

PORTABLE FIRE EXTINGUISHERS ADVISORY COMMITTEE MEETING MEETING MINUTES – TUESDAY, OCTOBER 15, 2024

Hybrid Committee Meeting



Meeting Location:

Office of the State Fire Marshal
5th Floor, McKittrick Conference Room 512
3780 Kilroy Airport Way, Long Beach, CA 90806

Zoom Meeting Option

Meeting ID: 820 9303 2312

1. CALL TO ORDER

A. Welcome and Introductions

Chairperson Brice Bennett called the meeting to order at 9:00 A.M. Pacific Daylight Time (PDT). Logistics briefing was provided by Chairperson Brice Bennett.

B. Roll Call/Determine Quorum

Roll call was conducted by Adam Stewart and determined that a quorum (10 of 11) of members was present.

Members Present:

Robert Vasquez, California Association of Life Safety and Fire Equipment (CAL SAFE)
Edie Wade, Brooks Equipment
Marcus Hernandez, City of Morgan Hill
Darrell Hefley, Jorgensen Company
Isaac DeFee, Cintas Corporation
Randy Rousseau, La Sierra Fire Equipment
Randy Dysart, CAL SAFE (retired)
Shelly Beach, San Bernadino County Fire Department
J.R. Nerat, Presto
Rebeca Leda, Sacramento Metropolitan Fire District

Members Absent:

James Knowles, Amerex
John Huffman (Alternate), Jorgensen Company
Garth Embree (Alternate), Amerex

Office of State Fire Marshal Staff:

Brice Bennett, Chairperson, OSFM
Andrew Henning, OSFM
Greg Andersen, OSFM
Cortney Walker, OSFM
Michael Hill, OSFM
Terence Liszewski, OSFM
Patricia Rock, OSFM

Adam Stewart, OSFM
Chris Dale, OSFM
Megan Lopes, OSFM
Thomas Setnan, OSFM
Jamie Sammut, OSFM (Legal)

Public Guests:

Chad Murbach, Jorgensen Company

C. Introductions

All attendees introduced themselves.

D. Approval of Past Meeting Minutes – July 16, 2024

Chairperson Brice Bennett asked for approval of the minutes for the July 16th, 2024, meeting. It was moved by Member Edie Wade to approve the minutes as presented; motion seconded by Member Marcus Hernandez. Motion was carried with a unanimous vote in favor of approval of the July meeting minutes as presented.

E. Announcements

Chief Greg Andersen stating that it was a pleasure to see everyone at the recent CALSAFE conference. There were no other announcements.

F. Division Updates

Chairperson Brice Bennett mentioned to the Committee that if you go to the CALFIRE main page and then go to OSFM's page, you will find a subscribe button at the bottom of the page to an email notification system. From there, you will be able to select a Fire Engineering & Investigations program to get a subscription to our email distribution list, including the Portable Fire Extinguisher program.

Chief Greg Andersen mentioned starting January 1st of 2025, Fire Engineering & Investigation will no longer be using stickers for renewals. Chief Andersen stated that printing new updated cards every year for licensees was more cost effective than purchasing stickers for licensees' cards. Chief Andersen stated that there will be a bulletin coming out shortly to the industry with more details on this change.

Member Randy Rousseau asked if the new cards would have an updated picture and signature every annual renewal period?

Chief Greg Andersen stated that OSFM is looking at the regulations to see if there is a requirement for new photos on a yearly basis. Chief Andersen also mentioned that OSFM is looking into removing the signature all together from the cards and applications, due to the lack of purpose. Chief Andersen mentioned also looking at the possibility of having a QR code on the back of the cards, for quick and easy status of licensees.

Chairperson Brice Bennett stated that Fire Engineering & Investigation has been working with Jamie Sammut to create the foundation for our updated charters for our advisory committees. Chairperson Bennett mentioned with a new charter, comes a new

roster and for anyone interested or still interested, to send interest letters to this program's general email inbox at fe@fire.ca.gov. Chairperson Bennett stated that all interest letters need to be in by November 1st to be reviewed.

Chairperson Brice Bennett stated that next year's advisory meetings will be held on the third Tuesday of the quarterly month. Chairperson Bennett mentioned that these meetings will be posted on the Committee webpage.

Chairperson Brice Bennett stated for the foreseeable future, OSFM will not be hosting advisory committee meetings alternating between Sacramento and Southern California, due to financial constraints with the State. Starting in 2025, all meetings will be hosted out of the Sacramento Headquarters Office.

2. OLD BUSINESS

A. Self-Authorization Exams through Pearson VUE

Chairperson Brice Bennett stated as of October 1st of this year, OSFM has change their exam process. Chairperson Bennett mentioned that this would be for any applicant going for their technician type 1, 2, & 3 fire extinguisher license. Chairperson Bennett informed the Committee that applicants will now register with Pearson Vue first to self-certified to Pearson Vue that they meet the requirements to take the exam. When an applicant successfully passes an exam, they may then apply with OSFM. Chairperson Bennett mentioned that this process is for every program that OSFM offers, that requires passing an exam. Chairperson Bennett stated for more information on this topic, there be an informational bulletin posted on OSFM's website with more details.

B. Fire Extinguisher Regulations

Chairperson Brice Bennett stated with the change in the examination process, OSFM has to update the regulations package that is in motion currently, to reflect the self-authorization process. Chairperson Bennett mentioned he will be working on that as his top priority starting next week.

Member Robert Vasquez asked if there is going to be anything else in the regulation package or just the Pearson Vue examination update?

Chief Greg Andersen stated that it is the package that was already approved by the committee. OSFM is just adding the testing part because that is being updated as well.

Member Randy Dysart asked if it would be possible for the Committee members to get the latest copy of what is going to be submitted, or what is being proposed?

Chairperson Brice Bennett stated that he will talk with Chief Greg Andersen and get an answer on that question.

C. Prohibition on AFFF at Part 139 Airports

Chairperson Brice Bennett mentioned the topic in past meetings, of ending PFAS chemicals and how it pertains with firefighting. Chairperson Bennett wanted to update and clarify what is legal and what is not with part 139 airports. He mentioned that the bulletin is written with FAA terminology, which Chairperson Bennett is not privy to.

Chairperson Bennett stated if you need more information or clarification on this topic, there is an email and phone number at the bottom of the bulletin. Chairperson Bennett mentioned that this updated bulletin is on our website for more details with AFFF at part 139 airports.

3. NEW BUSINESS

A. Bagley-Keene and Advisory Committees – CAL FIRE Legal Presentation

Attorney Jamie Sammut presented a short PowerPoint presentation on The Bagley-Keene Open Meeting Act. Jamie Sammut mentioned that Bagley-Keene is a section of the government code that requires state agencies to do things open and in the public. Please refer to Jamie Sammut's PowerPoint presentation for more details. Jamie Sammut stated that he would provide every member of the Committee with the PowerPoint presentation.

B. NFPA 10 National Adoption

Chief Greg Andersen started off by mentioning that he is aware that the process to adopt regulations seems lengthy and time consuming. Chief Andersen mentioned that OSFM is discussing and kicking around the idea of possibly adopting NFPA 10. Chief Andersen stated that he just wanted to feel out the Committee on their thoughts of the proposal. Chief Andersen stated that OSFM is not looking at adopting the licensing requirements that we have for our technicians out in the field, but other standard regulations that we have in California. Chief Andersen mentioned when looking at NFPA 10, how different is it between California and the national standard. Also, an advantage of doing this would be a regular cycle for updating regulations.

Member Darrell Hefley stated that NFPA 10 and Title 19 are very similar and have very similar language. He mentioned there are still some areas that the Committee in the past have felt, California is unique and needs to have some differences. Member Hefley stated that some amendments would probably need to happen, like what has been done to NFPA 25. He mentioned moving forward, encouraging the Committee to have work groups to review each section of NFPA 10, if there is going to be any changes or looking to adopt, to see if there needs to be a new California amendment. Member Hefley stated, it would make sense at this stage with where Title 19 has evolved, to adopt NFPA 10 with the California amendments.

Member Randy Dysart stated a concern to the Committee about having two separate documents to refer to. He felt that having a National Standard and a California addition would draw some concerns.

Chief Greg Andersen acknowledged Member Randy Dysart's concern for the two separate documents. Chief Andersen mentioned the benefits are regular updates going with the national standard but having other amendments that we need to acknowledge education, outreach to enforcement and the industry.

Member Randy Dysart stated that the holdup has not been getting the document together that need to be adopted but the process in getting it adopted once that has been completed. Member Dysart wanted more clarification on if this is going to change, if we are still making exceptions and still making amendments to Title 19 and NFPA 10.

Chief Greg Andersen stated that when OSFM does a code package, it is just updating the standard, which makes it a very short package and much easier to accomplish. Chief Andersen mentioned you may have to move some sections, numbering or modifying but OSFM is setting up schedules to do regular updates.

Member Randy Rousseau asked if Title 19 would eventually go away, and would we just have NFPA 10, or would Title 19 just point everyone to NFPA 10?

Chief Greg Andersen stated that Title 19 would point everyone to NFPA 10, because Title 19 is where our authority lies. Chief Andersen mentioned if this path was to move forward, it would delete all the sections in there that we currently have and add the new section for the standard that we're adopting.

Member Randy Rousseau asked if we are looking into adopting NFPA 10, while reviewing the work that the Committee has done on Title 19? He asks if it would be more beneficial to submit all together at the same time, rather than moving forward with the original package?

Chief Greg Andersen stated he would not like to delay the work that has already been done, a lot of what the work group did was on the licensing program and that part would still be in Title 19. Chief Andersen stated he would not like for that process to be held up for a topic that we are just discussing at this point.

Member J.R. Nerat stated that NFPA 10 is really the industry standard that is recognized around the world, but it's a minimum requirement. He mentioned the State, like Title 19, can add certain things to it and go above and beyond the standard.

Chief Greg Andersen followed up on J.R. Nerat comments, that if NFPA 10 was adopted, it would provide more cleanup to Title 19. He mentioned a lot of the items in Title 19 would stay. Chief Andersen stated hearing some support from the Committee, on possibility adopting NFPA 10.

Member Isaac DeFee stated that NFPA 10 has come a long way and that it would make sense to adopt it. He mentioned everything being discussed so far by the Committee, makes sense and that NFPA 10 simplifies things for everyone.

Member Randy Dysart stated that, he has no issue adopting NFPA 10 but still doesn't see how it will shorten the process.

Member Edie Wade stated that Title 19 has been around for many years and that is what makes California different from all other states. She agreed that we can move over to NFPA 10 for more of an industry standard, but that Title 19 should have another look to determine what made it so different and more valuable, for so many years.

Chief Greg Andersen mentioned to Chairperson Brice Bennett on making this topic an agenda item for the next Advisory Committee meeting. Chief Andersen stated looking into a small work group to review Title 19 and NFPA 10, to see if NFPA 10 is worth adopting.

4. OPEN FORUM

Chairperson Brice Bennett opened the floor for open forum.

Member Robert Vasquez stated that he has heard that the compliance engine is now pushing themselves forward into developing and making an extinguisher report to be turned into the compliance engine. Member Vasquez asked if the State or Committee has heard anything about that?

Chief Greg Andersen stated that he has heard of this requirement being done at the local level. Chief Andersen mentioned that the way our laws and regulations are set up, the local levels can adopt ordinances that are more restrictive than the State. It is within the local levels purview to add additional requirements with no oversight from the State.

5. PUBLIC COMMENT

Chairperson Brice Bennett opened the floor for public comment.

There was not public comment.

6. UPCOMING MEETING DATES

Tuesday, January 14, 2025
Office of the State Fire Marshal
715 P Street, Sacramento, CA 95814

7. MEETING ADJOURNMENT

A motion to adjourn was made by Member Marcus Hernandez and seconded by Member Edie. Motion was carried with a unanimous vote to adjourn the meeting. Chairperson Brice Bennett adjourned the meeting at 10:03 a.m. (PDT).

*This notice and copies of the written materials have been posted on the Office of the State Fire Marshal website <https://osfm.fire.ca.gov/>. For information concerning the Committee meeting, please email **Terence Liszewski** at terence.liszewski@fire.ca.gov. Any written reports being provided to the Committee 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 **Terence Liszewski** at terence.liszewski@fire.ca.gov.*