



STATE FIRE MARSHAL General Fireworks Advisory Committee Meeting Minutes – August 4, 2021

VIRTUAL MEETING VIA ZOOM

Office of the State Fire Marshal

2251 Harvard Street, Suite 400, Sacramento, California 95815

MEMBERS PRESENT

Gary Brown, Pyro Spectaculars
Ian Gilfillan, Pyro Spectaculars North
Linda Haas-Kreman, Phantom Fireworks
Kevin Crews, Volt Live
Julie Heckman, American Pyrotechnics Association
Kevin Kelley, Disney Entertainment
Dennis Revell, Revell Communications
Tad Trout, TNT Fireworks
Sherry Souza, J & M Displays
Gregory McCanless, Jake's Fireworks
Megan Quinn, Corona Fire Department
Reggie Johnson, Los Angeles County Fire Department

MEMBERS ABSENT

Dennis King, MP Associates
Mark Holthaus, Friends of Amateur Rocketry
John Newman, Friends of Amateur Rocketry
Allen Hogue, Anaheim Fire Department
Mike Buck (alternate), Fulcrum Advocates

OSFM STAFF

Al Adams, Chairperson, OSFM
Vijay Mepani, Co-Chairperson, OSFM
Vickie Sakamoto, OSFM
Joe Konefal, OSFM
Bryan Gouge, OSFM

OSFM STAFF (CONT'ND)

Kevin Chan, OSFM
Ramiro Rodriguez, OSFM

PUBLIC GUESTS

Eric Elias, Operator
Scott Danielson

1. CALL TO ORDER

A. Welcome

The meeting was called to order by Chairperson Al Adams at 09:15 A.M. PDT on August 04, 2021.

B. Roll Call/Determine Quorum

Roll call was conducted by Chief Vickie Sakamoto and Chairperson Al Adams determined that a quorum of members was established at 09:20 A.M. PDT.

C. Approval of Minutes

Chairperson Al Adams asked for approval of the Minutes of the July 29th, 2020 meeting.

It was moved by Member Kevin Crews to approve the minutes with correction of date to July; motion seconded by Member Julie Heckman. Motion was unanimously approved at 09:25 A.M. PDT.

D. Announcements

Chairperson Al Adams thanked the committee for their participation. He then asked Chief Vickie Sakamoto to give an update regarding GOVMOTUS. Chief Vickie Sakamoto shared a brief overview with the group regarding the fact that the Fireworks Program has been added to the new online database, she shared that online payment is now available. She asked that if there were any further questions or concerns the committee should forward those on to Vijay or Yevonne. Chairperson Al Adams stated that the new database will be changing as it evolves. He asked the committee for their input regarding any questions or concerns they may have about GOVMOTUS to send those to the program. Chairperson Al Adams went on to say that illegal fireworks have been extreme this season and our office has been working diligently with local jurisdictions to get ahold of this ongoing problem. He then asked for Chief Bryan Gouge to address the committee regarding illegal fireworks. Chief Bryan Gouge stated he agrees with Chairperson Al Adams regarding the upswing in use of illegal fireworks. Chief Bryan Gouge went on to share with the committee that as the office received funding for the Fireworks disposal, we already had a backlog along with what we seized this year. Chief Bryan Gouge stated our office also assisted other local agencies with enforcement in doing inspections of the Retail Booth's as well as illegal fireworks sting operations and helping to identify devices. Chief Bryan Gouge went on to share that our office was also instrumental in playing an important role in major incidents that occurred this year in Ontario and Los Angeles. Committee member Dennis Revell asked if the Arson/Bomb Investigator positions had been filled? Chairperson Al Adams stated they are moving through the process, He then asked Chief Bryan Gouge if an update could

be given regarding either the Ontario or the Los Angeles incidents that our office played a role in. Chief Bryan Gouge stated that he could not make a comment. He did state that there is a criminal aspect to what occurred with LAPD. He did say both are progressing forward. Chairperson Al Adams then asked Committee Member Dennis Revell if he would like to speak about Senate Bill 277 and Assembly Bill 1588. Committee Member Dennis Revell shared that Senate Bill 277 sailed through the State Senate without opposition. Assembly Bill 1588 was changed from a gaming bill to a fireworks bill. It will allocate 2.5% or \$1.8 million dollars of the sales tax paid on the sale of Safe and Sane fireworks. Chairperson Al Adams thanked Committee Member Dennis Revell for the update. Chairperson Al Adams updated the committee on Deputy Vijay Mepani's new assignment as the new Motion Picture Safety Program Coordinator. And informed the committee that the Fireworks Coordinator position has been advertised. He also informed the committee that he will be asking the State Fire Marshal to extend the committee appointments due to the pandemic. Kevin Chan stated he will bring this issue to the State Fire Marshal and ask for his consideration regarding this matter.

2. OLD BUSINESS

Chairperson Al Adams gave an update regarding the Fireworks Proposed Regulations he stated that due to the pandemic not as much work has been completed. He went on to say that the office is picking this back up and it is going to be done right. Chairperson Al Adams then asked if the committee has had a chance to review the package as it currently stands. He explained the updated regulations have long been forthcoming. Fireworks is one of the first packages that was moved forward. I had Deputy Vijay Mepani resend the regulation package to the committee. We want to do this correctly the first time. Chairperson Al Adams asked the committee to review the regulation package one more time to go over any questions or concerns that they have before the office moves forward on finalizing the regulations package before it is sent over to Office of Administrative Law. Committee Member Dennis Revell ask for clarification regarding the color coding that was placed within the regulation package. Chairperson Al Adams asked Deputy Ramiro Rodriguez to address the color coding. Deputy Ramiro Rodriguez stated he did reach out to both the General Fireworks and the Special Effects Advisory Committee's. Deputy Ramiro Rodriguez stated that previously we had broken into sub-groups or smaller adhoc committees due to the laborious job of reviewing such a large document. The Safe and Sane Industry did a great job of giving good information and gave good input with regards to the proposed changes. Chairperson Al Adams stated there are a couple of things we still need to accomplish. Chairperson Al Adams informed the committee that the work groups will need to reconvene to develop an Initial Statement of Reason (ISOR) and we need to capture every change that is made to a regulation package. We must track every change, as well as why that change was made to the regulations. Chairperson Al Adams stated either Deputy Vijay Mepani or Deputy Ramiro Rodriguez will be setting up this work group. Chairperson Al Adams also stated he wants the General Fireworks as well as the Special Effects to both be aligned within the proposed changes. Guest Eric Elias asked if the regulations w/mark ups could be resent to both the General Fireworks Advisory and the Special Effects Advisory Committees. Chairperson Al Adams reiterated the importance of having the entire fireworks industry acceptance of the proposed regulation changes. Chairperson Al Adams ensured the committee that the regulation package will keep moving forward.

He would like to hand off the package to Code Development by the end of 2021. Chairperson Al Adams asked the committee to take one more look at the regulation package, make sure the regulation package is still inline. And Deputy Vijay Mevani or Deputy Ramiro Rodriguez will be heading up the workgroup to complete the ISOR then we will be handing the package off to Code Development. Chairperson Al Adams asked the committee if there were any questions. Committee Member Dennis Revell asked if both the General Firework as well as the Special Effects Committees will be coming together to complete the ISOR? Chairperson Al Adams stated he would leave that duty to Deputy Vijay Mevani and Deputy Ramiro Rodriguez.

FIREWORKS DISPOSAL

Chairperson Al Adams asked the committee if they had any further questions regarding disposal. Committee Member Megan Quinn asked as new products and devices are approved by our office could we share that information with the local AHJ's to give them more guidance? Chairperson Al Adams then asked Deputy Joe Konefal to share information regarding the presentation that he and Chief Bryan Gouge put together to send out to both the fire service as well as law enforcement. Deputy Joe Konefal stated it's a Team's presentation of all the specific types as well as the classification types along with some enforcement issues we have come across. He stated he would send a copy to anyone that was interested.

OPERATOR QUALIFICATIONS/EXPERIENCE

Chairperson Al Adams asked Deputy Ramiro Rodriguez to speak to the committee regarding the operator qualifications/experience. Deputy Ramiro Rodriguez stated that our office has started to see more pyrotechnic operators retiring and less new operators or operators not upgrading their existing licenses specifically the special effects series as well as the Theatrical. He went on to say our office has proposed to streamline the process regarding the length of time it takes an operator to advance to the next level of licensing the Special Effects series as well as the time it takes to advance from a Theatrical Trainee to Theatrical. We will be able to advance them based on exceptional work experience and by doing this we can allow them to advance after 1 year instead of the 2-year requirement that currently exists. Chairperson Al Adams then asked Deputy Ramiro Rodriguez if he felt these concerns would be captured in the new regulation proposal. Deputy Ramiro Rodriguez stated this should be evaluated during this final review of the proposed regulation change. Chairperson Al Adams expressed the importance in having this accomplished in the Basic Commercial arena as well. He asked the committee to compile a work group to look specifically at this matter.

Chairperson Al Adams then asked for a motion, Committee Member Sherry Souza, motion accepted. Committee Member Gary Brown , motion seconded.

Work Group will be comprised of Committee members Gary Brown, Kevin Crews, Kevin Kelley, Sherry Souza, and Julie Heckmen. Deputy Vijay Mevani and Deputy Ramiro Rodriguez will be responsible for setting the time and date.

FIREWORKS FEE SCHEDULE REGULATIONS UPDATE

Chairperson Al Adams notified the committee that fees for the fireworks program have not been adjusted for almost 30 years, he went on to explain the fact that doing business has risen drastically and that all programs within Fire Engineering Division have been tasked to generate enough revenue to keep each of the programs running. This can only be accomplished by increasing the existing fee structure within the Fireworks Program. Chairperson Al Adams then asked Deputy Vijay Mepani to share with the group the presentation of the existing fees vs. proposed fee increase. Deputy Vijay Mepani showed a power point presentation showing the existing fees along with the shortfall of these fees and the proposed increase to the fees that will allow the Fireworks Program to be financially stable. Chairperson Al Adams informed the committee that the fee increase will be in place to take effect renewal period of 2022.

3. NEW BUSINESS

Member Dennis Revell posed the question to Chairperson Al Adams asking if the task force comprised of local, state, and federal government as well as citizens ever took place? Chairperson Al Adams replied we are currently working on this; we want to ensure we address this correctly. He stated he feels a need to keep tight perimeters on this specific topic.

4. OPEN FORUM

Member Kevin Kelley asked if the number of licenses that were captured at the beginning of the five-year average if that was used to show total number of licenses per category to determine if there is a true decline in license attrition? Chairperson Al Adams asked Deputy Ramiro Rodriguez to answer that specific question. Deputy Ramiro Rodriguez replied that there was a decline in active licenses throughout the five-year average.

5. PUBLIC COMMENT

No public comments or questions.

6. SCHEDULE FOR FUTURE MEETINGS

No future Committee meeting was scheduled.

7. ADJOURNMENT

Chairperson Al Adams asked for a motion to adjourn the meeting.

It was moved by Member Ian Gilfillan to adjourn the meeting; motion seconded by Member Kevin Crews. Chairperson Al Adams adjourned the meeting at 11:36 A.M. PDT.