

Minutes (Final)
Partnership for Safer Buildings
July 11, 2002
La Guardia Marriott, East Elmhurst, NY

Participants:

James A. Burns	Chairman, Catastrophic Fire Prevention Task Force, NASFM; and New York State Fire Administrator
Donald P. Bliss	Vice President, NASFM; and New Hampshire State Fire Marshal and Director of Fire Safety and Emergency Management
Dr. Paul Croce	Vice President and Manager of Research, Factory Mutual Global Research
Martin Durbin	Director, Federal Relations, American Chemistry Council/ American Plastics Council
Howard Hopper	Manager, Corporate Regulatory Services, Underwriters Laboratories, Inc. (representing J. Thomas Chapin)
Melissa Klein	NASFM Government Relations
Carole Milazzo	NASFM Government Relations
George Miller	President, NASFM; and Chief of Fire Code Enforcement, New Jersey Division of Fire Safety
Joseph M. Perry	Past President, California Fire Chiefs Association; and Fire Chief, City of Napa, California
Robert Polk	Chairman, NASFM Consumer Product Safety Task Force; and State Fire Marshal, South Carolina (attending as observer)
Walter Smittle III	Chairman, Partnership for Safer Buildings; NASFM Special Representative; and retired West Virginia State Fire Marshal
Karen F. Suhr	NASFM Government Relations
Amal Tamim	NASFM Science Advisory Committee; and Manager of Approvals and Standards, W.R. Grace & Co.

The agenda of the meeting is attached to these minutes.

1. Introduction

Mr. Miller began the meeting by reviewing the Partnership's overall purpose: "To ensure that the US building codes address reasonably foreseeable and potentially catastrophic fire hazards and require the highest levels of building performance in the interest of public safety and property protection."

Mr. Burns spoke about the importance of developing the Partnership for Safer Buildings and the impact it would have on public safety.

In his opening remarks, Chairman Smittle spoke of the importance of two landmark reports that are well known to the fire service: *America Burning* and *America Burning Revisited*, which both have recommendations that deal with building codes and which should be reviewed by Partnership members for relevance.

Action: NASFM staff will locate and distribute copies of these two reports to Partnership members.

2. Review of Charter

Mr. Smittle asked the group to review the charter and comment on any areas that needed refinement. It was suggested and agreed that the scope of the Partnership's work should focus specifically on catastrophic fires, and not be limited to buildings of a certain height.

Action: NASFM staff will amend charter's scope as suggested and distribute amended charter via email for final review and approval to post on the "Safer Buildings" section of the NASFM website (www.firemarshals.org).

3. Initial Discussion of Concerns

The group determined that its focus would be on the fire protection provisions in the International Code Council (ICC) and National Fire Protection Association (NFPA) building codes and would include review of all active and passive protection provisions. Mr. Hopper noted that while the International Building Code (IBC, which is the ICC's building code) is performance based, the NFPA code (known as NFPA 5000™, Building Construction and Safety Code™), is not; however, the NFPA code is moving in that direction. Mr. Polk said that with performance-based codes, human behavior and intervention play an important role, "because people never perform like we need them to" in emergencies. Therefore, he suggested that the Partnership also focus on ways of educating and informing codes committees of this, so that they do not allow human intervention issues to override code decisions.

Chairman Smittle pointed out that the NFPA building code is a new document and would not be finalized/available for review until October 2002.

The group discussed the importance of defining (as precisely as possible) the scope of the inquiry. All agreed that when examining the codes, the focus should be on life safety of occupants. However, attention must be paid to firefighter safety and to some extent reduction of property damage. Mr. Burns said that grant money has been earmarked for the nine Federal Emergency Management Agency (FEMA) regions to accomplish the goal of reducing firefighter deaths by 15%. He suggested that the Partnership might want to consider applying for one of these grants. If it does, he stressed the importance of applying early.

The group discussed forming liaisons with other groups that are working on building safety issues; other fire service constituent groups; organizations of elected officials, such as the National Governors Association and the International City/County Management Association; the National Conference of States on Building Codes and Standards (NCSBCS); and the National Institute of Standards and Technology (NIST).

Action: The Liaison Committee of the Partnership will approach U.S. Fire Administrator Dave Paulison to discuss applying for a FEMA grant.

Dr. Croce asked that “catastrophic fire problems” be more clearly defined. Mr. Burns responded that “catastrophic fires,” as defined by the NASFM Catastrophic Fire Prevention Task Force charter, are those fires that occur in mercantile, commercial, and institutional building settings. Residential fires do not fall under this category (therefore, the codes for residential dwellings, such as apartment buildings, would not be subject to the Partnership’s inquiry).

Ms. Tamim expressed concern that, given the diversity of codes that exist, often no one is really responsible for making sure that codes are complied with. Chief Perry raised the issue of statewide code adoption, and the group discussed a concern that many states do not even have a statewide code.

Action: NASFM staff will check NCSBCS for list of state-by-state code information and share it with the Partnership.

Mr. Miller said that a pervasive problem, evidenced by the Port Authority’s actions with regard to the World Trade Center (WTC), is the government’s failure to take the lead on fire safety. Government buildings should be the safest of all, he said. However, he noted that not only has the government failed to set the bar, but often agencies exempt themselves from the existing code. The Port Authority is just one example of this. Mr. Smittle raised the possibility of investigating government agencies such as the General Services Administration (GSA). Mr. Polk agreed, but also stressed the importance of highlighting agencies that were in fact responsive to fire safety, such as the Veterans Administration, which provides incentives for VA hospitals to meet buildings codes (they must do so to achieve accreditation).

Mr. Burns asked that the Partnership pay special attention to maintenance issues and code provisions that fail to consider the on-going viability of fire protection measures as buildings age.

Mr. Miller also asked that Partnership’s inquiry also explore fire safety of the contents of buildings, including interiors and furnishings. The question was raised as to why the contents of warehouses are regulated but the contents of office buildings are not.

4. Organization and Work Plan

A. Appointment of team leaders, formation of working groups

Mr. Smittle said that in order to ensure that the Partnership’s assessments are fully comprehensive, the group must closely read the building codes, conduct on-site inspections of buildings, and interact with other organizations and individuals examining these and related issues. Subcommittees were established and designated for each of these functions. Mr. Smittle volunteered to chair the Codes Assessment Subcommittee. Chief Perry was designated chair of the On-Site Inspections Subcommittee. Mr. Bliss was asked to chair the Liaison Subcommittee.

Action: Partnership members were asked to submit their committee preferences via email to Ms. Klein (melissa@firemarshals.org) as soon as possible. Members can belong to more than one subcommittee.

B. Membership Openings/ recommendations

Mr. Smittle announced that there were vacant positions on the Committee and requested input from the other members on possible representatives from the building industry – specifically, building owners, architects, engineers and materials producers. It was suggested that building managers and general contractors also be included, not as committee members, but as advisors to the committee. Chairman Smittle nominated Mr. Polk to serve as an alternate to Mr. Bliss, and the committee accepted this nomination.

Action: Partnership members are to submit suggestions for potential building industry representatives via email to Ms. Milazzo (cmilazzo@firemarshals.org).

C. Drafting of and consensus on reports

Mr. Hopper suggested that reports from the Codes Assessment Subcommittee be organized by general categories on particular risks using the decision tree found in NFPA 550. These categories can then be linked to particular incidents. Incidents can be identified through the NFPA library, NIST, NIOSH, and USFA/NFIRS.

Action: NASFM staff will obtain the decision tree found in NFPA 550 and distribute it to Partnership members.

It was suggested that once the codes failures and incidents are identified, then site visits should take place. Site visits will serve to verify concerns identified in the codes and also to identify new concerns. The visits should be organized by type of structure. For example:

- ✓ Regional Distribution Centers (GAP or Home Depot)
- ✓ High rises (Sears Tower)
- ✓ Malls (Mall of America)
- ✓ Warehouses
- ✓ Sports arenas
- ✓ “Campuses” (Microsoft)
- ✓ Airports

The group will conduct most of its business between meetings by email and conference call.

D. Initial deliverables and timing

Mr. Smittle asked that a detailed work plan for the remainder of 2002 be developed by August 23. A conference call can be scheduled prior to that for the group to review and comment on the draft work plan.

It was proposed that the next meeting be held on September 26, 2002, in Ontario, California (in conjunction with the annual meeting of the California Fire Chiefs Association). NASFM staff will be in contact with Partnership members to convey more details about the next meeting.

Action: NASFM staff will distribute meeting minutes and draft workplan for comments; and will be in touch to schedule a conference call for the week before Aug. 23 to discuss the draft workplan. Also, details about the Sept. 26 meeting will follow.

Attachment: Meeting agenda

AGENDA

Partnership for Safer Buildings

Thursday, July 11, 2002

10 am - 12 noon

LaGuardia Marriott

Jackson Heights Boardroom

102-05 Ditmars Boulevard, East Elmhurst, NY 11369

- I. Welcome and Introductions
 - a. George A. Miller, President, National Association of State Fire Marshals
 - b. James A. Burns, Chair, Catastrophic Fire Prevention Task Force, NASFM
 - c. Introduction of members
- II. Review of charter: roles, responsibilities, resources
- III. Initial discussion of concerns
- IV. Organization and work plan
 - a. Appointment of team leaders, formation of working groups
 - i. Building codes review
 - ii. Liaisons with others studying related issues
 - iii. Site visits
 - b. Membership openings/ recommendations
 - c. Drafting of and consensus on reports
 - d. Initial deliverables and timing
 - i. Detailed work plan for remainder of 2002
 - ii. Next meeting
- V. Adjournment