



STATE FIRE MARSHAL  
FIRE EXTINGUISHER ADVISORY COMMITTEE

July 25, 2023, Meeting Minutes, 10:00 A.M. to 3:00P.M. Pacific Daylight Time (PDT)

Office of the State Fire Marshal, 2<sup>nd</sup> Floor  
715 P Street, Sacramento, CA 95814  
Hybrid Zoom Meeting Conference Call

Meeting ID: 874 6887 2078

MEMBERS PRESENT

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

MEMBERS ABSENT

Perry "Mike" Goth, Victorville Fire Department  
John Huffman (Alternate), Jorgensen Company  
Garth Embree (Alternate), Amerex

GUESTS PRESENT

None

## OSFM STAFF

Brice Bennett, Chairperson, OSFM

Greg Andersen, OSFM

Jeffrey Schwartz, OSFM

Frank Bigelow, OSFM

Jim Hosler, OSFM

Cortney Walker, OSFM

Benji Salazar, OSFM

Megan Lopes, OSFM

Adam Stewart, OSFM

### 1. CALL TO ORDER

#### A. Welcome and Logistics Briefing

Chairperson Brice Bennett called the meeting to order at 10:05 A.M. Pacific Daylight Time (PDT). Logistics briefing was provided by Chairperson Brice Bennett.

#### B. Roll Call/Determine Quorum

Roll call was conducted by Megan Lopes and determined that a quorum (11 of 12) of members was present.

#### C. Introductions

All attendees introduced themselves.

#### D. Approval of Previous Minutes

Chairperson Brice Bennett asked for approval of the minutes for the April 25, 2023, meeting. It was moved by Member Edie Wade to approve the minutes as presented; motion seconded by Member Darrell Hefley. Motion was carried with a unanimous vote in favor of approval of the April minutes as presented.

#### E. Announcements

Chairperson Brice Bennett announced this will be his first meeting as the chairperson for the committee. He thanked Chief Jeffrey Schwartz for his past leadership and setting the program up for success.

Chief Greg Andersen thanked everyone for participating in the committee as the advisory committee plays an important role in notifying the department of the issues occurring in the industry. Chief Frank Bigelow echoed Chief Andersen's comments stating everyone's participation in the advisory committee is extremely valuable and appreciated.

Chief Greg Andersen stated it is a pleasure to have Chairperson Brice Bennett as the new chair as we are finally filling up some positions in our

unit. Manager Cortney Walker introduced Adam Stewart as the new SSA for the AES program. She stated Adam comes to the department with a lot of experience in analytical work and will be a wonderful addition to the team. Chief Jeffrey Schwartz introduced Benji Salazar, DSFM III as the new AES program coordinator. He comes to the division with a background in the Fire and Life Safety Division.

## 2. OLD BUSINESS

### A. Title 19 Portable Fire Extinguishers Regulations Update

Chairperson Brice Bennett referred to Megan Lopes to discuss the status of the current backlog in regulations. Megan Lopes stated that the package is still in the queue as multiple packages are still going through the process with Code Development and OAL. Member Edie Wade asked for an estimated timeline. Megan Lopes stated the goal timeline is still this fall, however it is hard to gauge as we can only move as fast as the other packages go through. Chief Andersen added there are several large packages currently underway and unfortunately it is hard to anticipate after OAL review if more work will need to be done adding to timelines. He stated we are looking to move this package forward as quickly as possible.

### B. PFAS with Chief Jim Hosler, Deputy Director of Pipeline Safety Division

Chairperson Brice Bennett introduced Assistant Deputy Director Jim Hosler the Director of the Pipeline Safety Division and the AFFF Fire Foam Program for the state under SB1044. He also runs the CUPA Program. Chief Jim Hosler thanked everyone for having him today as he is going to present some information on AFFF and how this will affect the industry.

Chief Hosler shared his screen with the group to present some updates. He provided information to access the CUPA webpage under the Pipeline Safety Division webpage. Once the page has been accessed, the link for "Fire Fighting Equipment and Foam: PFAS" can be selected. This link is where information has been provided including timelines. Chief Hosler stated at this point no fire foam is to be used by any agency or facility in the state whether in bulk containers or extinguishers. There is an exception for oil terminals, petroleum terminals or facilities with a product and pool that have a tank of 120 square meters or greater in the facility. He stated that can run until 2028 until changes take effect.

Chief Hosler stated what is coming up now as of January 1, 2024, is any used fixed foam suppression system for class B fires that does have in place 110% containment of any expected discharge volume may continue to use it until 2028. However, if they do not have containment of 110% with a concrete floor that cannot reach soil or water, as of January 1,

2024, the fixed system may not be operated and is not in compliance with the code. He stated the exemption in SB 1044 to this is FAA regulated facilities that are 139 airports. He pointed out to the committee a link on the webpage labeled "Aircraft Firefighting Foam Transition Plan" that FAA has put out. This document provides information on the MILSPEC. He continued to state FAA 139 airports are still allowed to use the fire foam and allowed to use it after the MILSPEC has been changed for one year. What this also means for fire extinguishers is in a FAA 139 airport fire extinguishers with AFFF foam with added PFAS are allowed until further notice. The use is discouraged, and the usage must be reported to the OSFM, but it can be used. The fire extinguisher portion for FAA 139 airports is a gray area, as there is no definitive rule saying they can't use the fire extinguishers for a year after the new MILSPEC. He stated for sure they can use the fixed systems, but in one year time from the MILSPEC change the system must be swapped out.

Chief Hosler summarized by stating essentially fire departments, fire agencies, citizens, businesses, etc. as of January 1, 2024, there should be no fixed systems without 110% containment still in usage. Although if a company has a transition plan and plans moving forward are delayed because of parts, for example, they can document it. However, if they do discharge during this time they are in violation.

Member Randy Dysart asked what are the possible fines for misuse? Chief Hosler stated under SB 1044 violations are subject to civil penalties up to \$5,000 for a first violation and \$10,000 for each subsequent violation. He also stated if it does go to a local city or county, they may have the option for additional fines or charges according to their local codes.

Member Edie Wade asked if Chief Hosler could outline again the steps to access the information presented. Chief Hosler reviewed the steps to access the [Pipeline Safety and CUPA webpage](#) which contains the Firefighting foam and PFAS information, a link to SB 1044, and the prior informational bulletin.

Chairperson Brice Bennett stated he will continue to work closely with Chief Hosler on this subject so if anyone has concerns on the advisory committee to reach out to him. He thanked Chief Hosler for his time.

Member Darrell Hefley asked about an industry specific informational bulletin that would give definitive answers as to what to tell customers. He further stated it seemed an alert may need to be sent out to customers not to use or service AFFF unless you can verify that you're at an airport with 139 classification or refinery. Chief Hosler added or a terminal with a 120 square meter storage. The burden however is on the customers to certify

whether they have clearance. He stated he would make sure vendors have SB 1044 to reference to their customers because there may still be customers out there that have AFFF and don't know about this. Member Darrell Hefley stated a goal may be to come up with a condensed bulletin that is industry specific including AES to address foam systems before January. He also asked if the office has come up with any recommendations for disposal? Chief Hosler stated AFFF at this point in California is not a hazardous waste. However, this is subject to change at any time depending on the EPA's, CalEPA, and DTSC's final determination. The options at this point are as a seller to reach out to the manufacturer and see if they will take the product back, find a vendor in another state that allows AFFF to be used, or find a company for disposal. He stated currently there are processes being explored for disposal that include incineration or critical water technology. He continued that equipment in fixed systems must also meet EPA standards which can include replacement or cleaning of various aspects of the system depending on if discharge was ever performed.

Chairperson Brice Bennett confirmed that the committee is requesting a more focused informational bulletin be developed for the AES and FE industries and stated he will work on providing this.

### 3. NEW BUSINESS

There was no new business.

### 4. OPEN FORUM

Chairperson Brice Bennett opened the floor to open forum.

Member Randy Dysart asked about the replacement of cards and certificates. Chairperson Bennett clarified this is regarding the difference in cost associated between the cost of a replacement card of a fire extinguisher concern or licensee versus a sprinkler fitter who have the exact same card in hand. Member Randy Dysart added if someone loses the card that is their problem, however, the card is not holding up. Chief Andersen stated it takes a fee package to change the cost, however, what is currently being explored is the possibility of a digital card. He also added we do have a new card machine in hopes the cards will hold up better. Chief Schwartz emphasized the possibility of digital cards is in discussion and doesn't mean this will happen right away.

Chief Andersen thanked everyone who showed up to the Centennial Celebration for OSFM. He stated it is online for anyone who wanted to watch. He stated it is fun to look back and celebrate what has been done, as well as look to the future at what work still needs to be done.

Chief Schwartz asked the committee if they like prearranging the quarterly meetings? Member Edie Wade stated she thinks it is great to have the meetings on the calendar and know when it is. Member Isaac DeFee agreed that he likes the structure. Member Robert Vasquez reiterated he prefers having it on the calendar. Members Marcus Hernandez and James Knowles also agreed. Chief Schwartz recommended Chairperson Brice Bennett add scheduling next year's meetings as an agenda item for the next meeting.

## 5. PUBLIC COMMENT

There was no public comment.

## 6. MEETING ADJOURNMENT

The next committee meeting is scheduled for October 24, 2023, at 10:00 A.M. (PDT). A motion to adjourn was made by Member Randy Dysart and seconded by Member Darrell Hefley. Motion was carried with a unanimous vote to adjourn the meeting. Chairperson Brice Bennett adjourned the meeting at 10:48 A.M. (PDT).