

STATE FIRE PREVENTION COMMISSION
MINUTES
October 19, 2017

Members Present: Charles D. Davis, Chairman
Joseph L. Scheffey
Stacy Welch
K.C. Harrington
Edward Tocherman, Jr.

Members Absent: Mark F. Hubbard, Vice Chairman
Mark A. Bilger

Chairman Davis called the meeting to order at the Laurel Municipal Center in Laurel, Prince George's County.

Chairman Davis introduced Fire Chief William Corrigan and Secretary Mat Chibbaro with the College Park Volunteer Fire Department. They gave a presentation on the Fuse 47 wood-frame high-rise apartment building fire that occurred on April 24, 2017. The five-alarm fire caused an estimated \$39 million in damage to the structure that was still under construction. The sprinkler system had not yet been placed in service. The Commission thanked them for the presentation.

FIRE MARSHAL REPORT

Fire Marshal Brian Geraci reported the Office of the State Fire Marshal (OSFM) currently has three sworn and five civilian vacancies. Fire Protection Engineer (FPE) Dan Hoang (Western Region) and Deputy State Fire Marshal (DSFM) Bruce Bouch (Headquarters) have retired from the agency. Administrative Officer Pamela Harvey (Headquarters) has been hired to assume the position vacated by Alyson Turner's retirement. DSFM Brandon Beall who came from a local law enforcement agency has been assigned to the Western Region. Fire Safety Inspector (FSI) Shirley Millette who is a retired federal firefighter has been assigned to the Southern Region. Her placement gives the Southern Region three inspectors and with the FPE this is the regional model to hopefully effectively split the inspection and investigation disciplines and free up the DSFMs to conduct more thorough investigations and make more arrests.

Current fire fatalities stand at 51 compared to 40 for this period last year. The last two fatal fires were in Baltimore County, both in apartments. Baltimore City has had the highest this year at 21, followed by 10 for Baltimore County.

The Fire Marshal had a meeting with the Apartment and Office Building Association and the Maryland Multi-Housing Association to exchange information on non-sprinklered high-rise buildings and potential amendments to the 2018 State Fire Code. Maryland has approximately 100 such buildings, mostly in Montgomery and Prince George's Counties. Recent events throughout the country are gaining more attention and opening up discussions. A High-rise Fire and Life Safety Summit was held in Minneapolis with the aforementioned associations present. Some options being discussed are full retro-fit sprinkler systems, partial sprinklers in common/hazardous areas, protection of cooking areas in each unit, mist systems, a firefighter air replenishment system which is basically an air standpipe that runs up into the building to facilitate firefighter efforts, and some other things. Technology is also moving ahead with "smart" cooking stoves. A 12-year time line for compliance is proposed. Efforts are being coordinated with the Maryland Fire and Rescue Institute to provide a mist system demonstration. Mr. Wineholt, who represents the Apartment and Office Building Association, was present at today's commission meeting. Fire Marshal Geraci is very appreciative of Mr. Wineholt's support of Maryland's efforts.

Commissioner Scheffey inquired how the Fire Marshal would implement a cost benefit analysis regarding potential fire protection improvements in high-rises. The Fire Marshal stated the OSFM has already contacted some vendors for general estimates, e.g. a residential kitchen hood is about \$1,500; a residential mist system is about \$5,000 per unit. The price likely would be lower when buying in bulk. As an example, Commissioner Scheffey would be interested to know that if 15 people die per year due to kitchen fires, how much would it cost to improve an unprotected kitchen and potentially decrease the fatalities. Commissioner Scheffey recommended such an analysis be done before any legislation is submitted. The Fire Marshal stated he did not intend to propose any legislation but to amend regulations when the 2018 editions of the NFPA codes are adopted.

As a result of House Bill 1061, fire marshal personnel attended a two-day meeting in Annapolis to discuss and make recommendations to the Maryland Department of Education emergency planning guidelines for schools and the evacuation of students, staff, and visitors with special needs. A draft copy was received and comments were made to improve the content. A few schools were also visited. Schools will have until July 1, 2018, to incorporate these needs into their emergency plans.

All commanders and sworn personnel attended a one-day course on Expert Report Writing provided by the International Association of Arson Investigators (IAAI). Another IAAI class on NPFA 921 updates has also been scheduled. With IAAI corporate headquarters in Crofton, Maryland, the OSFM has developed a good partnership with them to provide training. The OSFM continues to partner with the National Fire Sprinkler Association to provide training for fire safety inspectors.

A meeting was held with the Maryland State Police (MSP) risk manager and medical director regarding physicals for OSFM personnel, probably every other year, to help keep them healthy and look for early signs of any health conditions. A retired OSFM commander is currently in the hospital with brain cancer; the prognosis is unknown at this time. The firefighting profession has been seeing an increase in cancer. The OSFM will also start documenting exposure reports for every fire investigation so employees will have a record should they develop any related health issues.

The OSFM received a \$25,000 grant from Firehouse Subs, which is the second grant they have provided. The funding will enhance the personal protection equipment (PPE) and air monitoring capabilities. As a pilot program, \$10,000 has been invested in a two-piece tech rescue-type PPE suit that is a little lighter weight than normal firefighter protective clothing. The OSFM has also contacted Maryland Fire Equipment to wash/extract PPE gear with a one-day turnaround time. Details have not been finalized. The goal is for each investigator to have two sets of gear. Investigators have also been provided with wipes and instructions on proper use to help sanitize any exposures. Discussions are ongoing with ATF to outfit a field decontamination unit. The OSFM bomb squad has a vehicle that may be ideal for this purpose. Maryland has a law to compensate for certain medical conditions and diseases suffered by police officers and firefighters. These ongoing efforts should help OSFM employees be covered under the law.

Also regarding employee health, the OSFM has discussed with the MSP risk manager and medical director about going tobacco free. There are several statewide cessation programs and the few smokers/chewers in the agency will be offered the opportunity to attend.

The Engineering Division received 1,681 plans in the third quarter. They conducted 1,163 reviews and performed 35 inspections. The current backlog of plans is 518.

The OSFM's Major Incident Response Team (MIRT) was requested by Baltimore City fire and police along with the ATF National Response Team to assist in the investigation of a 94,000 square foot warehouse that occurred on September 25th. The structure and contents were destroyed with an estimated \$6 million loss. The warehouse stored clothing, toys, and other donations that would be packaged and shipped overseas. The building was previously a steel mill with a sprinkler system installed in the 1960's but that was no longer in service. Most likely the original design would not have been sufficient for the sprinklers to contain the fire with the building's current content. The cause of the fire is undetermined.

The partnership with ATF has been working well and relations with the Baltimore City Arson Unit have improved with the turnover of command staff and investigators. Baltimore City also has a new Fire Marshal.

In response to an inquiry from Commissioner Scheffey, the Fire Marshal explained that ATF has limited personnel committed to its arson and explosive task force. So each jurisdiction that has this task force reaches out to local authorities for supplemental support. Prince George's, Montgomery, Anne Arundel, and Howard Counties, as well as the OSFM and others each provide an individual to serve. These individuals also respond when the National Response Team is called out. The arrangement is mutually beneficial— locals provide ATF with assistance and the locals gain good training and experience working with ATF on larger major federal cases.

Regarding vehicles, four pickup trucks purchased from last year's budget have been or are in the final stages of being outfitted. Two will be assigned to investigators and two will be assigned to K-9 handlers. Five pickup trucks from this year's budget have come in and they will also get outfitted.

CHIEF FIRE PROTECTION ENGINEER REPORT

Chief Fire Protection Engineer (CFPE) Ken Bush reported on the U.S. Celebration of World Standards Day which honors the efforts of people and organizations that develop voluntary standards. The commemorative day originated on October 14, 1946, in London where the first gathering took place to recognize organizations that develop voluntary standards. At NFPA's invitation, CFPE Bush will attend an exhibit this afternoon at the Mandarin Oriental Hotel in Washington, D.C. to commemorate the occasion.

Regarding the Fuse 47 fire, CFPE Bush stated there are two issues. One, the building was under construction and determining the levels of protection that were or should have been in place during construction; two, the type of construction that is basically wood-frame on top of a noncombustible base level. The 2018 codes try to address the construction type to require sprinklers in attics for 13R designed systems if the building is more than 55 feet in height. On the surface this may not appear to be a significant change because the code currently requires attic sprinklers at 60 feet. The change is where the measurement begins. It will no longer begin at the level where the wood frame starts but will begin at ground level to the peak of the roof, not the median of the roof. The issue of protection during construction is more difficult because of enforcement issues to apply NFPA 241 which deals with buildings under construction or demolition.

CFPE Bush participated in a meeting on school evacuation plans for special needs persons. An interesting point is if there are disabled persons unable to evacuate themselves, in sprinklered schools any part of the floor in the building is considered an area of refuge and they can be basically left behind on that sprinklered floor. That is unacceptable to some parents. Another issue is temporary disabilities such as from an injuries or accidents which require the person to be in a wheelchair or on crutches. When schools develop their evacuation plan at the beginning of the year, such persons may not have been taken into consideration but during the course of the year their conditions change which results in more persons needing evacuation assistance. Other discussions included the installation of specialized evacuation equipment such as stair chair rails, elevators, lifts, etc. The codes have tried to address some of the issues but when you install a lift or rail there are issues with queuing who evacuates first, how long it takes to transfer persons to chairs or carry them down the stairs, how it may affect able-bodied persons who are evacuating behind them, the design of the exit and how such equipment may reduce the exit width or handrail access, where the specialized equipment is stored for ready accessibility, etc. So there are some real issues and concerns that need to be considered and addressed.

The two fire protection engineer vacancies basically are a 40% reduction in the engineering division. The agency is addressing this by allowing overtime for existing engineers, considering a contract engineer position, and making the merit hiring process open and continuous so that any interested applicant can apply at any time, not just when there is a vacancy. The OSFM has gone through the hiring process twice for the Eastern Shore and still has been unable to find an eligible applicant to accept the

position.

The State Fire Code review process is moving forward. The 2018 editions of NFPA 1 and 101 should be available after October. Copies of the codes have been requested from NFPA for the Commission members, the AELR Committee in Annapolis, and the code update committee members. As in the past, training classes have also been requested—a one-day session for experienced authorities and a two-day session for less experienced authorities. Greg Cade with NFPA has expressed their willingness to provide resources and assistance. It is hoped the review can be completed in four to six meetings by spring 2018, with an adoption date of January 1, 2019. Commissioner Scheffey requested NFPA 25 requirements relating to the inspection, testing, and maintenance of fire protection equipment, particularly sprinkler systems in residential occupancies, be reviewed. Perhaps amendments to NFPA 25 to require annual visual inspection of individual sprinklers could be considered. NFPA published a very comprehensive report in July of 2017 entitled "U.S. Experience with Sprinklers" that provides a lot of data on sprinkler system failures. Based on this report, Commissioner Scheffey concluded that visually inspecting sprinklers may only impact one or two actual fire incidents per 1,000, which seems like a modest return. Chairman Davis recommended it be considered and made part of the minutes of the review process. Commissioner Scheffey will provide additional information.

CFPE Bush attended a seminar in Washington, D.C. co-sponsored by the International Code Council and NFPA dealing with the cost of fires. It is interesting that two competitive code organizations are working together to study this issue further. It is difficult to figure out the bottom line to determine cost of prevention versus cost of fire when you consider firefighter salaries, volunteer time, insurance costs, physical loss, indirect costs such as loss of sales, manufacturing, jobs, rental revenues, etc.

CHAIRMAN REPORT

Chairman Davis entertained comments from Mr. Ron Wineholt with the Apartment and Office Building Association of Metropolitan Washington. Members of the organization own and operate apartment and office buildings in the greater D.C. area and Prince George's and Montgomery Counties. The sister organization, Maryland Multi-Housing Association owns and operates apartments in the remaining areas of Maryland. The organizations have been working with Fire Marshal Geraci to discuss his proposal for fire suppression in existing buildings. Fire Marshal has been invited to address the members at their joint meeting on November 13th. As Commissioner Scheffey commented previously, Mr. Wineholt understands the need to consider the cost for any of the proposed options. In general numbers there are about 500,000 multi-family rental units in Maryland. If you estimate \$5,000 per sprinkler or mist system per unit, that would cost \$2.5 billion dollars. If the cost is \$1,500 per unit, that would be three-quarters of a billion dollars. If you discount 20% or 25% for sprinklered apartments constructed within the last 20 years it is still a very large number. It is important to determine and closely consider cost options for any associated proposals or regulations. Mr. Wineholt pointed out that state law prohibits any change in the fire code to existing properties unless there is an inimical hazard to public safety to require corrective action. It is his believe the Commission would have to make that determination and he hopes it would closely consider the cost. Chairman Davis duly noted his concerns.

Chairman Davis reported the Colonel Pallozzi has signed the proposed amendments to the sprinkler licensing regulations and the proposal is currently being reviewed by the AELR committee. A date for a public hearing has not yet been set.

There are no updates on new member appointments. The Commission currently has two vacancies that remain unfilled. Vice Chairman Hubbard's term has expired although he has volunteered to continue serving until replaced.

The Chairman entertained motions to elect a new Vice Chairman to replace Commissioner Hubbard. Motion by Commissioner Welch to nominate Commissioner Scheffey. Motion was seconded and unanimously carried to elect Commissioner Scheffey as the new Vice Chairman.

The Commission received an email from Mr. Beyler to come before the Commission to discuss scientific advisory workgroups for investigations. An invitation will be extended to him for the February meeting. This should be the third Thursday at the Taylor Avenue Fire Station in Annapolis.

OTHER BUSINESS

Motion made to approve the August minutes, second by Commissioner Welch, and unanimously carried.

MEETING SCHEDULED

The next meeting has been scheduled for
December 12, 2017 – 10:30 a.m.
Southern Maryland Regional Training Center
10375 Audi Lane
LaPlata, Charles County

There being no further business, the meeting was adjourned.

Respectfully submitted
(as summarized from transcript provided by Hunt Reporting),



Heidi Ritchie, Secretary