatives, to get recognition across the board.

Mike Richwine – As far as continuing education, we will not be developing new training. There are a number of entities that provide training for this industry; we plan to recognize the training they are currently receiving.

Lou Paulson – Have you spoke to and requested input from the State Apprenticeship Council? Because the State Apprenticeship Council represents both union and non-union programs, it would be the best place to get a broad based consensus opinion.

Mike Richwine- We will make contact with the council's Chair, Yvonne de la Pena.

Russell Rawls- Usually when changes are made, things tend to be broken; so why the change?

Tonya Hoover- One of the areas of concern is manner in which things were being installed, the qualification of those installing the systems. Inspectors were seeing some challenges/issues. This is an opportunity to make sure those doing the installation are properly trained, have the right background and know how to install these like safety systems.

Mike Richwine- This goes to the individuals on the job site not the C16 holding the license, but their employees who are actually hanging the pipe and installing the systems. This is to make sure there is a minimum competency statewide.

B. Pipeline Safety Division

1. Pipeline Safety Update (*Information/Discussion*)
Update on recent legislation and proposed regulation of Title 19, CCR regarding increase in fees and civil penalties

Mike Richwine- This past year we had a pipeline leak in the Santa Barbara area, and that drew a lot of attention to our Pipeline program and the difference between what the Federal agency, the Pipeline Hazardous Materials Safety Agency (PHMSA) does and what the Office of the State Fire Marshal does. To close gaps and improve our inspection practices, two bills were recently passed into law: SB 295 (Jackson, Chapter 607, Statutes of 2015) and AB 864 (Williams, Chapter 592, Statutes of 2015). Our workload has increased because of these bills, and we received position authority for 17 new positions and authority to increase fees assessed on pipeline operators.

SB 295 (Jackson) requires annual inspections of all pipelines, especially those in environmentally sensitive areas. AB 864 (Williams) requires us to research and identify technology, and to work aggressively with operators to develop automatic shutoff systems technology. Also, develop other processes regarding the adequacy of the pipeline operators' risk analyses. The hope is to improve the time between when a leak is detected and the shut off or product.

We have had some issues regarding recruitment and retention of our Pipeline Safety Engineers due to the fact that their salaries were not on par with other engineers in the State. Through the Governor's Office and the State Personnel Board we worked to realign our pipeline safety engineers into Bargaining Unit 9 where all other State engineers reside. Now their salary is on par and our recruitment efforts are much improved.

We also have authority in civil penalties. When we investigate leaks, violations are assessed as civil penalties. We will be more aggressive in this area. We are developing regulations, a penalties schedule that is based on the type of violation. The legislature has made it clear that they want to see improvement in pipeline inspection, investigation, and enforcement.

Tonya Hoover- It's very appropriate that those responsibilities are set at the OSFM as we are the entity that is tied directly to you all and emergency services, and we want to maintain that close relationship. You will be hearing more about a comprehensive rulemaking packet from the Pipeline Safety Division. Also the advisory committee for Pipeline Safety currently has two openings, one is a fire chief position and the other one is a local government position. If you know of anyone who might be interested in serving on that advisory committee, please let me know and we will make sure that the Division Chief reaches out to them and collects their information and includes them in the review.

Mike Richwine- If you have questions about pipelines in your jurisdiction, location, who the operators are, please contact me and I'll put you in touch with our Pipeline Safety Division. The operators are required to provide that information annually; it's mapped and available on a website so that you can see exactly what is in your jurisdiction.

Tonya Hoover- What we have started doing is if there is an incident concerning pipeline in a particular jurisdiction, we have been reaching out to that particular fire chief making sure they know we are there; we are collecting information, letting them know what our responsibility is and opening up that direct line of communication.

Mike Richwine- And if I can further clarify, we have hazardous liquid pipelines; we do not have natural gas or gas pipelines. Those are the jurisdiction of the California Public Utilities Commission. We only have jurisdiction over hazardous liquid pipelines.

C. Code Development and Analysis Division

1. Code Development Update

Update on code development cycle and Long Beach hearings (*Information/Discussion*)

Greg Andersen- The 2015 triennial code adoption cycle is under way. The Public hearing dates for the Building, Residential and existing codes are done. The Fire Code 15-day public comment (calendar days) went out November 17. We expect the ruling process to be completed this year, with publication by July 1, 2016 with an effective date of January 1, 2017.

For the ICC codes cycle, there was a problem with the electronic voting, so we may be re-voting later in the year to move the next cycle before it goes to the general membership.

Tonya Hoover- One of the things we try to do with our fire and building partners is, once we finalize what will be in the state's next code, we like to provide that information as soon as possible so local government can start their process of getting their stakeholders involved in their code updates, and give them plenty of time to cycle through their adoption process. On our Website there is a link to all the work that Greg's division has been doing; also the Building Standard Commission's link is on our Website and they've got a great timeline there about the current code adoption cycle. There are some things that the program is working on such as alternate energies that fit into the Governor's initiative. We want to make they are getting input from the operations side. State Board has contacts; we will be sharing information and see if we can get more operational input in our code development cycle.

Greg Andersen – There will be several work groups coming together to look at several issues. Photovoltaic installation is one; we will be bringing back several members of the original group.

Regarding regulations, we are working with Chief Eck on regulations for the Sprinkler Pipe Fitters Certification Program. Also, with the passage of Senate Bill 612 we have amendments to the Aboveground Petroleum Storage (APS) Act to change some of the regulations for the Certified Unified Program Account (CUPA) on their program through EPA of inspections of petroleum tanks.

D. Fire Plan / CAIRS

1. California Fire Statistics

Update of Quarterly fire statistics (Information/Discussion)

Kirsti Fong- In your meeting packets is the quarterly report. As you are aware our office is tasked with gathering incident reports, essentially emergency responses from our California fire departments. Every year we hope to see more departments included in our data base, so over time we can get better and more thorough information. We do have smaller fire departments that will come in this year. Not only are we tasked with gathering this information, but we can help departments that are having questions and concerns about how they are supposed to complete the report. Ideally when they go to a response, they match that information on those reports. It's our job to get them excited about doing a report and sending it to us. We are able to take those documents and build statistical reports that can assist at the state and national level as it relates to decision-making. At the local level they want to see things like response times, and response locations. The information we receive gives a pretty good picture about what's going on in California. On our website there is a lot of information for fire departments and the public. Our office also provides, on request, statistical report for specific needs. Being in this position for the past seven years has been a great opportunity, I have learned a lot. I am moving on to a new position with the OSFM as a Deputy State Fire Marshal.

Anne Walker – Do we know what percentage is still not reporting?

Kirsti Fong – This cannot be gathered just from our data base. We would have to compare to other data bases to see who would be potentially reporting. It can be tricky when a department identifier used by numerous stations and was that station/department absorbed by another department. It comes down to is, what does the information being reported look like in coverage. We feel that 90 percent of the state is covered by the data that is being collected.

Mike Williams – 139 injuries this year, can that be broken down as to how?

Kirsti Fong – That number is taken from a collection of information. If the injury is an EMS or a non-fire call we hope to get more information, such as how and condition of patient. Fire related injuries are detailed on another report.

IV. OLD BUSINESS

A. Joint SBFS and CA Highway Patrol (CHP) Statement of Cooperation

(Discussion/Public Comment/Action)

Clarification of roles and responsibilities on Highway incidents.

Mike Richwine- The Board reviewed and approved the revised statement of cooperation, and we sent it to CHP for signature. At that point they engaged their legal department and they had some questions and issues. I recently received an email where they hope to have something to us soon.

Teresa Reed – I would like to see language in the last two paragraphs that would speak to, and encourage, the joint training between fire and CHP.

Tonya Hoover – The SBFS will be a conduit to push that information out, and the board's representation could send it out to their organizations that the fire service and the CHP are working collaboratively. Once we receive the Statement of Cooperation (SOC) back from the CHP, the SBFS can send out a statement attaching the SOC that encourages joint training.

We will provide an update at the next meeting.

V. NEW BUSINESS

Mike Richwine- I'm pleased to report that the International Fire Service Accreditation Congress (IFSAC) was here two weeks ago for their site visit for our Firefighter I program. They spent two days here, met with staff, and reviewed our process and regulations. Our academy system is unique to California, and so they wanted to have a better

understanding of how it all worked and see the business process. They were pleased with our process and regulations. The second day they went out to Sierra College to a Firefighter I academy where they got to witness both the skills testing and the written testing. They interviewed instructors, evaluators, and some of the candidates. They were very pleased with the way we were running our academy. Ultimately, they issued a draft accreditation for our firefighter program and will follow up in April with their full congress formal approval process. Pro Board will be here the first week of December; they will go through the same process, and we will be meeting with them in January when they will be voting on accreditation from the Pro Board entity.

Tonya Hoover- Two items I wanted to share with the group: The 2015 needs assessment survey from the National Fire Protection Association (NFPA) is being pushed out through respective organizations. CalChiefs is going to do a blast, which in turn will go to metro chiefs, and I'll put this out to the State Board as well. They are really looking for fire chiefs or fire chiefs' designees to complete the U.S. Fire Service needs assessment survey as soon as possible. This is the information that NFPA provides to the U.S. Fire Administration as well as Congress on the needs of the fire service with regard to funding and different legislative actions. The needs assessment is available on the NFPA Website under 2015 Needs Assessment.

For your community risk reduction teams and public education, Vision 20/20 strategy has released the fire safety materials generator. It is a free resource to focus an education message on smoke alarms and cooking fire safety. It gives you the ability to go in and tailor the information with your department's logo and contact information, and to pick concise messaging on those two topics. This was done under Fire is Everyone's Fight™, a tag line being used throughout the country through the U.S. Fire Administration and other large key stakeholder groups. California was very involved in this messaging.

California was very well represented at a recent White House Roundtable meeting with national security and U.S. Fire Administration on climate change and the WUI. We had seven representatives there. It was an opportunity to listen and to share California information. I anticipate they'll want to get the group together again hopefully to dive deeper into addressing climate change and the impact it has on the WUI.

Chief Pimlott has a great presentation on tree mortality, the bark beetle, the impact climate change has on the WUI, and the need to address land use planning and prevention. If the presentation is not already posted, maybe we can get it posted to the CAL FIRE website.

Janet Barentson – The Governor has declared a state of Emergency due to dead and dying trees. A Tree Mortality Task Force has been established to address this issue. At the initial meeting there were utilities, state and local government, environmental groups.

VI. MEMBERS ORGANIZATION UPDATE

Russell Rawls, California State Firefighters Association – At the recent conference there was no change in the Board of Directors; and here is no resolution as to any legislation.

Kim Zagaris, Cal OES – The big issues are our ongoing work on the Butte and Valley Fires. The Director is busy with homeland security after last Friday's events in Paris. Janet Barentson covered the tree mortality; Directors Ghilarducci and Pimlott continue to deal with the ongoing issue of the drought.

David Gillotte, International Association of Fire Fighters – The NFORS project have come together to do a data mining project with NFIRS reporting nationally; that dovetails into grant compliance and the money that we're getting, into staffing, safety and training issues. So we'll keep you posted on that. Also there's affiliate leadership training (ALTS) that the IFF will put on in Buena Vista, Florida in January 2016. It has everything including codes, ordinances, fire ground survival, ethics training and all the things we've done where we have dovetailed the union training and state fire service.

Mike Lopez, CAL FIRE Firefighters local 2881 - We have been working with Dr. Matt Ron, a professor at San Diego State University. Dr. Ron was approached by CSU San Marcos to look into doing a 4-year degree specifically for wildland firefighting. This has been a relationship we've had with him for 6 or 7 years on numerous issues with firefighter research, staffing, and economic loss to communities after a wildfire. For the fire service in California and throughout the whole west, having a 4-year degree in wildland firefighting is a huge program moving forward. We'll be reaching out to others to help with this program.

Our past vice president, Rick Swan, is now the Director of wildland Safety Response with the International Association of Fire Fighters (IAFF) in Washington, D.C. This is a big positive for the community, our organization felt there was a lack of communication of information and training and response from the IAFF over the years with everything moving forward. The general president, Harold Schaitberger recognized that, and hired Rick.

VII. PUBLIC COMMENT

Linda Vaughn- I would like to get in touch with Mike Lopez regarding CSU San Marcus. I have ten community colleges that would love to partner and be the feeder program, and I can work with everybody. I would love to get in touch with the professor and find out what he's doing so we can build the same program or the feeder program at the community colleges at the same time.

VIII. SET MEETING DATES

Board meetings are held the third Thursday every three months starting in February. The meeting schedule for 2016 is as follows: February 18, May 19, August 18, and November 17. Discuss possible meeting time change. All agreed to keep the start time at 10:00 a.m.

IX. MEETING ADJOURNMENT

The meeting was adjourned with a motion by Ann Walker and a second by Michael S. Williams. All were in favor and meeting was adjourned.

This notice has been posted on the Office of the State Fire Marshal web site at <http://osfm.fire.ca.gov/boardfireservices/boardfireservices.php>

Copies of the written materials will be made available to the public at the meeting location, Office of the State Fire Marshal, 1131 'S' Street, Sacramento, CA 95811

For information concerning the Board meeting, please contact Sherry Habon at (916) 445-8434 or sherry.habon@fire.ca.gov

Any written reports being provided to the Board members in advance of the public meeting will also be available to the public upon request.

In accordance with Title II of the Americans with Disabilities Act of 1990, reasonable accommodations are available. Request for reasonable accommodations should be made at least five (5) working days prior to the meeting date. To request reasonable accommodations, including documents in alternative formats, please contact Sherry Habon.