

**FIRE FIGHTER ADVISORY COMMITTEE**  
**AGENDA**  
**June 6, 2008, 10:00 A.M.**  
**William B. Travis Bldg. 1701 N. Congress, Room 1-104, Austin, Texas**

The Fire Fighter Advisory Committee will convene in open session to deliberate and possibly take formal action on any of the following agenda items:

1. Roll call – 10:00 a.m.
2. Adoption of the March 5, 2008 Fire Fighter Advisory Committee meeting minutes.
3. Report from the Curriculum and Testing Committee with discussion and possible action to include college courses as identified and approved in the Texas Higher Education Coordinating Board Workforce Education Course Manual in the following disciplines:
  - 425 - Fire Service Instructors
  - 429 - Fire Inspectors
  - 431 - Fire Investigation
  - 433 - Driver/Operator-Pumper
  - 451 - Fire Officer
  - 453 - Hazardous Materials Technician
4. Report from the Curriculum and Testing Committee with discussion and possible action to include additions to the Fire Officer Reference list.
5. Discussion and possible approval of the addition of classes or courses to the A List and B List for higher levels of certification?
6. Discussion and possible recommendation regarding proposed rule changes to 37 TAC, Chapter 421.5, Standards for Certification including, but not limited to §421.5 (36), Definitions.
7. Discussion and possible recommendation regarding proposed rule changes to 37 TAC regarding Chapter 425, Fire Service Instructors, including, but not limited to §425.3(a)(b) Minimum Standards for Fire Service Instructor I Certification; §425.5(a)(b) Minimum Standards for Fire Service Instructor II Certification; §425.7(a)(b) Minimum Standards for Fire Service Instructor III Certification, and §425.11(a)(b)(c), International Fire Service Accreditation Congress Seal.
8. Open discussion regarding Chapter 435, Fire Fighter Safety, including, but not limited to §435.1(a)(3), Protective Clothing, addressing provisions in NFPA 1851.
9. New matters presented by the committee members and the public to be considered for placement on a future agenda.
10. Discussion and possible action on future meeting dates, agenda items, and locations.
11. Adjourn meeting.

1. Roll call – 10:00 a.m.

2. Adoption of the March 5, 2008 Fire Fighter Advisory Committee meeting minutes.

# TEXAS COMMISSION ON FIRE PROTECTION

Presiding Officer Jim Reidy called the March 5, 2008 meeting of the Fire Fighter Advisory Committee to order at 10:00 a.m. at the William B. Travis Bldg., 1701 N. Congress Ave., Room 1-104, Austin, Texas

Attending	Jim Reidy	Leonardo Perez	Michael Wisko
	Tommy Anderson	Amado Cano, Jr.	Rhea Cooper
	Daniel DeYear	David Hudgins	J. P. Steelman

\*absent entire meeting  
\*\*absent part of meeting

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Staff	Jake Soteriou	Miles Skipper	Gary L. Warren, Sr.
	Deborah Cowan	James Crowson, Assistant Attorney General	
	Dianne Hudson		

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1. Roll call  
Chairman Jim Reidy called roll and all members were present.
  2. Adoption of Minutes  
A motion was made by Leonardo Perez and seconded by Rhea Cooper to approve the minutes of the December 6, 2007, fire fighter advisory committee meeting. The motion carried.
  3. Report from the Curriculum and Testing Committee  
Pat McAuliff, Chair of the committee gave a brief overview of committee activities.  
A motion was made by Michael Wisko and seconded by David Hudgins to accept the recommendations of the committee on changes to the Fire Instructor I, II, and III Curricula, and Fire Instructor and Fire Investigator Reference Lists as discussed. The motion carried.
  4. 37 TAC, Chapter 429  
A motion was made by Michael Wisko and seconded by Rhea Cooper to accept the recommended changes to 37 TAC Chapter 429, §429.3 as discussed. The motion carried.
  5. 37 TAC, Chapter 429  
A motion was made by Michael Wisko and seconded by Amado Cano to accept the recommended changes to 37 TAC Chapter 429, §429.203 as discussed. The motion carried.
  6. 37 TAC, Chapter 431  
A motion was made by Rhea Cooper and seconded by Michael Wisko to accept the recommended changes to 37 TAC Chapter 431, §431.3 as discussed. The motion carried.
  7. 37 TAC, Chapter 431  
A motion was made by Michael Wisko and seconded by Leonardo Perez to accept the recommended changes to 37 TAC Chapter 431, §431.203 as discussed. The motion carried.
  8. 37 TAC, Chapter 435  
A motion was made by Michael Wisko and seconded by Rhea Cooper to accept the recommended changes to 37 TAC Chapter 435, §435.3 with changes as discussed. The motion carried.
  9. 37 TAC, Chapter 439  
A motion was made by Tommy Anderson and seconded by Rhea Cooper to accept the recommended changes to 37 TAC Chapter 439, §439.15 and §439.17 as discussed. The motion carried.
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10. Discussion of NFPA 1851            The following individuals provided testimony regarding NFPA 1851. No action taken.
- Monty Owens-Amarillo Fire Department  
Bill Palya- Bonham Fire Department  
David Teuerbaugh-Porter Fire Department  
Danny Grammer-Garland Fire Department  
Mike Rhoads-Amarillo Fire Department  
Rene Garza-Austin Fire Department  
David Covington-Schertz Fire Department  
James Karl- Bellmead Fire Department  
Dennis Stapleton- Lacy-Lakeview Fire Department  
Robert Fite- Richland Hills Fire Department  
Jerry Williams-Leander Fire Department  
Raymond Murray-Casco Industry  
Kirby Wilson, Jr.-Wilson Fire/Rescue
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11. New Matters From Public            Chapter 435, Fire Fighter Safety (NFPA 1851)
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12. Future Meeting Dates            A meeting was scheduled for June 6, 2008.
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13. Adjournment            A motion was made by Rhea Cooper and seconded by Tommy Anderson to adjourn the meeting. The motion carried.

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Jim Reidy  
Presiding Officer

3. Report from the Curriculum and Testing Committee with discussion and possible action to include college courses as identified and approved in the Texas Higher Education Coordinating Board Workforce Education Course Manual in the following disciplines:

- 425 - Fire Service Instructors
- 429 - Fire Inspectors
- 431 - Fire Investigation
- 433 - Driver/Operator-Pumper
- 451 - Fire Officer
- 453 - Hazardous Materials Technician

4. Report from the Curriculum and Testing Committee with discussion and possible action to include additions to the Fire Officer Reference list.

## REFERENCE LIST FOR THE FIRE OFFICER I CURRICULUM

Certified Training Facilities approved to teach this curriculum, must have the following reference materials:

*Fire and Emergency Service Company Officer* (4<sup>th</sup> ed.) (2007). Stillwater, OK: International Fire Service Training Association.

*Fire Officer Principles and Practice* (1<sup>st</sup> ed.) (2006). Sudbury, MA: Jones and Bartlett Publishers, Inc.

*NFPA 1021: Standard for Fire Officer Professional Qualifications* (2003 ed.) Quincy, MA: National Fire Protection Association. NFPA Publications.

*Standards Manual for Fire Protection Personnel*. Austin, TX: Texas Commission on Fire Protection.

## REFERENCE LIST FOR THE FIRE OFFICER II CURRICULUM

Certified Training Facilities approved to teach this curriculum, must have the following reference materials:

*Fire and Emergency Service Company Officer* (4<sup>th</sup> ed.) (2007). Stillwater, OK: International Fire Service Training Association.

*Fire Officer Principles and Practice* (1<sup>st</sup> ed.) (2006). Sudbury, MA: Jones and Bartlett Publishers, Inc.

*NFPA 1021: Standard for Fire Officer Professional Qualifications* (2003 ed.) Quincy, MA: National Fire Protection Association. NFPA Publications.

*Standards Manual for Fire Protection Personnel*. Austin, TX: Texas Commission on Fire Protection.

5. Discussion and possible approval of the addition of classes or courses to the A List and B List for higher levels of certification?

## Courses to be Considered for A and B Lists

### **A-List Courses:**

1. Command and Control Decision Making at Multiple Alarm Incidents (NFA)
2. Strategies for Community Risk Reduction (NFA)
3. Fire Protection Systems for Emergency Operations (NFA)

### **B-List Courses:**

1. Alternative Water Supply: Planning and Implementing Programs (NFA Online)
2. Testing and Evaluating of Water Supplies for Fire Protection (NFA Online)
3. EMS Operations at Multi-Casualty Incidents (NFA Online)

Request from other than commission staff:

- Incident Response to Terrorist Bombings  
(32-hour course by New Mexico Tech University; sponsored by DHS)

## Incident Management Curriculum

<b>Course Name</b>	Command and Control Decision Making at Multiple Alarm Incidents
<b>Course Code</b>	R297
<b>Delivery Type</b>	Resident
<b>Course Length</b>	6.0 day(s)
<b>Course Description</b>	<p>This 6-day course is simulation-intensive and focuses on the command officer's responsibility while conducting major operations involving multi-alarm units. Emphasis is placed on rapid fireground decisionmaking, advanced Incident Command, command and control, safety, personnel accountability, and communications. Through the use of simulations, students are taught to recognize critical cues specific to various types of complex emergency incidents. The students also are taught the proper command and control procedures necessary to bring these incidents to closure. A wide range of simulations is used to duplicate emergency incidents that require the student to evaluate multiple hazards. Fire department emergencies involving multifamily occupancies, hotels, commercial occupancies, large shopping malls, railroads, wildland, and highrise are just some of the incidents that are simulated. The course is interactive, using lecture, simulations, and student participation as instructional methods. A Web-based precourse is used that includes self-paced instruction and simulation training.</p>
<b>Selection Criteria</b>	<p>Command officers or company officers who have multi-alarm command responsibilities. Additionally, officers who eventually may have this responsibility and are upwardly mobile in their organizations may be considered. A letter from their fire chief and/or placement on an eligibility list will be required for these candidates.</p>
<b>ACE Recommendation</b>	ACE has not yet reviewed this new course.
<b>CEU's</b>	0.0
<b>Prerequisites</b>	<p>ICS 100 level and ICS 200 level training. Preferred courses are Q462 and Q463 available through NFA Online at <a href="http://www.nfaonline.dhs.gov">www.nfaonline.dhs.gov</a>. Chief's signature attests that the applicant has completed this required training. Note: While not a prerequisite to acceptance, students will be required to complete the online course Awareness of Command and Control Decision Making at Multiple Alarm Incidents available through NFA Online at <a href="http://www.nfaonline.dhs.gov">www.nfaonline.dhs.gov</a> PRIOR to arriving for class.</p>

## Fire Prevention: Management Curriculum

<b>Course Name</b>	Strategies for Community Risk Reduction
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<b>Course Code</b>	R274
<b>Delivery Type</b>	Resident
<b>Course Length</b>	12.0 day(s)
<b>Course Description</b>	<p>Our communities face multiple hazards which pose risks of harm to life, property, and the quality of life. Natural, human caused, and weather related hazards such as earthquakes, chemical releases, and tornados, vary in size and scope. The risks these hazards present include, but are not limited to, destructive fires, burns, falls, motor vehicle mishaps, poisonings, and drowning. A community's initial response to the effects of these hazards is made by the emergency services: police, fire, rescue, and emergency medical services agencies. Building upon a model of public awareness, education, and training used successfully to reduce the incidences and severity of destructive fires, many fire departments have taken a proactive prevention approach to other community risks. Recognizing their unique role as protectors of the citizens, many progressive fire departments have initiated and implemented programs to reduce the community's risks and mitigate the consequences of these. The Strategies for Community Risk Reduction course provides a framework for a fire department to utilize in its expanded role as the lead agency for community risk reduction. Topics covered in the course include: the role and responsibilities of the leader of the community risk reduction efforts, data collection and assessment of the community's risks, gaining internal as well as external support for community risk reduction, strategizing, developing, implementing, and evaluating a risk reduction plan specific to the student's community.</p>
<b>Selection Criteria</b>	<p>Executive Fire Officer (EFO) Program students. Fire service personnel who are not enrolled in the EFO program may include chiefs of fire departments, heads of major fire department divisions; i.e., fire prevention, operations, training, etc., state fire marshals and state directors of training. The course is recommended for senior officials in health care, law enforcement and injury prevention advocacy organizations.</p>
<b>ACE Recommendation</b>	ACE has not yet reviewed this course.
<b>CEU's</b>	0.0
<b>Prerequisites</b>	<p>ICS 100 and ICS 200 level training. Preferred courses are Q462 and Q463 available through NFA Online at <a href="http://www.nfaonline.dhs.gov">www.nfaonline.dhs.gov</a>. Chief's signature attests that the applicant has completed this required training.</p>

## Fire Prevention: Technical Curriculum

<b>Course Name</b>	Fire Protection Systems for Emergency Operations
<b>Course Code</b>	R227
<b>Delivery Type</b>	Resident
<b>Course Length</b>	6.0 day(s)
<b>Course Description</b>	<p>This 6-day course is designed to provide Incident Commanders (IC's) with an understanding of the fire protection features that are installed in buildings. Knowing how these systems work and their proper use will assist IC's to achieve strategic and tactical success. The course will emphasize the value of collecting this information during preincident planning and how to relay this knowledge to other firefighters who must respond and function effectively using these systems under emergency conditions. Topics addressed in this course include developing model preincident plans; the importance of collecting and sharing information with other emergency responders; and understanding the fundamental operations, strengths, and limitations of built-in fire protection systems including automatic sprinklers, standpipes, fire pumps, fire detection and alarm systems, smoke management systems, and special hazard fire protection equipment.</p>
<b>Selection Criteria</b>	<p>Anyone responsible for the command and control of incident operations, preferably in the built environment. Target audience includes command officers, company officers, fire department training officers, and those acting in that capacity. In addition, those officers who are upwardly mobile in their organizations and will or may be in command positions in the near future.</p>
<b>ACE Recommendation</b>	ACE has not yet reviewed this course.
<b>CEU's</b>	0.0
<b>Prerequisites</b>	<p>Students attending this class should have responsibility for command and control of incident operations, and have: 1) ICS 100 level and ICS 200 level training. Preferred courses are Q462 and Q463 available through NFA Online at <a href="http://www.nfaonline.dhs.gov">www.nfaonline.dhs.gov</a>. Chief's signature attests that the applicant has completed this required training; 2) not less than 3 years' experience in fire suppression emergency operations; 3) experience with preincident planning policies and procedures.</p>

### ***Alternative Water Supply: Planning and Implementing Programs (Q217)***

Fire Prevention (Technical)

This course on alternative water supply is designed to assist fire chiefs, water authorities, public policy officials, and others whose responsibility it is to plan for and implement programs that allow for the use of alternative water sources during structural firefighting operations.

### ***Testing and Evaluation of Water Supplies for Fire Protection (Q218)***

Fire Prevention (Technical)

This course not only offers the opportunity to understand the testing and evaluation of water supplies, but also provides reference resources and several printable graph forms. The course covers the following areas: testing and evaluation of available water supplies for water supply systems; on-site storage systems; and rural areas not served by a water supply; determining water supply for automatic sprinklers, standpipe systems, and for fire suppression activities. Also included is a mastery test. The course emphasizes decision making, predictions, and responses by students consistent with the course materials presented. Students can perform and/or reinforce previously learned skills, concepts, and behaviors. The course is interactive, self-paced, and self-directed and combines graphics, text, narration, animation, and video to promote implied learning objectives. The primary audience is fire suppression and training officers and code enforcement officials. This course addresses the professional competency related to Firefighter II for NFPA 1001, Fire Officers for NFPA 1021, Fire Inspector, Plans Examiner for NFPA 1031, and Training Officers for NFPA 1041, related to determining available fire flows for fire protection.

### ***EMS Operations at Multi-Casualty Incidents (Q157)***

Emergency Medical Services

EMS Operations at Multi-Casualty Incidents is designed to help Emergency Medical Services (EMS) providers to respond more effectively when faced with a multiple casualty incident (MCI). The course addresses preparedness planning; the management of the incident; the safe and efficient triage, treatment, and transportation of patients; and the de-escalation of the response. The course also includes information on safely and effectively dealing with an MCI resulting from a terrorist attack involving a chemical,

biological, radiological, nuclear, or explosive (CBRNE) agent. The course is not intended to provide detailed steps in the care of patients.

### INCIDENT RESPONSE TO TERRORIST BOMBINGS

32-hour course by New Mexico Tech University; sponsored by DHS

Link: <http://respond.emrtc.nmt.edu/irtbdesc.php>

6. Discussion and possible recommendation regarding proposed rule changes to 37 TAC, Chapter 421.5, Standards for Certification including, but not limited to §421.5 (36), Definitions.

# CHAPTER 421

## STANDARDS FOR CERTIFICATION

### §421.5. DEFINITIONS.

The following words and terms, when used in this standards manual, shall have the following meanings, unless the context clearly indicates otherwise.

- (36) Reciprocity for IFSAC seals--Valid documentation of accreditation from the International Fire Service Accreditation Congress used for TCFP certification ~~which must be issued from another jurisdiction and which~~ may only be used for obtaining an initial certification.

7. Discussion and possible recommendation regarding proposed rule changes to 37 TAC regarding Chapter 425, Fire Service Instructors, including, but not limited to §425.3(a)(b) Minimum Standards for Fire Service Instructor I Certification; §425.5(a)(b) Minimum Standards for Fire Service Instructor II Certification; §425.7(a)(b) Minimum Standards for Fire Service Instructor III Certification, and §425.11(a)(b)(c), International Fire Service Accreditation Congress Seal.

## Chapter 425

### Fire Service Instructors

#### §425.3. Minimum Standards for Fire Service Instructor I Certification.

(a) In order to become certified as a Fire Service Instructor I an individual must:

- (1) have a minimum of three years of experience (as defined in §421.5(43) of this title) in fire protection in one or more or any combination of the following:
  - (A) a paid, volunteer, or regulated non-governmental fire department; or
  - (B) a department of a state agency, education institution or political subdivision providing fire protection training and related responsibilities; and
- ~~(2)(i)~~ possess valid documentation of accreditation from the International Fire Service Accreditation Congress (IFSAC) as a Fire Instructor I or II or III; or
- ~~(3)(ii)~~ have completed the appropriate curriculum for Fire Service Instructor I contained in Chapter 8 of the Commission's Certification Curriculum Manual, or meet the equivalence as specified in §425.1(d) of this title; and
- ~~(4)(iii)~~ successfully pass the applicable Commission examination as specified in Chapter 439 of this title; and
- ~~(5)(2)~~ have completed the field examiner orientation course as specified in Chapter 439 of this title.

(b) In order to qualify for the Fire Service Instructor I examination the individual must meet the years of experience and training requirements as outlined in this section.

#### §425.5. Minimum Standards for Fire Service Instructor II Certification.

(a) In order to become certified as a Fire Service Instructor II, an individual must:

- (1) hold as a prerequisite a Fire Instructor I certification as defined in §425.3 of this title; and
- (2) have a minimum of three years of experience (as defined in §421.5(43) of this title) in fire protection in one or more or any combination of the following:
  - (A) a paid, volunteer, or regulated non-governmental fire department; or
  - (B) a department of a state agency, education institution or political subdivision providing fire protection training and related responsibilities; and
- ~~(3)(i)~~ possess valid documentation of accreditation from the International Fire Service Accreditation Congress (IFSAC) as a Fire Instructor II, or III; or
- ~~(4)(ii)~~ have completed the appropriate curriculum for Fire Service Instructor II contained in Chapter 8 of the Commission's Certification Curriculum Manual, or meet the equivalence as specified in §425.1(d) of this title; and
- ~~(5)(iii)~~ successfully pass the applicable Commission examination as specified in Chapter 439 of this title.

(b) In order to qualify for the Fire Service Instructor II examination the individual must meet the years of experience and training requirements as outlined in this section.

#### §425.7. Minimum Standards for Fire Service Instructor III Certification.

(a) In order to become certified as a Fire Service Instructor III an individual must:

- (1) hold as a prerequisite, a Fire Instructor II Certification as defined in §425.5 of this title; and
- (2) have a minimum of three years of experience (as defined in §421.5(43) of this title) in fire protection in one or more or any combination of the following:
  - (A) a paid, volunteer, or regulated non-governmental fire department; or
  - (B) a department of a state agency, education institution or political subdivision providing fire protection training and related responsibilities; and
- ~~(3)(i)~~ possess valid documentation of accreditation from the International Fire Service Accreditation Congress (IFSAC) as a Fire Instructor III; or
- ~~(4)(ii)~~ have completed the appropriate curriculum for Fire Service Instructor III contained in Chapter 8 of the Commission's Certification Curriculum Manual, or meet the equivalence as specified in §425.1(d) of this title; and
- ~~(5)(iii)~~ successfully pass the applicable Commission examination as specified in Chapter 439 of this title; and either
  - ~~(A)(i)~~ hold as a prerequisite an advanced structural fire protection personnel certification, an advanced aircraft fire protection personnel certification, advanced marine fire protection personnel certification, advanced inspector certification, advanced fire investigator, or advanced arson investigator certification; or
  - ~~(B)(ii)~~ have 60 college hours from a regionally accredited educational institution; or
  - ~~(C)(iii)~~ hold an associate's degree from a regionally accredited educational institution.

(b) In order to qualify for the Fire Service Instructor III examination, the individual must meet the years of experience and training requirements as outline in this section.

**§425.11. International Fire Service Accreditation Congress Seal.**

- (a) **Individuals who held an equivalent Instructor I certification prior to March 1, 2006** or individuals completing a Commission-approved Fire Service Instructor I training program and passing the applicable state examination after the effective date of this chapter, may be granted an IFSAC seal for Instructor I by making application to the Commission and paying the applicable fee.
- (b) **Individuals who held an equivalent Instructor II certification prior to March 1, 2006** or individuals holding an IFSAC Instructor I certification, completing a Commission-approved Fire Service Instructor II training program, and passing the applicable state examination after the effective date of this chapter, may be granted an IFSAC seal for Instructor II by making application to the Commission and paying the applicable fee.
- (c) **Individuals who held an equivalent Instructor III certification prior to March 1, 2006** or individuals holding an IFSAC Instructor II certification, completing a Commission-approved Fire Service Instructor III training program, and passing the applicable state examination after the effective date of this chapter, may be granted an IFSAC seal for Instructor III by making application to the Commission and paying the applicable fee.

8. Open discussion regarding Chapter 435, Fire Fighter Safety, including, but not limited to §435.1(a)(3), Protective Clothing, addressing provisions in NFPA 1851.

**From:** DCovington@schertz.com [mailto:DCovington@schertz.com]

**Sent:** Thursday, March 27, 2008 1:46 PM

**To:** info

**Subject:** Comment on 1851 Adoption

I would like to comment on the Commission's proposed adoption of 1851.

I believe that unlike the SCBA standard, the commission adopted 1851 in its entirety, so fiddling with the standard is not an option.

However, I sincerely believe that gear built under one set of specifications cannot be expected to pass new testing for gear built to a higher standard. PPE should be tested to no greater standard than it was built under. If the test for new gear in NFPA 1971 required all the new testing that is now in 1851, then any PPE purchased or contracted for after the effective date of August 17, 2006 (effective date of latest NFPA 1971) would have to meet all of the testing required in the current 1851.

Likewise, any gear built prior to that will have to meet no more stringent testing than that 1971 standard under which it was built. The problem is this. The most recent NFPA 1971 edition prior to the current one was adopted way back on February 11, 2000. That's a long time, and a lot of gear. So all of that gear would have to comply with the previous (2001) NFPA 1851.

The ONLY way, in my opinion, for the commission to require ALL gear to meet the most current testing as outlined in NFPA 1851 (2008) is to declare that it would cause an undue risk to the wearer if they were allowed to continue. Given some of the testimony from the advisory board meeting, it will be hard to prove that.

I would propose:

PPE bought under the 2000 edition of NFPA 1971 will comply with the 2001 edition of NFPA 1851 and PPE bought under the 2007 edition of NFPA 1971 will comply with the 2008 edition of NFPA 1851. Citing research, PPE bought before 2000 will expire after ten years of use (and that's coming up quickly). So in less than two years all PPE will have to be compliant with no less than the 2001 edition of 1851.

Now you could go a step further and surmise that gear deteriorates through use and washings. Coming up with a maximum number of washings (assuming no less than 2 per year for PPE in service plus as needed washings) could give you something to hang your "undue risk to the wearer" premise upon. That might ease some of the grief for those who have PPE on the shelf that would "die on the shelf" by time they would have to destroy unused PPE.

This would allow somewhat of a phase in to the new standard, without making changes to the standard itself, which of course is not allowed.

I don't know how to address the issue that is still there on helmets, etc., but those aren't the high ticket, emotional item that bunker gear is. But, be sure that it is going to be hard to sell to the fire chiefs that a helmet is an "undue risk to the wearer" because it is ten years old but has only been worn a dozen times and mayor may not have ever been in a fire.

Hope this helps provide some compromise that protects the firefighters while at the same time does not ruin the fire departments.

David A. Covington  
Schertz Fire Rescue, Chief  
Office (210)619-1311  
Mobile: (210)488-4230  
[www.Schertz.com/fire](http://www.Schertz.com/fire)

**From:** Mark Roughton  
**Sent:** Wednesday, April 02, 2008 2:38 PM  
**To:** Gary Warren  
**Subject:** FW: Standard 1851

**From:** Corby Alexander [mailto:bonhamcitymanager@cableone.net]  
**Sent:** Wednesday, April 02, 2008 9:28 AM  
**To:** info  
**Subject:** Standard 1851

Mr. Gary L. Warren, Sr.  
Texas Commission on Fire Protection

I'm writing on behalf of the City of Bonham regarding the proposed amendment to the Texas Administrative Code that would adopt Standard 1851. As I understand the requirements of this proposed amendment, there would be a tremendous burden on fire departments and municipalities across the state. I have been in local government for a number of year, and cities are constantly being asked to more with fewer and fewer resources. This particular rule would require a drastic increase in the cost to operate our local fire department. An increased cost that I do not have a way to finance. Please, consider smaller departments with smaller budgets.

Corby D. Alexander  
City Manager, City of Bonham  
301 E. Fifth Street  
Bonham, Texas 75418  
phone: 903-583-7555

# CITY OF WACO

Fire Department  
John D. Johnston  
Fire Chief  
1016 Columbus Ave.  
Waco, Texas 76701  
254/750-1740  
Fax 254/750-1769

May 1, 2008

Subject: NFP A 1851

Over the past several months, we have been examining the current edition of NFP A 1851. As you are aware, there are some aspects of this document that deal with testing procedures found in Chapter 12, which come directly from the manufactures. The testing procedures are subjective and unfair in the evaluation of the elements.

## **12.1 Light Evaluation of Liners**

This evaluation is subjective. As stated in 12.1.5.2, "Brighter areas *could be* an indication of insulating material shifting or migrating, resulting in a thin or bare spot." Stated further in 12.1.5.3, "To further evaluate a suspected area of shifting or migration, an advanced inspection shall be performed.

Listed in 6.3.5, "The advanced inspection shall include, as a minimum, 6.3.5.1 through 6.3.5.7 and for garment elements only the testing specified in Section 12.1 (Light Evaluation of Liners) and 12.2 (Leakage Evaluation)."

## **12.2 Leakage Evaluation**

This evaluation, also know as the "puddle test" has several inconsistencies. First, the manufacture suggest that the element be subjected to a mixture of 1 part of 70% isopropanol alcohol with 6 parts of tap water as listed in 12.2.3.1.

The manufacture suggests that the alcohol decreases the surface area of the water providing for a more consistent test. The question arises of why would a department want to subject their front line gear to a mixture that we should not come into contact with in the field.

Additionally, the manufacturer suggests that following the leakage evaluation procedure; the element shall be cleaned and allowed to completely dry to remove all traces of the alcohol-tap water mixture. This is just another way to degrade the liner and reduce the service life of the element.

## **12.3 Water Penetration Barrier Evaluation**

Of the three testing procedures, this one is the worst. A department is taking a garment that has been used in the field and subjecting it to a pressure test. This type of test is performed in- house by the manufacturer as part of NFPA 1971.

Section 12.3 (Water Penetration Barrier Evaluation) is not even considered in the testing of the garment elements for advanced inspections until discovered in Annex A 6.3.5.1 (4). To be considered a true test, the outer shell should be included as part of the element to be tested since it is a part of the protective ensemble.

It may seem irrelevant, but after working many years in the Suppression Division, I cannot identify any fire in which hydrostatic pressure of this nature was applied to a garment. By the manufactures own admission, a new garment that has not been put into service may not pass this procedure.

It has been indicated that some of the manufactures new gear that is fresh off the shelf has failed the proposed future pressure testing before it has even been placed into service by any firefighters. This shows me that the proposed pressure testing is faulty. Also, gear that must be shipped for testing will force departments to purchase a second set of gear. We cannot afford this, especially with the other challenges in our budget such as fuel.

I feel that the fire departments in Texas have very capable people who can inspect their own gear whether it be gloves, helmets, boots, or bunker gear. I think it is totally ridiculous to be forced to pay a company to train our personnel to visually inspect a helmet or gloves.

Furthermore, I strongly oppose the adoption of the entire NFP A 1851 standard as part of our state standards. I feel this is an unfair financial burden for Texas cities. I feel this will cause departments to make tough financial decisions by reducing staff or burden departments in other financial areas.

In conclusion, there are not any facts that indicate that firefighters have lost their lives due to ensemble element failures. Manufactures will indicate otherwise but have no evidence of it. Rather loss of life has been attributed to poor decision making by the individual or by the organization. If garments were failing which resulted in injuries and deaths to firefighters then I would be in full support but this is not the case.

John D. Johnston, Chief

# Woodway

## Public Safety 'Department

920 ESTATES DR. WOODWA Y. TEXAS 76712 254/772-4470 FAX 254/772-9219

May 2, 2008

Texas Commission on Fire Protection  
ATTN: Jake Soteriou, Standards Division Director  
PO Box 2286  
Austin, TX 78768-2286

RE: NFPA 1851

Dear Mr. Soteriou,

The purpose of this letter is to provide our opinion on NFPA 1851. We urge the fire commission to review NFPA 1851 and initiate a plan of action that will address the issues faced by small departments. The plan should reduce or eliminate expensive mandates or provide funding to assist small departments in compliance.

We are requesting that NFPA 1851 be modified for the following reasons:

- \*Places an unfounded and undue financial burden on our department.
- \*Departments should not be required to be trained by each equipment company.
- \*Fire gear should be replaced as it fails, not within a mandatory 10-year expiration.

Firefighter safety is a priority for the City of Woodway. Fire gear is routinely inspected and damaged clothing is either repaired by a qualified service company or discarded. Discarding new bunker gear simply because it is 10 years old is wasteful and expensive to cities and taxpayers. I was in attendance at the March 2008 committee meeting to show my department's opposition and will attend any future meetings.

It's been suggested that this standard adoption is nothing less than an attempt by equipment companies and manufacturers to increase profits by forcing this legislation. If safety is the primary motivating force, emergency vehicle driving and physical fitness standards should be as stringent. Both cause more deaths than bunker gear failure.

Sincerely,

Justin Zang  
Fire Marshal

Hewitt Fire Department  
P.O. Box 610  
Hewitt, Texas 76643  
Office: 254-666-0460 Fax: 254-666-6099

May 5, 2008

Texas Commission on Fire Protection  
P.O. Box 2268  
Austin, Texas 78768-2286

Attn: Jake Soteriou, Standards Division Director

Subject: Opposed to the new NFP A 1851 Standards on retirement and testing.

- 10.1 Retirement - mandatory after 10 years.
- 12.1 Light evaluation of liners - open and restitch.
- 12.2 Leakage - use of alcohol
- 12.3 Water penetration barrier evaluation - by pressure

I am Fire Chief of a small combination department with 10 paid and 12 volunteers in the City of Hewitt in central Texas. I operate on an already stressed budget as most other fire departments do. I believe in and promote firefighter safety. I find it hard to see where the above mentioned new 1851 standards promote firefighter safety. After reviewing the new standards and speaking with numerous Fire chiefs and PPE Compliance Officers with other departments in Texas I believe that these new standards are not for firefighter safety but are manufacturer driven for profit. I have not read a single report or notice concerning a Line of Duty Death of a firefighter where the cause was determined as failure of protective clothing. Protective clothing does not kill or injure firefighters. Firefighters are killed due to poor decision-making, freelancing, and violations of Standard Operating Procedures.

It is my belief that due to the new 1851 standards the National Fire protection Association, manufacturers of protective clothing ensembles and lawmakers will compromise fire protection to cities and rural communities. The current and future cost of protective clothing and the cost of the advanced testing will cause a serious negative impact on staffing and stress budgets even more. It may even cause some volunteer fire departments to close their doors. It appears to me that the NFP A, manufacturers and lawmakers prefer profit over realistic firefighter safety concerns and the citizens we serve.

Sincerely,

Glen Arthur  
Fire Chief

## Gary Warren

From: Grammer, Danny [DGrammer@cLgarland.tx.us]  
Sent: Tuesday, May 06, 2008 1:46 PM  
To: Kelley Stalder; Juan Adame; David Abernathy; les Bunte; Elroy Carson; Chris Connealy; jody.gonzalez@tcfp.state.tx.us; Yusuf Farran; Jane  
Cc: Gary Warren; Miles (Skip) Skipper  
Subject: NFPA 1851

I believe that the period for public comment is closed on the NFPA 1851 issue, but I hope you consider this writing also. I came and spoke at the March Advisory meeting on the subject, but as usual, I probably didn't say what I intended.

The 1851 issue is solely predicated on Senate Bill 382 (2001) which was codified as 419.040-047 in the Texas Government Code.

419.040 states

### **"419.040. Protective Clothing**

- (a) A fire department shall purchase, provide, and maintain a complete ensemble of appropriate protective clothing for each of its fire protection personnel who would be exposed to hazardous conditions from fire or other emergencies or where the potential for such exposure exists.
- (b) The protective clothing shall be suitable for the task that the individual is expected to perform and must comply with the minimum standards of the National Fire Protection Association or its successor.
- (c) The fire department shall develop and maintain a standard operating procedure covering the proper use, selection, care, and maintenance of all of its protective clothing."

419.043 states

### **"419.043. Applicable National Fire Protection Association Standard**

The National Fire Protection Association standard applicable to protective clothing, self-contained breathing apparatus, or personal alert safety systems is the standard in effect when a fire-fighting agency contracts to purchase the item. The agency may continue to use an item that was in use or contracted for before a change in a standard unless the commission determines that the continued use constitutes an undue risk to the wearer, in which case the commission shall order the use be discontinued and shall set an appropriate date for compliance with the revised standard."

419.047 states

### **"419.047. Commission Enforcement**

The commission shall enforce Sections 419.040,419.041,419.042,419.043,419.044,419.045, and 419.046. The commission may adopt minimum standards consistent with those sections for protective clothing, self-contained breathing apparatus, personal alert safety systems, incident management systems, personnel accountability systems, fire protection personnel operating at emergency incidents, and applicable National Fire Association standards for fire protection personnel."

These three paragraphs of verbiage is the totality of the law requiring the State of Texas to comply with NFPA 1851.

The last one 419.047 simply requires the Fire Commission to enforce the requirements. Therefore, all requirements that the Fire Commission must act on are contained in 419.040 or 419.043. Clearly, any protective gear purchased after June 2007 will have to comply with all requirements of NFPA 1851, whether we like it or not.

The question is concerning that gear that we already have. Specifically, does the gear bought before June 2007 fall under the requirements of 1851-2008? 419.043 CLEARLY indicates that protective gear purchased before June 2007 is NOT under the auspices of the new 1851. This means the older gear is not under the ten year rule or the testing and cleaning requirements of the new 1851. The older gear is under the requirements of the 1851 standard in place when the gear was bought. Only gear bought after June 2007 are under the 1851 2008 edition.

Secondly, I have been told that "reserve" gear is required to follow the new cleaning and testing requirements of 18512008. In 419.040b it states that "The protective clothing shall be suitable for the task that the individual is expected to perform and must comply with the minimum standards of the National Fire Protection Association or its successor." The critical word in this verbiage is "individual," (The protective clothing shall be suitable for the task that the INDIVIDUAL is expected to perform.) This means the Department has to provide protective gear for the INDIVIDUAL, depending of the type job he/she is doing. This verbiage is ONLY talking about the protective gear that we HAVE to buy for the individual firefighters, not extra gear that we may happen to have. We are not even required to have extra gear. How can this verbiage require us to clean something that we don't even have to have? If the commission's decision is that we have to test and clean gear hanging in a warehouse, I will throw every bit of it away. The way the requirement should be is that prior to gear being used by firefighters for active duty, it has to meet the testing and cleaning portions of the 1851 standard that was in place when the gear was purchased.

To summarize, the Texas law says that gear purchased before June 2007 is under the 1851 cleaning and testing standards in place at the time the gear was purchased. The Texas law, in no place, suggests that reserve gear is subject to the cleaning or testing standards as active gear is. The law only regulates active gear.

**CITY OF LACY-LAKEVIEW**  
**POLICE DEPARTMENT**

P.O. Box 154549 • Waco, Texas 76715-4549  
503 East Craven • Waco, TX 76705

**DENNIS A. STAPLETON**

Chief of Police & Fire Services

(254) 799-2479

FAX (254) 799-8790

May 06, 2008

Texas Commission on Fire Protection  
PO Box 2286, Austin, TX 78768-2286.  
ATTN: Jake Soteriou, Standards Division Director

RE: NFPA 1851

Dear Mr. Soteriou,

The purpose of this letter is to provide my opinion on the new rule regarding NFP A 1851. Lacy Lakeview is a combination department for a small and relatively poor community. Our department is staffed with a paid Police/Fire Chief, paid Fire Marshal and fifteen (15) volunteers. We purchased our bunker gear in 2000. Our PPE is inspected annually, and we take the condition of our PPE seriously.

I was one of the attendees at the March committee meeting. I listened intently to the comments made by the Commission, and the fire department representatives who spoke. I have also completed the NFP A 1851 course provided by TEEX. It is my understanding that the Commission would like for opinion letters such as this to address our concerns. I would also like to comment on the statement posted on the Commission web page:

In a nutshell, the proposed rule would exempt protective clothing purchased under the NFP A 1971 standard prior to the 2007 edition from the tentative year retirement mandate of NFP A 1851. The issue at hand is not whether or not the commission will enforce NFP A 1851, but rather, what steps it may take to ease the financial impact on Texas fire departments.

Our PPE met the NFP A standard set forth at that time it was manufactured. Our inspection process, up to this point, has followed the standard of that time. This gear will not pass the 2007 standard because it was not manufactured to meet the new standard. Why does nobody recognize this fact? At the March meeting, a fire department representative reported that their gear was a couple of years old, and it did not pass the pressure test. Surely, the Commission does not want every paid fire department in the state to have to purchase new gear. Obviously this is a huge financial burden, and in our case, completely unattainable; unless we obtain grants. I also recognize that when I do have to purchase new bunker gear, it will have to meet the new standard. Although, from the information I am receiving from the manufacturer, I will need to purchase another set of gear while the first set is at the ISP. Both sets of gear will have to pass this test, and for ten years. This will clearly be a financial burden on our budget.

We have conducted the annual inspection of our gear this year, excluding the pressure test. We are unable to afford the pressure test, and we do not have another set of gear available during the ISP process. We did purchase a used front load washing machine to conform to the new standard. We could not afford a new washing machine or an extractor machine. It would seem that a majority of the fire departments are in this same situation.

The other inspection items such as the helmet, boots, gloves and hoods will also cause a financial hardship. As a responsible Fire Chief, I should be capable of ensuring that if one of these items that does not meet the standard that they will be replaced. This is addressed in our written policy. Again, placing a ten-year life upon items such as helmets will be expensive. Our volunteers conducted a two-year fund raising event to purchase the traditional helmets. We

ordered these helmets in early 2007, but they were manufactured in 2005. We have lost two years of life of an expensive helmet even before they were issued. That does not even address the spare helmets on the shelf not being used. We have discussed this issue of date of manufacture with our PPE providers, and they are not comfortable with insuring that date of manufacturer and date of delivery are close. Most fire departments maintain a supply of PPE in a stock room ready to be issued for newly hired persons or volunteers. With the new rule, this practice cannot be followed, and right now it takes weeks to obtain new PPE. Thus, a perfectly capable fire fighter cannot respond to calls. The only other response we would have is to maintain a supply of PPE and know that this new gear can only be used for a short period of time.

Fire departments, such as ours, typically only respond to less than five (5) structure fires per year. In our situation, the fire chief and fire marshal do not enter a structure fire until after the fire is extinguished. Our gear rarely even gets dirty, but we do comply with the washing requirements. Compare our situation to a department where the fire fighter responds to fire calls on a daily basis. Their gear will receive more opportunities to be damaged and exposure to more products of combustion. Their gear may need a time limit, but if it passes the tests (excluding the pressure test) it meets the NFPA standard of the PPE when it was manufactured.

I respectfully request that the fire commission review the NFP A 1851 standard and initiate a plan of action to will address the issues faced by the less active and less fortunate departments. Budgets are tight for everyone, and this new rule will place a major burden on a department such as Lacy Lakeview. If you have any questions, you may contact me at 254-799-2479 or dennis [stapleton@lacv-lakeview.org](mailto:stapleton@lacv-lakeview.org).

Dennis A. Stapleton  
Chief of Police and Fire Services  
das/jk

# Bellmead Fire Department

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Fire Chief. James L Karl

Direct 254-412-7540

May 8, 2008

Texas Commission on Fire Protection  
PO Box 2286, Austin, TX 78768-2286.  
ATIN: Jake Soteriou, Standards Division Director

RE: NFPA 1851

Dear Mr. Soteriou,

The purpose of this letter is to provide my opinion on the new rule regarding NFPA 1851. Bellmead is a combination department for a small and relatively poor community. Our department is staffed with 8-paid on-duty firefighters, 1-Fire Chief, 1-Fire Marshal and twelve (12) volunteers. We were one of the fortunate departments that received an AFG grant in 2004. We replaced **ALL** of our Turnout Gear for Paid as well as Volunteers along with New SCBA. I am of the opinion that we shouldn't discriminate against whether you are paid or Volunteer when it comes to the protection of our personnel. Our PPE is inspected annually, and we take the condition of our PPE seriously. It has come to our attention that if you were awarded a FEMA AF9 Grant for equipment and you purchased the gear with FEMA funds that your Volunteer firefighters also fall under the ten/five NFPA 1851 rules.

I was one of the attendees at the March committee meeting. I listened intently to the comments made by the Commission, and the fire department representatives who spoke. I have also completed the NFPA 1851 course provided by TEEX. We now have two firefighters that are certified by the gear manufacture to do our inspections. It is my understanding that the Commission would like for opinion letters such as this to address our concerns. I would also like to comment on the statement posted on the Commission web page:

In a nutshell, the proposed rule would exempt protective clothing purchased under the NFPA 1971 standard prior to the 2007 edition from the ten/five year retirement mandate of NFPA 1851. The issue at hand is not whether or not the commission will enforce NFPA 1851, but rather, what steps it may take to ease the financial impact on Texas fire departments.

Our PPE met the NFPA standard set forth at that time it was manufactured. Our inspection process, up to this point, has followed the standard of that time. This gear will not pass the 2007 standard because it was not manufactured to meet the new standard.

Why does nobody recognize this fact? At the March meeting, a fire department representative reported that their gear was a couple of years old, and it did not pass the pressure test. Surely, the Commission does not want every paid fire department in the state to have to purchase new gear. Obviously this is a huge financial burden, and in our case, completely unattainable, unless we obtain grants. I also recognize that when I do have to purchase new bunker gear, it will have to meet the new standard. Although, from the information I am receiving from the manufacturer, I will need to purchase another set of gear while the first set is at the ISP. Both sets of gear will have to pass this test, and for ten years. This will clearly be a financial burden on our budget. Speaking of Grants at the March Committee meeting I asked the Committee if the equipment (Extractor, Hydrostatic Tester, and Sewing Machine) was an eligible expense to ask for on a Grant request to the Funds Allocation Committee. My answer was "YES" by the chairman. I submitted a grant request and was turned down because these items didn't meet the committee's priorities.

We have conducted the annual inspection of our gear this year, excluding the pressure test. We are unable to afford the pressure test, and we do not have another set of gear available during the ISP process. We could not afford a new washing machine or an extractor machine. It would seem that a majority of the fire departments are in this same situation. This is a tactic by the Manufactures to get rich. After attending the commission hearing meeting in March and hearing all of the departments that submitted gear to the manufactures and to hear all of the ones that were turn down on their gear inspections is outrageous. **"This has got to stop;"** we cannot afford to expect to send our gear off to a manufactory that makes new gear and to expect **ALL** of them to pass inspection. That's like putting the Fox in charge of guarding the Hen house.

The other inspection items such as the helmet, boots, gloves and hoods will also cause a financial hardship. As a responsible Fire Chief, I should be capable of ensuring that if one of these items that does not meet the standard that they will be replaced. This is addressed in our written policy. Again, placing a ten-year life upon items such as helmets will be expensive. The helmets on the shelf in reserve were manufactured in 2005. We have already lost three years of service before we half to retire them. **"They are new never been out of the box."** Destroying perfectly good helmets in the public's eyes is not a good use of our tax dollars. We have discussed this issue of date of manufacture with our PPE providers, and they are not comfortable with insuring that date of manufacturer and date of delivery are close. Most fire departments maintain a supply of PPE in a stock room ready to be issued for newly hired persons or volunteers. With the new rule, this practice cannot be followed, and right now it takes weeks to obtain new PPE. Thus, a perfectly capable fire fighter cannot respond to calls. The only other response we would have is to maintain a supply of PPE and know that this new gear can only be used for a short period of time.

Compare our situation to a department where the fire fighter responds to fire calls on a daily basis. Their gear will receive more opportunities to be damaged and exposure to more products of combustion. Their gear may need a time limit, but if it passes the tests (excluding the pressure test) it meets the NFPA standard of the PPE when it was manufactured.

I respectfully request that the fire commission review the NFPA 1851 standard and initiate a plan of action to will address the issues faced by the less active and less fortunate departments. Budgets are tight for everyone, and this new rule will place a major burden on a department such as Bellmead.

James Karl  
Fire Chief City of Bellmead

9. New matters presented by the committee members and the public to be considered for placement on a future agenda.

10. Discussion and possible action on future meeting dates, agenda items, and locations.

11. Adjourn meeting.