

DAVID Y. IGE
GOVERNOR

JOSH GREEN
LIEUTENANT GOVERNOR



SCOTT T. MURAKAMI
DIRECTOR

ANNE EUSTAQUIO
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
830 PUNCHBOWL STREET, ROOM 321
HONOLULU, HAWAII 96813
www.labor.hawaii.gov
Phone: (808) 586-8844 / Fax: (808) 586-9099
Email: dlir.director@hawaii.gov

STATE FIRE COUNCIL (SFC)
FISCAL YEAR (FY) 2019-2020 FIRST QUARTER MEETING AGENDA

Date of Meeting: September 20, 2019

Time of Meeting: 8:30 a.m.

Place of Meeting: Kauai Fire Department (KFD)
4444 Rice Street, Suite 315
Lihue, Hawaii 96766

Present:

| | |
|------------------|---|
| Manuel P. Neves | SFC Chair Fire Chief, Honolulu Fire Department (HFD) |
| Darren Rosario | SFC Vice Chair Fire Chief, Hawaii County Fire Department (HCFD) |
| David Thyne | SFC Member Fire Chief, Department of Fire and Public Safety, County of Maui |
| Kilipaki Vaughan | Acting Fire Chief, KFD |
| Daryl Date | Fire Captain, KFD |
| Lloyd Rogers | SFC Administrative Specialist |
| Adam Rosenberg | Deputy Attorney General State of Hawaii (State), Department of the Attorney General (DAG) |
| Gary Honold | Regional Director National Fire Protection Association (NFPA) |

I. Introduction

- A. Chair Neves called the meeting to order at 8:30 a.m.
- B. Chair Neves welcomed everyone, and the introduction of attendees followed.

II. Unfinished Business

A. SFC Quarterly Update

1. Status of the State Fire Code

Motion: Vice Chair motioned to approve the revised amendment package to the NFPA 1 Fire Code, 2018 edition. Member Thyne seconded the motion. The motion passed.

Record of Votes: Chair Neves - Aye
Vice Chair Rosario - Aye
Member Thyne - Aye

2. State Building Code Council (SBCC)

- a. The SBCC is comprised of 11 voluntary representatives from State, county, and private industry and is administratively attached to the Department of Accounting and General Services. It is responsible for reviewing the national building codes and standards related to building, residential, energy, fire, plumbing, elevator, etc., and adopting statewide building codes within two years of the publication date, which becomes the basis of county building codes. It has never been provided funding for staff or other expenses since its formation in 2007. The SFC is a voting member.
- b. The Investigative Committee continues its review of the provisions for the International Building Code, International Residential Code, Uniform Plumbing Code (UPC), International Energy Conservation Code, International Existing Building Code 2018 editions. The Investigative Committee completed its review of the International Swimming Pool and Spa Code, 2018 edition and amendments in collaboration with the State Department of Health which are forthcoming.

- c. The SBCC requested the State Plumbing Code Investigative Committee review and submit recommendations to incorporate specific provisions that are more cost-effective to be incorporated as amendments to the UPC, 2018 edition.
 - d. The SFC continues its support of the SBCC by attending monthly meetings, providing draft agenda/minutes, advising on producing uniform statewide building code amendments for county adoption, and creating administrative rules for the state fire code.
3. State Training and Education
- a. FY19 Two-Day Off-Campus Classes

Seven of the nine classes were delivered, and two Honolulu classes were cancelled. Refer to the FY19 course matrix.
 - b. FY20 Two-Day Off-Campus Classes

Seven of our nine classes were approved. One class for the HCFD was cancelled. Refer to the FY20 course matrix. Two more course selections, one for Hawaii County and one for Maui County, will be available when the second course call period opens on September 1-30, 2019.
4. Reduced Ignition Propensity Cigarette (RIPC) Program
- a. Awaiting draft RIPC administrative rules that was forwarded to the DAG in December 2018 and January 2019 for review.
 - b. On July 17, 2019, Nats Rich Smooth Taste brand/style cigarettes failed (75% failure rate) an RIPC test conducted by Essentra Scientific Services. An additional 20 samples (800 cigarettes) of Nats Rich Smooth Taste cigarettes were purchased and sent to Global Laboratory Services to conduct additional testing. We are currently awaiting the results of this testing.
 - c. See Table 1 for an overview of RIPC statistics during FY 2010 to 2014.
 - d. See Table 2 for an overview of RIPC statistics during FY 2015 to 2019.

- e. See Tables 3, 4, and 5 for a three-year (2019-2021) proposed annual income/expense estimate approved by the SFC Chair.

Table 1: RIPC Statistics (FY2010 to FY2014)

| | FY2010 | FY2011 | FY2012 | FY2013 | FY2014 |
|--|-----------|-----------|-----------|-----------|-----------|
| Beginning Balance | 0 | \$367,500 | \$401,625 | \$503,625 | \$664,500 |
| RIPC Specialist Salary | \$0 | \$0 | \$0 | \$0 | \$16,221 |
| Office Expenses | \$0 | \$0 | \$0 | \$0 | \$0 |
| Public Outreach | 0 | 0 | 0 | 0 | 0 |
| Outreach Expenses | \$0 | \$0 | \$0 | \$0 | \$0 |
| Honolulu Inspections | 0 | 0 | 0 | 0 | 0 |
| Outer Island Inspections | \$0 | \$0 | \$0 | \$0 | \$0 |
| Honolulu/Outer Island/Mainland Travel Costs | 0 | 0 | 0 | 0 | 0 |
| Cigarette Samples Purchased for Testing | 0 | 0 | 0 | 0 | 0 |
| Cigarette Purchasing, Shipping and Testing Costs | \$0 | \$0 | \$0 | \$0 | \$0 |
| Subtotal | \$0 | \$367,500 | \$401,625 | \$503,625 | \$648,279 |
| Plus Fees Collected | \$367,500 | \$34,125 | \$102,000 | \$160,875 | \$33,750 |
| Ending Balance | \$367,500 | \$401,625 | \$503,625 | \$664,500 | \$682,029 |

Table 2: RIPC Statistics (FY2015 to FY2019)

| | FY2015 | FY2016 | FY2017 | FY2018 | FY2019 |
|--|-----------|-----------|-----------|-----------|-----------|
| Beginning Balance | \$682,029 | \$727,287 | \$740,361 | \$631,725 | \$781,539 |
| RIPC Specialist Salary | \$28,215 | \$29,277 | \$34,505 | \$39,926 | \$41,501 |
| Office Expenses | \$1,111 | \$3,676 | \$1,799 | \$4,569 | \$3,019 |
| Public Outreach | 0 | 0 | 0 | 0 | 6,850 |
| Outreach Expenses | \$0 | \$230 | \$0 | \$0 | \$1,032 |
| Honolulu Inspections | 19 | 505 | 525 | 141 | 402 |
| Outer Island Inspections | 0 | 148 | 281 | 54 | 0 |
| Honolulu/Outer Island/Mainland Travel Costs | \$0 | \$3,011 | \$10,205 | \$4,793 | \$258 |
| Cigarette Samples Purchased for Testing | 70 | 218 | 172 | 92 | 198 |
| Cigarette Purchasing, Shipping and Testing Costs | \$27,041 | \$86,857 | \$105,627 | \$34,523 | \$63,365 |
| Subtotal | \$625,662 | \$604,236 | \$588,225 | \$547,914 | \$672,364 |
| Plus Fees Collected | \$101,625 | \$136,125 | \$43,500 | \$233,625 | \$80,625 |
| Ending Balance | \$727,287 | \$740,361 | \$631,725 | \$781,539 | \$752,989 |

Table 3: Current RIPC Statistics FY2020

| | Jan.-March | April-June | July-Sept. | Oct.-Dec. | Totals |
|--|------------|------------|------------|-----------|--------|
| Beginning Balance | \$0 | \$0 | \$752,989 | \$0 | |
| RIPC Specialist Salary | \$0 | \$0 | \$6,993 | \$0 | |
| Office Expenses | \$0 | \$0 | \$316 | \$0 | |
| Public Outreach | 0 | 0 | 97 | 0 | |
| Outreach Expenses | \$0 | \$0 | \$0 | \$0 | |
| Honolulu Inspections | 0 | 0 | 37 | 0 | |
| Outer Island Inspections | 0 | 0 | 65 | 0 | |
| Honolulu/Outer Island/Mainland Travel Costs | \$0 | \$0 | \$1,840 | \$0 | |
| Cigarette Samples Purchased for Testing | 0 | 0 | 60 | 40 | |
| Cigarette Purchasing, Shipping and Testing Costs | 0 | 0 | \$14,653 | \$0 | |
| Subtotal | 0 | 0 | \$729,187 | \$0 | |
| Plus Fees Collected | 0 | 0 | \$19,875 | \$0 | |
| Ending Balance | 0 | 0 | 749,062 | \$0 | |

Table 4: 2020 RIPC Annual Expense Estimate

| | Jan.-March | April-June | July-August | Sept.-Dec. | Totals |
|--|------------|------------|-------------|------------|-----------|
| Beginning Balance | | | | | \$673,579 |
| RIPC Specialist Salary | \$10,000 | \$10,000 | \$10,000 | \$10,000 | \$40,000 |
| Office Expenses | \$1,000 | \$1,000 | \$1,000 | \$1,000 | \$4,000 |
| Outreach Expenses | \$0 | \$0 | \$1,000 | \$0 | \$1,000 |
| Honolulu Inspections | 165 | 165 | 165 | 165 | 660 |
| Outer Island Inspections | 0 | | 70 | 70 | 140 |
| Honolulu/Outer Island/Mainland Travel Costs | \$0 | \$0 | \$2,000 | \$2,000 | \$4,000 |
| Cigarette Samples Purchased for Testing | 40 | 40 | 40 | 40 | 160 |
| Cigarette Purchasing, Shipping and Testing Costs | \$20,000 | \$20,000 | \$20,000 | \$20,000 | \$80,000 |
| Subtotal | | | | | \$544,579 |
| Plus Fees Collected | | | | | \$167,000 |
| Ending Balance | | | | | \$711,579 |

Table 5: 2021 RIPC Annual Expense Estimates

| | Jan.-March | April-June | July-August | Sept.-Dec. | Totals |
|--|------------|------------|-------------|------------|-----------|
| Beginning Balance | | | | | \$711,579 |
| RIPC Specialist Salary | \$10,000 | \$10,000 | \$10,000 | \$10,000 | \$40,000 |
| Office Expenses | \$1,000 | \$1,000 | \$1,000 | \$1,000 | \$4,000 |
| Outreach Expenses | \$0 | \$0 | \$1,000 | \$0 | \$1,000 |
| Honolulu Inspections | 165 | 165 | 165 | 165 | 660 |
| Outer Island Inspections | 0 | 0 | 0 | 0 | 0 |
| Honolulu/Outer Island/Mainland Travel Costs | \$0 | \$0 | \$8,500 | 0 | \$8,500 |
| Cigarette Samples Purchased for Testing | 40 | 40 | 40 | 40 | 160 |
| Cigarette Purchasing, Shipping and Testing Costs | \$18,960 | \$20,000 | \$20,000 | \$20,000 | \$78,960 |
| Subtotal | | | | | \$579,119 |
| Plus Fees Collected | | | | | \$155,000 |
| Ending Balance | | | | | \$734,119 |

5. Fire Protection Systems Administrative Rules

- a. The SFC staff fielded several questions on the new administrative rules. To date, 38 applications have been submitted and 33 were recommended for approval to the HFD. The SFC is communicating with

the county fire prevention bureaus on implementation and approval procedures. Counties must also incorporate license fees in their respective county fire codes.

- b. The SFC is recommending the Electronic Security Association's (ESA) Certified Fire Alarm Technician (CFAT) Level II credential as an acceptable alternative to the International Code Council and the National Institute for Certification in Engineering Technologies credentials to obtain a certificate of fitness pursuant to the Hawaii Administrative Rules, Title 12, Chapter 44.1. The ESA CFAT credential is recognized by the Texas State Fire Marshal's Office. An acknowledgement letter should be sent from each county fire department to the ESA.

4. Youth Fire Prevention and Intervention Program (YFPI)

The memorandum of understanding for the YFPI program has been signed by the four counties and is being reviewed by the Department of Education and the Department of Health.

B. Hawaii Licensing of Emergency Medical Technicians (EMT)

During discussions of Senate Concurrent Resolution 52, 2019 Legislative Session, Senate Commerce, Consumer Protection, and Health Committee Chair Rosalyn Baker was promised by the Department of Commerce and Consumer Affairs to discuss with the Hawaii Medical Board (HMB) whether or not the State EMT license was only for use by ambulance personnel. The DAG has not rendered an official opinion on this issue, but unofficially, they do not see any language in the administrative rules or statute that tie the EMT or paramedic license to being limited to work on an ambulance. The HMB has deferred their ruling pending an official opinion from the DAG.

C. SFC Grant Working Group Update

Members discussed the continued value of this group and recommended regular conference calls and supporting grants related to regional fuel farms, state crash, and fire service modernization.

D. NFPA Codes and Standards Update

1. The NFPA Standards Council approved a five-year plan beginning in January 2020 to consolidate 114 emergency response and responder safety standards into approximately 43 topical documents, allowing emergency

responders better access to the packaged standards information which is needed to do their jobs. In addition to easier access, it will improve the standards development process for more than 2,000 principle and alternate NFPA technical committee members. Combining standards into one-third of the existing standards will reduce document conflicts, avoid duplication of efforts, and improve committee interaction and travel planning.

2. The NFPA has offered training for active shooter events, drones, and marijuana growing and extraction processes.

E. Conferences and Meetings

Members reviewed the upcoming conferences, including the Hawaii Fire Chiefs Association Conference on December 4-8, 2019, at Ko Olina, Hawaii, and a possible wildland conference on Maui.

F. Other Matters

There was no other unfinished business.

III. New Business

- A. Members discussed contingency planning needs for fire fighters if an emergency event requires additional resources beyond the county's capabilities. This plan would provide fire fighting resources from other counties by mutual agreement. Hawaii Revised Statutes Chapter 127A authorizes additional powers in emergency periods. SFC staff will research existing intergovernmental agreements among the counties.

B. Discussion on the State Fire Code, NFPA 1 Fire Code and the International Fire Code

Members were informed that the HFD Fire Prevention Bureau reviewed and compared the NFPA 1 Fire Code with the International Fire Code (IFC), 2018 editions. Their impressions were that the IFC was easier to understand and possibly enforce. The SFC directed SFC staff to assemble the Fire Prevention Committee to also do a similar comparison.

- C. The next quarterly meeting will be in Honolulu in December 2019. Proposed dates will be sent for confirmation.

IV. Adjournment

The meeting was adjourned at 11:30 a.m.



MANUEL P. NEVES
Chair