



# STATE FIRE MARSHAL Flame Retardant Advisory Committee May 17, 2023, Meeting Minutes

VIRTUAL MEETING VIA ZOOM  
Office of the State Fire Marshal  
715 P Street Sacramento, CA 95814

Microsoft Teams meeting  
Meeting ID: 255 997 227 441

## **MEMBERS PRESENT**

Shannon Sanders, Huntington Beach Fire Department  
Kathleen Newman, Firetect  
Mike Ohirko, Impact Images  
Ellen Atkins, Delta Pacific Technologies, Inc.  
Robert Brown, SGS Laboratory  
Christopher Lovato, Flamecheck  
Brian Dement, Diversified Testing Laboratories  
John Kardos, Advanced Textiles Association

## **MEMBERS ABSENT**

Jonathan Ramos, Disney Live Entertainment  
Durasamy Ravichandran, Intertek  
Almeda Hall, Fort Irwin Fire Department

## **OSFM STAFF**

Chairperson DSFM III, Patricia Setter  
Supervising DSFM III, Jeff Schwartz  
Division Manager, Cortney Walker  
Program Assistant, Von Costa  
Retired Annuitant, Ben Ho

## **PUBLIC GUESTS**

None

## 1. CALL TO ORDER

### A. Welcome and Logistics Briefing

The meeting was called to order by Chairperson Patricia Setter at 09:02 A.M. PDT on May 17, 2023.

### B. Roll Call/Determine Quorum

Roll call was conducted by Von Costa and Chairperson Patricia Setter determined that a quorum of members was established (8 of 11) at 09:08 A.M. PDT.

### C. Introductions

All attendees introduced themselves.

### D. Approval of Previous Minutes

Chairperson Setter stated the minutes are not completed from January and April. She stated we are working on getting those to the approval stage and those minutes will be up for voting at the next meeting.

### E. Announcements

There were no announcements made.

## 2. OLD BUSINESS

### A. Title 19, Chapter 8, Proposed Regulation Review

Chairperson Patricia Setter stated that after the meeting in April, the committee continued sections of 1180 through 1180.24 discussing the definitions, we tabled, fabricator, manufacture and rental that has been put in the notes and are included in the copy of the sections we will be discussing today.

Chairperson Setter asked if the committee has any other notes on definitions? No other notes were mentioned by the committee. She began with "Section 1205. Notices." This section has been relocated from Section 1177 to this location and amended to add the authority being noted. She explained the reason for any underlined in your originals is indicates it's been moved to this location.

Section 1210 chemical registration was relocated to Section 1230 and amended to add the requirements to submit to the laboratory.

She went on to discuss Section 1211 is going to be repealed from this section and the required language will be added to Section 1213. "Section 1212 test cost, the cost of laboratory test shall be borne by the applicant seeking registration of any flame retardant, chemical or fabric. The Office of the State Fire Marshal reserves the right to publish all or any portion of the laboratory test reports."

Chairperson Setter stated Section 1213 is proposed to be amended to include the option to self-treat a fabric if the penalty of perjury statement is submitted. "Section 1214 special processes" has been relocated to Section 1269. Section 1215 was being repealed because sending the chemical to the State Fire Marshal's office is no longer necessary. Chairperson Setter asked for a motion to approve the language in Section 1205 through Section 1215 as written, amended or repealed with Section 1211 being tabled?

A motion to accept the proposed language was made by Member Shannon Sanders and seconded by Member Bobby Brown. Motion was approved 7:1 to accept Section 1205 through Section 1215 as written, amended or repealed. Member Michael Ohirko, abstained.

Chairperson Setter stated that this standard test fabrics is still in Section 1216 and will need to be revised. She asked the committee if "standard" should be removed and replaced with "as applied to"? Chairperson Setter asked, if the committee wants to table this section for now and create an independent work group to revise section 1216 and put it to a later vote?

Committee member Kathy Newman stated this needs to be discussed and see if we're all in agreement. She asked, does everybody agree that the chemical needs to be tested on specific types of fabrics that fall within the same family? She further explained these types of items here, like cellophane, are completely different than paper, wool, silk & animal-based fabrics. She asked should we test it on separate fibers, or can we group them into "like-type" of fibers for this day and age?

Chairperson Setter asked for a volunteer to lead the workgroup on Section 1216. Chairperson Setter also asked member Chris Lovato if he could prepare Section 1216. She stated to the committee, this package is going to be your recommendation to the State Fire Marshal of the changes to Title 19 that you would like to see approved. She stated overall, the committee must agree on the proposed language recommend to the State Fire Marshal. She proposed going back to work groups in these areas that there needs to be some extra discussion or tabled areas so those work groups can present the changes that they want at a different meeting. She then asked the committee if having this topic as an agenda item for the August meeting would provide enough time for the workgroups to work on the language changes?

Chairperson Setter announced Section 1221 Secondary Registration relocated to 1289 and existing Section 1177.1 relocated to this section Chairperson Setter stated "Section 1220.1 forms" was formally adopted. "Section 1220.2 application submittal" was already formally adopted She added Section 1222 interior types" was proposed to be repealed. The committee decided to keep and amend Section 1222.

Committee Member John Kardos offered to research the types or changes in dry cleaning chemicals for research amendments for section 1222.

Chairperson Setter requested committee member Chris Lovato to add Section 1230 to his work group. Additionally, some of our other labs may need to be included when discussing testing standards.

Chairperson Setter stated Sections 1231, 1232 and 1233, are all the testing criteria, and any other additional test may serve to indicate the permanent nature of a flame-resistant treatment. Section 1235 A was previously accelerated weathering and is going to be relocated to Section 1233. Section 1236 was Water Extrication that is proposed to be relocated to 1332(d). The existing provisions for "Wooden and Compressed Cellulose Fiber Decorative Material" found in Section 1264.1 are proposed to be relocated to this Section and amended to add ASTM E84 to correct the name of the testing standard. Section 1237 is being proposed to be amended. The provisions for "Fire Resistance are proposed to be relocated to Section 1331(b) and amended. The existing provisions for "Refilling Containers" currently found in Section 1224 are proposed to be relocated to this location and amended to add "Office of" to the State Fire Marshal

Chairperson Setter asked for a vote to approve or disapprove language section 1238 as written or amended to remove section C. A roundtable vote to remove Section C, was approved 7:1 as committee member Bobby Brown abstained.

Chairperson Setter stated that concluded the topics for today's meeting. She asked if there were any other questions or concerns? Hearing none, Chairperson Setter opened the meeting to open forum.

### **3. NEW BUSINESS**

There was no new business.

### **4. OPEN FORUM**

There were no comments received in open forum.

### **5. PUBLIC COMMENT**

There were no public comments received.

### **6. MEETING ADJOURNMENT**

A motion to adjourn was made by Member Kathy Newman and seconded by Member Bobby Brown. Motion was carried with a unanimous vote to adjourn the meeting. Chairperson Setter adjourned the meeting at 12:11 P.M. (PDT).