



# STATE FIRE MARSHAL General Fireworks Advisory Committee Meeting Minutes – February 28th, 2023

VIRTUAL MEETING VIA ZOOM

Office of the State Fire Marshal, 9<sup>th</sup> Floor  
715 P Street, Sacramento, California 95814

## MEMBERS PRESENT

Kevin Crews, Volt Live  
Kevin Kelley, Disney Entertainment  
Ian Gilfillan, Pyro Spectaculars North Megan Quinn, Corona Fire Department  
Gary Brown, Pyro Spectaculars  
Linda Hass-Kreman, Phantom Fireworks  
Dennis Revell, Revell Communications  
Dave Nordling: President Reaction Research Society  
Mark Holthaus, Friends of Amateur Rocketry  
Antonio Solares: Orange County Fire authority, Assistant Fire Marshal.  
Amy Nygren, Deputy Fire Marshal with the Sacramento Metropolitan Fire District

## MEMBERS ABSENT

Julie Heckman, American Pyrotechnics Association  
John Newman, Friends of Amateur Rocketry  
Tad Trout, TNT Fireworks  
Sherry Souza, Fireworks & Stage FX America  
Reggie Johnson, Los Angeles County Fire Department  
Gregory McCanless, Jake's Fireworks  
Janice Van Mullem Huntington Beach Fire Department

## OSFM STAFF

Greg Andersen, Chairperson, OSFM  
Caleb Phillips, Co-Chairperson, OSFM  
Vijay Mepani, OSFM  
Cortney Walker, OSFM  
Jeff Schwartz, OSFM

## PUBLIC GUESTS

JD Streett: representing, local 44, on the board of the Directors Board for ASEPO

### 1. CALL TO ORDER

#### A. Welcome

Chairperson Greg Andersen called the meeting to order at 09:05 A.M. Pacific Daylight Time (PDT) on February 28, 2023.

#### B. Roll Call/Determine Quorum

Roll call was conducted by Von Costa and determined that a quorum of members was established at 09:07 A.M. PDT.

#### C. Introductions

All attendees introduced themselves.

#### D. Approval of Minutes

Chairperson Greg Andersen asked for approval of the minutes for the October 27, 2022, meeting.

**It was moved by Member Gary Brown to approve the minutes; motion seconded by Member Dennis Revell. Motion was approved at 09:13 A.M. PDT.**

### 2. OLD BUSINESS

#### A. Fee Schedule Regulations Update

Chairperson Andersen provided an update on the fee schedule regulation. The Office of Administrative Law (OAL) had comments regarding the justification for the fees and the package will need to be resubmitted for a 15-day period once Staff has updated the justification. The regulations will not be changed from what was previously proposed, only the justification submitted to OAL.

Member Kevin Crews asked if the fees are going up immediately or if there is still some waiting. Chairperson Andersen responded that we are still holding until OAL approves it, and the fees would probably be effective in May. Member Dennis Revell if the Retailers and Importer/Exporter licenses would be affected yet? Chairperson Andersen Responded that the retailers weren't going to be affected at this point because most of those permits are issued and that further licenses will be affected but only when the regulation is approved which is a few months out.

Member Kevin Crews asked if the fee changes were going ahead as originally presented to the committee or if the proposed fees have been lowered, as he was concerned about the impact to operator licenses. Chairperson Greg Andersen replied that the fee package is the same as originally presented.

### **B. Fireworks Regulations Update**

Chairperson Greg Andersen requested an update for the committee from Deputy Caleb Phillips. Deputy Phillips thanked the committee for their involvement on the regulation packages and that the last few months had been extraordinarily productive. Deputy Phillips explained that the rockets regulations package is very nearly complete. The fireworks regulations package needs to be presented to the special effects and theatrical licensees. Once both packages are complete the packages will be combined, and a line-by-line vote will take place. Once the regulations have been completed the two documents will be combined into one which will be presented to the workgroups and the General Fireworks Advisory Committee.

## **3. NEW BUSINESS**

### **A. Rockets Workgroup Regulations Review and Approval**

### **B. Fireworks Workgroup Regulations Review and Approval**

Chairperson Greg Andersen proposed tabling items A and B as they were very similar to what was discussed in the old business section. After discussion with Deputy Phillips the two regulations packages will be combined and voted on as one.

Chairperson Andersen asked the committee if everyone had a chance to review the draft regulations. Deputy Phillips answered that the majority of the members are in the workgroup with the exception of the Fire Service representatives. Chairperson Andersen requested Deputy Phillips provide draft copies of the regulations to the entire Committee, with the understanding that they are drafts.

### **C. OSFM Management of Fireworks update**

Member Dennis Revell provided some information regarding the closure of Clean Harbors facility in Utah and Louisiana for construction of a new incinerator and that the new incinerator wouldn't be online for a year or two. Member Gary Brown corroborated the information about the Louisiana site and added that it was for reasons involving environmental compliance and that the permit expires in October. Chairperson Andersen added that currently the Office of the State Fire Marshal (OSFM) does not ship to Louisiana and that hopefully with the upgrades to the Louisiana site it could become another possibility for disposal.

### **D. State Enforcement/Investigation activities**

Chairperson Andersen asked member Dennis Revell what sort of information he was looking for when asking for this agenda topic to be added.

Member Dennis Revell asked the status of discussions with the California Attorney General on the enforcement matters and brought up Assembly Bill 1403 (AB 1403). Member Revell explained that Assembly Bill 1403 would change the statutory requirements from the State Fire Marshal to the Attorney General for California Health and Safety Code 12704. Revell added that the Attorney General's office has difficulty in enforcing California law out of state. Chairperson Andersen explained the legislative process as it relates to the executive branch and that we could not

discuss the OSFM opinion on AB 1403 but assured the committee that OSFM staff were aware and working on the bill analysis.

## **OPEN FORUM**

At 9:30 PDT Chairperson Greg Andersen opened the forum and member Gary Brown asked if there was an alternative to a line-by-line Vote. Chairperson Andersen agreed that the review could be done in blocks and not line by line, as long as everyone was familiar with the regulations. Deputy Phillips agreed to send out draft copies to help everyone get familiar with the regulations.

## **PUBLIC COMMENT**

At 9:35 PDT Chairperson Greg Andersen, opened for public comment. No Public comments were made.

Chairperson Andersen stated that the next meeting is scheduled for May 24<sup>th</sup> and announced that there is a new Acting State Fire Marshal, Daniel Berlant.

## **MEETING ADJOURNED**

At 9:40 PDT the meeting was adjourned.