



## Office of the State Fire Marshal Fire Extinguisher Advisory Committee

Tuesday, December 10, 2019  
9:30 am to 3:00 pm (Pacific Daylight Time)

Office of the State Fire Marshal  
2251 Harvard Street Sacramento, CA 95815  
First Floor, Redwood Conference Room

### Committee members present

Randy Dysart, California Association of Life Safety and Fire Equipment (CAL SAFE)  
(arrived 9:44 a.m.)

Darrell Hefley, Jorgensen Company

Randy Rousseau, La Sierra Fire Equipment

Jamie Knowles, Amerex (arrived 9:49 a.m.)

Frank Gardner, Stanford University (arrives 10:12 a.m.)

### Committee members participating via teleconference

Chris Hoiland, Orange County Fire Protection

Tom Santos, Imperial Beach Fire Safety Services (arrived 9:44 a.m.)

J.R. Nerat, Badger/Kidde (arrived approximately 10:45 a.m.)

### Committee members not present

Edie Wade, Brooks Equipment

Anthony Romero, Kern County Fire Department

Robert Calderon, Kaiser Permanente

Al Minicola, Suppression Pro

Patrick Chew, Roseville Fire Department

### OSFM staff present

Jeffrey Schwartz, Committee Chairperson

Al Adams, OSFM

Kevin Chan, OSFM

Perry Goth, OSFM

Brice Bennett, OSFM

Carlos Hernandez, OSFM

Andrew McSorely, OSFM

Dan Scott, OSFM

## Public guests

Gene Gantt, California State Firefighters' Association  
Terry Layton, TLC Fire (via teleconference)

### I. CALL TO ORDER

#### A. Welcome and logistics briefing

Chairperson Jeffrey Schwartz called the meeting to order at 9:36 a.m. (PDT).

#### B. Roll Call/Determine Quorum

Roll was taken and a quorum was not present. Chairperson Jeffrey Schwartz noted that without a quorum, no business could be conducted. Robert Calderon and Frank Gardner arrived late and were not included in the roll call.

At 10:27 a.m., quorum was established with the arrival of two members.

#### C. Approval of previous minutes

Chairperson Jeffrey Schwartz asked if there were any changes to the minutes of the previous meeting. None were suggested, and he tabled the vote to approve the minutes.

A quorum was established at 10:12 a.m.

After quorum was established, Darrell Hefley made a motion to approve the minutes from the previous meeting with the changes from Darrell Hefley and Chairperson Jeffrey Schwartz noted. Frank Gardner seconded, the motion passed 7-0.

#### D. Announcements

Chief Al Adams welcomed everyone and thanked the Committee for their participation. He noted the importance of having industry representatives to advise the OSFM. He introduced Deputy State Fire Marshals Perry Goth and Brice Bennett. OSFM has hired someone to exclusively work on the GOVmotus system to improve its functionality, including the establishment of online payments.

### II. OLD BUSINESS

#### A. CCR Title 19/NFPA 10 review update

Chairperson Jeffrey Schwartz said that this content has not yet been incorporated to the regulations package.

Darrell Hefley said that he distributed the final draft of this update and noted the topics from the September meeting which the Committee still wanted to discuss. He had two changes to the minutes of the previous meeting,

7.3.3.3 should add the manufacturer recommendation to internally inspect.

578.1 should state that when an extinguisher is recharged, it will be subject to internal maintenance with an exception for carbon dioxide extinguishers.

B. Development of dry chemical analysis by a third party

Randy Rousseau reported on communications he and J.R. Nerat have had with Dyne Fire Protection Labs. He read an email from Grant Lobdell, their lab manager. Dyne is developing a series of tests and analysis on dry chemicals which they will offer as a third-party testing service. Currently, companies test their own chemicals in house. Dyne hopes to announce this service shortly. The Committee tabled this discussion until after the service is launched and more details were available.

Requirements for testing fire extinguishers on vehicles

At the previous meeting, requirements in 592.3 were discussed. A hydrostatic test is required every five years for fire extinguishers on vehicles. The Committee discussed how this requirement could apply to disposable extinguishers as they are not hydrostatically tested. Darrell Hefley summarized the previous discussions, which includes issues of chemical packing. Jamie Knowles said that a hydrostatic test only tests the shell and that the annual visual inspection of the shell should suffice. If the Committee removes this requirement, then disposable extinguishers could remain on a vehicle for 12 years. The Committee agrees that, anecdotally, this would result in an increase in compacted powder in these extinguishers but was not aware if this issue has been studied.

Al Adams asked if inspectors notice a difference in the field. Tom Santos said that having an incorrect bracket for the extinguisher adversely impacts extinguishers. Jamie Knowles said that extinguishers undergo vibration tests for approval and is unsure what the cause of packing would be, it could be a maintenance issue. The requirement is decades old and the Committee is unsure where it originates. Darrell Hefley agrees that this might be two separate issues, the necessity of the hydrostatic testing requirement and disposable extinguishers on vehicles. The Committee seems to be leaning towards removing the requirement.

Standard signature and a "tag signature" space

As discussed previously, Randy Dysart suggested that signatures be addressed. There are constant issues with the signatures on service tag not matching the signatures on file with OSFM. Title 19 references these requirements in 557.19 and 596.5, Health and Safety Code 13183 also has requirements. He suggests that a possible remedy is to have people provide both a standard signature and a "tag signature" to be placed in a smaller space.

Darrell Hefley agrees that this is an enforcement issue, as many signatures in the field look nothing like the signature on record. One possible way to address this is to have technicians submit a new signature upon renewal.

Chairperson Jeffrey Schwartz said that there is a signature block option in GOVMotus which is not yet being used. He also said that inspectors don't have signatures on record in the field, so we generally use the technician's driver's license to compare to the signature on the tag. If a technician uses initials, then this is not a "legal signature" such as the signature on a driver's license. Randy Dysart and Randy Rousseau suggest that any signature provided to OSFM should be considered a "legal signature" for this purpose, whether if it is a full name, initials or otherwise. Darrell Hefley also stated that this has been an issue for many years which has been repeatedly discussed and that a solution could be determined.

Chief Al Adams said that, in the past, inspectors or OSFM would have a technician submit a signed tag to them as an example and that an online signature may not look like an actual signature. Requiring a signature at renewal through GOVMotus could be simpler. Chairperson Jeffrey Schwartz pointed out that the exact language used is "signature as appears on application" and agrees that if a technician provides initials on their original application as their signature, then that would be the signature on file with OSFM. Chief Al Adams said that a simple solution should be best for the industry and that the issue could be that technicians use hundreds of pre-signed tags which become illegible or can be used on multiple jobs or by multiple individuals.

Chairperson Jeffrey Schwartz suggested that Randy Dysart bring sample language to the next meeting to address this issue.

### III. NEW BUSINESS

#### A. New fire extinguisher technology and self-service type extinguishers

Chief Al Adams revisited the topic of the Eliminator fire extinguisher and addressed the long-range implications of new technology. The Eliminator matter has been settled, it can be sold in California and must comply with existing Title 19 standards, but OSFM seeks direction from the Committee on how to handle future products introduced in California which claim to be "self-servicing" or otherwise not requiring a third-party company to service the extinguisher.

Terry Layton pointed out that NFPA 10 does not preclude new technology.

Chairperson Jeffrey Schwartz said that California does not adopt NFPA 10, but Title 19 does not adopt NFPA 10 and new technology needs to be addressed in Title 19.

Darrell Hefley said that the point of Title 19 is for California to check the effectiveness and safety of fire life safety devices. The way California does this is to have a certified company check these devices annually, and that it could be moving backwards to allow products which are not annually inspected by a certified third-party.

Jamie Knowles said that a self-service product must still be able to comply with the 30 day and the annual inspections, which seems impossible to do through automation or any other means.

Randy Dysart said that this issue is like previous discussions about the six-year tear down. Many companies argued that an owner can perform their own maintenance throughout the life of the extinguisher. He said that the number of companies or individuals who perform monthly inspections is so small, that allowing them to now perform annual inspections is not a realistic expectation for fire safety and public safety. He agrees that this would be moving backwards.

Randy Rousseau agrees with everything Randy Dysart said. He also agrees that Title 19 needs to develop a means to test and implement new technology, otherwise no new products will ever come to market.

Darrell Hefley asked how OSFM could define new technology. While the Eliminator is different in some ways, it is essentially still a container fire extinguisher which does not need to be addressed in a novel manner through Title 19. It is a modification of existing technology, not a new technology.

Frank Gardner agrees that the annual inspection is vital, particularly in an environment such as a University where the public has access to extinguishers and can use them or disable them.

Chris Hoiland says that the annual inspection not only confirms that the extinguisher itself is operational, but that the building requirements are met.

Tom Santos agrees that an owner does not always understand the dynamic nature of hazard protection and what the proper extinguisher is to use in every situation. An inspector can determine that the extinguisher which may have previously been the appropriate fire life safety device might need to be changed because the building or contents of the building have changed, such as in a storage facility, a warehouse or a retail store where inventory and commodities can change.

Terry Layton disagrees that these extinguishers are new technology because the customers see these as new devices which change the way they do business. She suggests that new technology be evaluated using the intent of the code.

J.R. Nerat agreed that code requirements do not vary according to hardware features. Code requires maintenance under federal and state code.

Chief Al Adams said that his interpretation of the discussion is not necessary how new technology can fit into Title 19, but whether a third-party company must be used for annual inspections rather than allowing the owner to perform this. An L License allows a company to perform maintenance of some fire life safety equipment, maybe this can be similarly applied to fire extinguishers.

Frank Gardner says that Stanford University does this, they certify their employees to perform these duties, including evaluating hazards such as laboratories where hazards can change.

Jamie Knowles agrees that the hazard analysis component of the annual inspection is a critical factor which requires an inspector to be certified. He gave an example of a big box store which moves inventory and how has the wrong extinguishers for the hazards present. When an inspector is not notified of moving inventory, these hazards are only discovered on the annual inspection.

Randy Rousseau & Randy Dysart both agreed that facilities are already abound with code violations because changes are made without consideration of fire codes. Businesses do not notify anyone when they make changes so the hazards go largely unseen by enforcement authorities.

Darrell Hefley and Randy Dysart both stated that, over time, businesses become more lax with procedures unless a knowledgeable third party steps in to inspect and let them know what is wrong.

Chairperson Jeffrey Schwartz agrees that typically businesses ignore the monthly inspection and only worry about the annual inspection because that has the power to let them remain in business or not. He does not think that technology is an issue, but maintenance is. Will a product operate as designed and intended after it is sold? Inspectors and technicians insure that.

Chief Al Adams agrees with the Committee on their feeling that regular inspection of new technology is more important than novel means of approvals of new technology and thanked them for their open and frank discussion.

Darrell Hefley made a motion that the Fire Extinguisher Advisory Committee recommend to OSFM that maintenance requirements in California remain in place for all fire extinguishers, even those with a new technology, to support public safety. Jamie Knowles seconded the motion. The motion passed 7-1 with Randy Rousseau dissenting.

#### B. Language Text and Reason update

Chief Al Adams said that OSFM wants this package to go forward in 2020.

Chairperson Jeffrey Schwartz said there are several topics OSFM needs to add to the proposed regulatory package, including GOVMotus, new

language from NFPA 10 which the workgroups developed and signatures. He distributed a draft document to the Committee. Randy Dysart made a motion and Frank Gardner seconded the motion to table these documents until the January 2020 meeting so the Committee could review them and note areas which require clarification or discussion. The motion passed 8-0.

Chief Al Adams reminded the Committee that the Department of Finance is conducting a mission-based budgeting audit on OSFM. He says that it is likely that they will recommend that fees will be raised and that this will be brought to the Committee if it happens.

Chairperson Jeffrey Schwartz said that NFPA 10 has proposed new language on extinguisher exchange. He read the excerpt, which said that when an extinguisher is exchanged for maintenance, the owner will be notified and the exchange will be documented. OSFM already has similar language in the draft regulations which was the result of extensive discussion and decided by OSFM without consensus from the Committee. This topic will be discussed at a future meeting.

Darrell Hefley moved that the Committee vote on the NFPA 10/Title 19 alignment so they could proceed with the Statement of Reasons. As discussion on Section 592.3 was not settled, this is not included in the motion. Jamie Knowles seconded. The motion passed 7-0, J.R. Nerat was no longer present at the meeting.

C. Dates for Quarterly meetings in 2020

The Committee discussed the 2020 schedule. Jamie Knowles made a motion with Darrell Hefley seconding to hold the 2020 Committee meetings on January 28, April 28, July 28 and October 27. The motion passed 8-0. The meetings will be at 10:00 a.m.

IV. OPEN FORUM

Frank Gardner has a comment regarding Section 592.3 and extinguishers on vehicles. He noted that Stanford University checks the extinguishers on garbage trucks annually and that they are frequently pulled from service.

V. PUBLIC COMMENT

There was no public comment.

VI. MEETING ADJOURNMENT

The next meeting will be held on January 28, 2020 at 10:00 a.m. (Pacific Standard Time). The meeting was adjourned by unanimous consent at 11:41 a.m. (PDT).