

STATE FIRE PREVENTION COMMISSION
MINUTES
August 20, 2020

Members Present: Edward S. Tochterman, Chairman
 Kevin Simmons, Vice Chairman
 Mark Bilger
 Charles D. Davis
 Emily Devan
 Michael Faust
 Stacy Welch

Members Absent: Douglas Alexander
 K.C. Harrington

The Fire Prevention Commission held a public meeting on August 20, 2020, at 9:30 a.m. at the Eastport Fire Station, 914 Bay Ridge Avenue, Annapolis, Anne Arundel County. Chairman Tochterman called the meeting to order. The Pledge of Allegiance was recited.

FIRE MARSHAL REPORT

Fire Marshal Brian Geraci reported the Office of the State Fire Marshal (OSFM) currently has four sworn and five civilian vacancies. There is a hiring freeze on civilians but an exemption request has been submitted for the engineer position. The civilian Public Information Officer position remains vacant. The sworn positions will come on board in September, bringing the sworn staff to full capacity. Three are lateral transfers from other law enforcement agencies. One will have to attend a police academy. Deputy State Fire Marshal (DSFM) Dexter Hodges has been promoted to Deputy Chief State Fire Marshal (DCSFM) and has assumed Administrative Services duties at Headquarters. DCSFM Matthew Stevens has been transferred from Headquarters to the Lower Eastern Shore as the Regional Supervisor. Master DSFM Jamie Rodeheaver, Western Region, has been named the 2019 Deputy State Fire Marshal of the Year and will receive the James C. Robertson award.

There have been 29 confirmed fire fatalities to date in 2020. Six fatalities are pending the medical examiner's cause of death determination. A fire in a sprinklered townhouse in Cecil County resulted in multiple fatalities. The fire started on the exterior of the wood-frame structure that had open combustible storage underneath. High winds caused the fire to spread very quickly. A double fatality occurred in a 1700's residential structure that was leased from the Maryland Department of Natural Resources and which may have been subleased. The structure was in the woods and on the ground upon fire department arrival. Chairman Tochterman expressed concern a State-owned property may not have been in compliance if no alarms were present. Fire Marshal Geraci said it could not be confirmed if any alarms were present. Commissioner Bilger questioned whether there may have been some type of historical exemption. Chief Fire Protection Engineer (CFPE) Bush noted that prior to the changes a few years ago in the smoke alarm laws, it was the occupant's responsibility to install alarms. The Department of General Services oversees leases for State properties and it was suggested Fire Marshal Geraci contact them about this issue.

Compared to previous year, more fatalities are occurring in the afternoon and early evening, most likely since more people are home due to COVID. More information about fire deaths in Maryland can be found at the OSFM website at <http://mdsp.maryland.gov/firemarshal>. The 2019 Fire Fatality Report has been completed and distributed. Sprinkler and alarm saves can be reported on the OSFM blog site: <https://mdosfm.wixsite.com/blog>.

During the fourth of July weekend the state saw 15 reported injuries as the result of fireworks and over 30 fires caused by fireworks. Several of the injuries required the patient to be treated at hospitals. The increase in consumer fireworks use is contributed to the number of commercial displays being cancelled this year due to COVID. The OSFM Bomb Squad issued 121 commercial firework permits this year, 30 of which were canceled by the sponsor. Therefore, only 91 firework shows were shot compared to 375 shows last year. During the second quarter the OSFM conducted 193 total investigations, 156 of which were fire related. Four criminal cases were closed by arrest with a total of 18 individuals being charged. A total of 1,149 inspections were completed. 431 plans were reviewed by the engineering staff.

For 2019, there were a total of 13,787 fires reported into the Maryland Fire Incident Report System (MFIRS), a 3.6% decrease from 2018. 5,692 were building fires (-25%). Fires injured a total of 130 civilians (-7%) and 125 firefighters (-26%). A total of 65 civilians (-8.4%) were killed in fires in 2019. The total estimated dollar loss for fires in 2019 was \$160,684,335 (+23%). The gas explosion in Columbia that blew up an office building and retail space contributed to the large dollar loss. There appears to be an increase in cooking and electrical fires so far this year.

The OSFM has provided two guidance memos to the Maryland Center for School Safety on alcohol based sanitizers and fire emergency exit drills COVID style. Once staff returns to work a fire drill is to occur within 60 days. Once children return to school, normal fire drills will resume.

To date five OSFM employees have suffered an exposure to COVID, with one testing positive. All exposures were off duty and none had any symptoms during the isolation period. If exposed while on duty, certain forms are completed and sent to the State Police Medical Division who advise of appropriate action to take. All offices are open with limited staff present each and every day. Inspections and plan reviews are still being done in person and on virtual platforms. The Department of Budget and Management continues to require personnel to primarily telework. Field staff were generally already equipped with laptops and some additional laptops were provided by the State Police for administrative staff.

In response to Commission member inquiries, the Fire Marshal advised they have not provided any assistance to law enforcement with protests. The OSFM no longer has a representative at the Maryland Joint Operations Center. OSFM personnel did assist MSP for a couple months with COVID compliance checks for businesses and gatherings when the Governor's orders first came out.

The OSFM was requested by the Baltimore City Fire Department to assist with the home explosion on August 10th that occurred just minutes away from OSFM Headquarters. A total of three homes were completely destroyed and collateral damage to homes and vehicles was wide spread. Seven individuals were transported to local hospitals, two with critical injuries. Two fatalities were discovered during the operation. ATF and Baltimore City are handling the investigation. Some gas appliance repairs had occurred on Sunday prior to the explosion and an individual smelled a gas odor. The OSFM has issued a press release about what to do if you smell a gas odor and has posted a video on its website from Washington Gas on gas odor. Vice Chairman Simmons was pleased that Baltimore City reached out to the OSFM in the spirit of cooperation between the two agencies. CFPE Ken Bush received a call from DCSFM Hodges about regulating persons that work on gas systems. In this particular case, the State Fire Prevention Code does not apply since it occurred in Baltimore City and also in a private dwelling. CFPE Bush placed a call to the Maryland Department of Labor and they were uncertain about regulations. The State Plumbing Code Commissioner intends to bring the

subject up at a meeting today to determine if there are any regulations and if not, should there be.

The Fire Marshal has met with new Superintendent of State Police Woodrow Jones and they had a nice discussion. There has been no news on the Fire Marshal's reappointment.

The OSFM will take over enforcement authority for residential sprinkler installations for one- and two-family dwellings effective October 1, 2020.

CHIEF FIRE PROTECTION ENGINEER REPORT

Chief Fire Protection Engineer (CFPE) Ken Bush reported the final effective date of the latest edition of the State Fire Prevention Code was August 10, 2020. This includes the recent revision to correct the references to NFPA 495.

The Maryland versions of NFPA 1 and NFPA 101 that incorporate the Maryland amendments have been released. The links to the read-only versions are as follows. Copies will be available for sale through NFPA.

NFPA 1 Fire Code:

<https://www.nfpa.org/codes-and-standards/all-codes-and-standards/codes-and-standards/free-access?mode=view&t=other&c=MD12020>

NFPA 101 Life Safety Code:

<https://www.nfpa.org/codes-and-standards/all-codes-and-standards/codes-and-standards/free-access?mode=view&t=other&c=MD1012020>

Several key personnel have retired from NFPA, including Steve Sawyer who assisted with developing the Maryland code versions. Matt Klaus who worked on the NFPA sprinkler committee has temporarily taken over Mr. Sawyer's position, so there is a good on-going connection.

The 2021 editions of NFPA 1 and NFPA 101 are scheduled for release this fall. At the next Commission meeting, members should consider forming a Code Update Review Committee to review these documents for Maryland amendments. CFPE Bush reviewed some issues that have arisen:

- Factory Mutual issued a report on protection of consumer fireworks based on results of its lab tests. The test placed ground-based devices (non-aerial) in a test compartment and during a test fire, all sprinklers within the compartment activated. As more box stores and retail establishments start selling consumer fireworks, it brings up the question of what level of protection will be needed to contain a fire that occurs in a particular display. The report is available on-line. Commissioner Bilger inquired whether there is a need to review the State regulations which allow the sale and use of ground-based devices. Some jurisdictions such as Harford County do not allow them. CFPE Bush felt it was too early for that type of discussion and Fire Marshal Geraci noted the Factory Mutual study pertained to retail sale displays, not consumer use.
- The other issue is valet trash. The code committees, including the International Code Council, are not allowing it. It evidently is occurring in areas of the country where tenants of apartment buildings put their valet trash containers in the hall which are then picked up and disposed of by a hired company. Fire officials are concerned with combustibles in corridors and blocking exit access. There is no nationally recognized

standard to control this and apparently states and local jurisdictions are making their own rules.

- There has been much discussion about virtual meetings versus in-person meetings. NFPA conducted its annual meeting and voting process all virtually on-line. It apparently was very successful with very little negative feedback. It will be interesting to see if that continues.
- The topic of energy storage systems such as lithium ion battery operations, has received a lot of discussion on the potential for runaway fires and the type of protection needed. An example is the plate panels on roofs, access, ventilation, electrical problems, opening of the roof during fires, etc. New high-rise buildings are being constructed that have banks of lithium ion batteries on the upper floors. If a fire starts in these battery operations, they can easily become a runaway fire because it generates its own fuel and oxygen, making it very difficult to extinguish. Airlines are discussing how to handle fires when laptop computers or cell phones catch fire. Since water does not extinguish it, they are looking at some type of fire-rated envelope or portfolio to put them in to hopefully contain the fire. So this will be a discussion for upcoming code cycles.

During COVID, the OSFM and local fire authorities have fielded many questions about occupant loads. While the OSFM generally has not been in the field checking for 50% capacity compliance, establishments such as churches, restaurants and retail stores are making inquiries. There have been lots of non-assembly type occupancies, such as retail stores and offices, where calculations were never done because it wasn't necessary since it had never been an issue.

NFPA has a new initiative called the Fire Life Safety Ecosystem which is an eight-position system to try to pull together everything fire safety wise. Dr. Milke at the University of Maryland Fire Protection and Engineering Department is interested in becoming a leader to promote and support this initiative. They have had some planning meetings and will try to facilitate a forum at the University next year to take a lead in this. One of the cogs in the ecosystem is government responsibility and the University of Maryland chart lists the State Fire Prevention Commission in that cog, so it's probable the Commission will be asked to participate.

CHAIRMAN REPORT

Chairman Tochterman reported there is no news regarding a replacement for Commissioner Harrington's at-large building contractor seat. It appears no building contractor has is interested. An individual has submitted an application to fill Commissioner Davis' Southern Maryland volunteer fire service seat but no appointment has been made to date. Persons familiar with the applicant reported he is very knowledgeable about the fire service and would be an asset to the Commission.

The OSFM remains under audit. Fire Marshal Geraci reported COVID has slowed the process and no final report has been received. This is the first time the OSFM has been under an internal audit. When a final report is received, Chairman Tochterman requested the Commission receive a copy.

OTHER BUSINESS

Vice Chairman Simmons recommended the Commission send a congratulatory letter to the new Howard County Fire Chief, William Anuszewski, as has been done in the past. Secretary Ritchie will be instructed to do so.

Commissioner Bilger congratulated Chairman Tochterman on his well-written article in the Pennsylvania Fireman about residential sprinklers. Delaware is considering residential sprinklers again and has approached the MSFA to do some side-by-side burn demonstrations.

Commissioner Bilger reported the 2020 Mid-Atlantic Life Safety Conference has been cancelled due to the COVID restrictions and the Johns Hopkins facility has also cancelled all scheduled events through the end of the year. A date has been reserved for 2021.

Commissioner Davis reported the Hollywood Fire Department, of which he is a member, has received nearly a \$300,000 FEMA grant to replace all of its self-contained breathing apparatus and the filling compressor. Congratulations were extended.

Commissioner Davis updated the membership on his on-going medical conditions. He thanked everyone for their thoughts and prayers.

Commissioner Faust reported his tenure as president of the MSFA has ended. He thanked Fire Marshal Geraci, CFPE Bush, and the Commission for their support over the years, particularly with the support on residential sprinkler legislation.

Commissioner Welch reported on a link at the NFPA website that allows you to search certain topics, e.g. "kitchen codes", and find various references from different standards. It should come on-line next month with the National Electric Code. Next year it will be supported further with more input and a subscription service. It will be a great tool for research.

Commissioner Welch inquired if any progress is being made on getting non-sprinklered college dormitories sprinklered, particularly the state-owned universities. This has been discussed in the past on several occasions. Fire Marshal Geraci reported he has information on what buildings are not sprinklered. Commissioner Welch motioned that the Fire Marshal send a letter to colleges and universities in the state of Maryland that reported having dormitories that are not currently sprinklered with a recommendation that they create a plan to retrofit sprinklers into those buildings. Seconded by Commissioner Bilger and unanimously carried.

Motion by Commissioner Faust to approve the June minutes, seconded, and unanimously carried.

Next meeting tentatively scheduled for
October 15, 2020 - 9:30 a.m.
Location to be Announced

There being no further business, the meeting was adjourned.

Respectfully submitted,
(as summarized from transcript provided by Hunt Reporting),



Heidi Ritchie, Secretary