

New York State Department of State

Division of Code Enforcement and Administration

Fire Code Technical Subcommittee

January 4th, 2013

Meeting was called to order at 9:05 am via tele-conference line. The following members were present:

Daniel E. Nichols, Chair
Thomas Romanowski, DCEA
Jonathan Worden, OFPC
William Freer, OFPC
Richard Magee, County of Nassau
Steven Myers, Town of Clifton Park
Chris Smith, Robson-Woese (joined approximately 9:30)
Steven Van Buren, County of Dutchess

The following interested parties also joined:

Jeffrie Wilkinson, TYLyn, rep. NYS Fire Marshals and Inspectors Association
Al Mignone, V/Scarsdale, rep. NYS Fire Marshals and Inspectors Association
Robert Bambino, T/Babylon, rep. Suffolk County Fire Marshals Association
Bill Feder, Pem-All Fire Protection
Thomas Moskaluk, Pem-All Fire Protection
Thomas Parsons, Fire Chief, City of Ithaca

The first item discussed was the request from NYS Department of Environmental Conservation regarding potential changes to the dry cleaning requirements. They have provided a request to allow certain amounts of combustible liquids to be used within dry cleaning facilities without the need for a fire sprinkler system. One of the conditions was to permit the liquids to be heated to up to 60% of the lower flammability limit of the liquid and utilized in a machine that was designed to the explosion control standard, NFPA 69. The committee is not supportive of a change that utilized 60% LEL as a baseline. General hazardous materials practices, as well as the Mechanical Code, utilize 10% LEL as the safety factor for unknown materials and 25% LEL for known materials. The committee sees no basis for 60% as a design standard.

The committee unanimously decided that no action is to be taken on this proposal at this time.

The second item discussed was the report of findings on fire detection systems in student housing. The group reviewing this is Mr. Worden, Mr. Smith, and Chief Parsons. A report was reviewed from Mr. Worden detailing the changes that were proposed; and that the 2012 IFC language substantially meets the needs of the work group. Mr. Nichols brought to the attention of the committee that the 2012 IFC language was based on a successful code change proposal by Mr. Freer.

The committee discussed the term student housing and recommended that the code does not need a definition; as such definition would raise the possibility of excluding buildings that meet the intent of the term, as well as the converse.

The committee unanimously decided that the language within the work group report is accepted. Further, the committee decided that the existing requirements for system smoke detection within dwelling units and the 'cross-zone' building fire alarm arrangement within dwelling units should remain in the FCNYS in cases where building rehabilitation occurs in an unsprinklered building.

The third item discussed was the proposal to remove fire suppression systems for flammable motor-fuel dispensing operations (gas stations). Information was introduced by Mr. Nichols to the committee; the NFPA report on Service Station Fires and a brief synopsis prepared by staff on service station fires.

Mr. Feder and Mr. Moskaluk from Pem-All gave an overview of gas station fire suppression systems as well as challenged the position that NY is the only state that requires them; citing Arkansas as an example. After some discussion, it appears that gas station fire suppression systems are required in some areas of the country for certain types of installation, a consensus was not reached that NY is the only state that requires these systems for all flammable motor-fuel dispensing operations.

A discussion was held regarding the health hazards of the dry chemical powder during an accidental discharge. Several anecdotal examples were discussed on the need for medical attention after inhalation, including newspaper articles as well as an incident in the Town of Poughkeepsie that was discussed. Representatives for Pem-All stated there are no health hazards associated with the inhalation of dry chemical powder. The material safety data sheet was discussed.

A discussion was held regarding the effectiveness of gas station fire suppression systems covered the types of fires they are designed to extinguish, the number of fires that occur in these specific situations, and specific known fires at gas stations. During a discussion of a car fire that was brought up by Mr. Nichols, it was discussed that gas station fire suppression systems are designed for small fuel spill fires at gas stations, not to extinguish vehicle fires. The extinguishment of a box truck that crashed into a gas pump in Nassau County and a motorcycle fire in Monroe County were discussed. Also, the UL 1254 fire test procedure was discussed.

A question was raised to the Pem-All representatives of why gas station fire suppression has never been a requirement in either the International Fire Code or the NFPA 30A, service station standard; as well as why proposals have not been put into the ICC process in the last 5 cycles. The Pem-All representatives stated that the systems are listed in NFPA 17A.

A letter was reviewed by Fast Track markets, a convenience store chain in central New York. The letter stated that they have never had a fire at any of their 57 locations but spend about \$5,000 for accidental discharges of systems.

Mr. Bambino spoke, stating that gas station fire suppression systems should remain as they provide a needed level of fire safety. He spoke of several gas spill incidents from pump strikes and overflowing fuel that may have not generated a fire incident report.

Mr. Magee and Mr. Nichols reviewed the history of fire suppression systems at gas stations with the committee. Mr. Nichols stated that the systems were in the 1984 edition of the Uniform Code and

updated in the early 1990's. Mr. Magee stated that systems were required prior to this in Nassau County for gas stations that has an attendant booth. Both agreed that it seems fitting that the Statewide requirement is probably sourced back to the Nassau County requirement. However, a document search by staff cannot definitively determine its source.

Committee members and Chief Parsons asked additional questions regarding the effectiveness of the systems, fire incident reporting, and the hazards associated with accidental discharges. It was agreed that the NFPA data on the topic is the most accurate information out there since the NFIRS data in New York does not capture specifics on the activation or effectiveness of the fire suppression systems.

A vote was taken of the committee on the question, "Should fire suppression systems for flammable motor-fuel dispensing operations be removed". The motion passed 5-2 (FOR: Romanowski, Worden, Freer, Myers, Smith; AGAINST: Magee, Van Buren).

As a side issue of the gas station fire suppression systems, the question of how to handle existing systems came up. After a short discussion, it was agreed upon that the construction and operational requirements found in the IFC and NFPA 30A attributed to the lower fire incident rates in the last 10 years. The committee unanimously agreed that currently installed systems should be required to be maintained and can only be removed if the entire fuel-dispensing system meets the requirements of the Fire Code of New York State for new construction.

A brief conversation led by Mr. Nichols and Mr. Magee was held to explain the adoption process from this point forward, including presentation to the Code Council and the regulatory adoption process.

The forth topic discussed was the requirement for emergency responder radio coverage. The committee previously did not support the topic due to the administrative language. Specifically, the IFC language requires systems in all buildings, unless it is permitted to be waived by the CEO. Furthermore, the design methodology of the system required a test that is done after the building is constructed and has no design standard to reference. Due to the committee work coming to a close, the committee unanimously agreed that the technical requirements of the IFC regarding emergency responder radio coverage is needed and should be included if staff can rewrite the charge language to give specific applications where systems are needed as well as design parameters for the installation.

The final item of the committee meeting was to thank all for their participation and support of the Fire Code Technical Subcommittee. A special thanks was given to our interested parties; Al Mignone and Tom Parsons, who provided valuable insight and history to the committee proceedings.