

**U.S. Consumer Product Safety Commission
LOG OF MEETING**

**SUBJECT: National Association of State Fire Marshals (NASFM) meeting with
Chairman Tenenbaum**

DATE OF MEETING: February 23, 2010

LOG ENTRY SOURCE: Patricia K. Adair

DATE OF LOG ENTRY: March 5, 2010

LOCATION: Room 724, CPSC Headquarters

CPSC ATTENDEE(S): Chairman Inez Tenenbaum; Rebecca Senhauser, Chief of Staff; Dale Ray, Directorate for Economic Analysis; Patty Adair, Directorate for Engineering Sciences, Rik Khanna, Hazard Identification and Analysis, Scott Wolfson, Office of Information and Public Affairs

NON-CPSC ATTENDEE(S): Alan R. Shuman, NASFM President and Georgia State Fire Marshal and Karen Deppa, Government Relations, NASFM

SUMMARY OF MEETING: This was an introductory meeting between Chairman Inez Tenenbaum and representatives of the National Association of State Fire Marshals. Mr. Shuman and Ms. Deppa presented issues of concern to NASFM, and made several requests of CPSC. The NASFM presentation is attached to this meeting log.

~~CPSC (b)(1) CLEARED for PUBLIC~~

~~NO MFRS PRVT LBS OR PRODUCTS IDENTIFIED~~ 7/12/10

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RULEMAKING ADMIN. PRCDG

— WITH PORTIONS REMOVED: _____

National Association of State Fire Marshals

**Introduction to
CPSC Chairman
February 23, 2010**



National Association of State Fire Marshals

- ◆ Founded 1989
- ◆ Membership:
 - Senior State Fire Officials and their key staff
 - Companies and associations that support our mission
- ◆ Mission:
 - Protection of life, property and the environment from fire and related hazards
 - Effective and efficient operation of individual state fire marshals' offices

NASFM Values

- ◆ Safety is a shared responsibility
 - Consumers, producers, regulators
- ◆ Safety should be engineered-in where possible
- ◆ Reasonable levels of safety “redundancy” or “layering” are crucial
 - Passive *and* active protection
 - Ignition sources *and* fuels
- ◆ Simultaneously high levels of fire safety, health and environmental quality are achievable
 - The bottom line is public safety

Board of Directors

- ◆ Alan Shuman (GA), President
- ◆ J. William Degnan (NH), Vice President and Secretary-Treasurer
- ◆ Tim Bradley (NC)
- ◆ Robert Doke (OK)
- ◆ Paul Maldonado (TX)
- ◆ Jerry Rosendahl (MN)
- ◆ John Dean (ME), Immediate Past President

NASFM's Major Issues

- ◆ Consumer product fire safety/effectiveness
- ◆ Building safety/model codes/enforcement
- ◆ Advanced communication and technology
- ◆ Environment and health
- ◆ Arson and fire investigation
- ◆ Transportation safety
- ◆ Hazardous materials safety
- ◆ Fire and public safety data
- ◆ Alternative fuels safety
- ◆ Firefighter safety and health

NASFM's Partners & Advisors

- ◆ Academicians
- ◆ Scientists
- ◆ Engineers
- ◆ UL, FM Approvals
- ◆ NFPA and ICC
- ◆ Code specialists
- ◆ Industry representatives
- ◆ Government officials
- ◆ Consumer advocates
- ◆ Other fire service organizations

Science Advisory Committee

**Chair: Dr. Margaret Simonson McNamee,
Technical Research Institute of Sweden**

- ◆ Key advisors to NASFM Board
- ◆ Help ensure that NASFM policies and positions have solid grounding in science
- ◆ Meet 3x/year, including Annual Conference
- ◆ Available to help NASFM members with issues as requested

NASFM Fire Research and Education Foundation

- ◆ Founded 2008
- ◆ Aims to further NASFM's mission through science, innovation, research and education
- ◆ Current projects:
 - Residential Fire Safety Institute: Guidance to communities on implementing and administering residential sprinkler ordinances, code requirements
 - Youth Fire Prevention Program Train-the-Trainer Sessions

NASFM Initiative: State bans on sale of novelty/toylike lighters

- ◆ NASFM model state bill based on successful Maine bill of March 2008
- ◆ Would ban sale of all disposable novelty/toylike lighters
- ◆ To date, 10 states have passed some sort of ban or restriction; 11 states have active bills
- ◆ Federal legislation (S 723, HR 2050) would treat novelty lighters as banned hazardous substances under the FHSA

NASFM Requests of the CPSC

Maintain focus on fire and carbon monoxide safety in CPSC Strategic Plan

- ◆ According to NFPA, in 2008 there were 515,000 structure fires, causing 2,900 civilian deaths, 14,960 civilian injuries, and \$12.4 billion in property damage
- ◆ According to the CDC, each year more than 400 Americans die from unintentional CO poisoning, more than 20,000 visit the emergency room and more than 4,000 are hospitalized due to CO poisoning
- ◆ Focus on the CPSIA (while necessary) must not consume all CPSC resources; fires and CO poisonings are consistent problems that require continuous attention

Continue CPSC staff participation in voluntary standards activities

- | | |
|-----------------------|--------------------------|
| ◆ AFCIs | ◆ Lighters |
| ◆ GFCIs | ◆ Candles |
| ◆ CO alarms | ◆ Ranges |
| ◆ Extension cords | ◆ Turkey fryers |
| ◆ Fuel tanks | ◆ Vented gas appliances |
| ◆ Gasoline containers | ◆ National Electric Code |
| ◆ Electric heaters | |

Complete ongoing rulemaking – Upholstered furniture flammability

- ◆ Department of Commerce “finding of need” inherited by CPSC in 1973; since then, estimated 30,000 have died in fires originating in upholstered furniture
- ◆ 1993 NASFM petition prompted 1994 ANPR
- ◆ 2008 proposed rule grossly inadequate
 - Deals with smoldering but not open flame ignitions
 - Leaves filling materials vulnerable in most cases
 - Motivated by desire not to use FRs, but research is finding better alternatives to traditional FRs, including barriers
 - Mattress fires have been dealt with comprehensively; why not upholstered furniture?
- ◆ NASFM Science Advisory Committee helping us craft alternative proposal

Complete ongoing rulemaking – Mechanical safety standards for lighters

- ◆ Pending since ANPR issued in 2004
- ◆ Would make ASTM F400 voluntary standard a mandatory federal regulation
- ◆ Minimum safety standard for flame height, leakage, pressure, dropping, etc.
- ◆ Adopted as law by Canada and Mexico
- ◆ Would allow noncompliant lighters to be stopped at ports of entry rather than dumped into U.S. commerce
- ◆ Overseas manufacturers consider voluntary standards “optional”

Grant petition – Fire safety of candles and candle accessories

- ◆ NASFM petition submitted in 2004
- ◆ Would make voluntary standards ASTM F2417 and F2601 mandatory federal regulations
- ◆ Twice as many home candle fires in 2005 than in 1990, causing 150 deaths, 1,270 injuries, \$540 million property loss
- ◆ Most safety problems with candles found with imported products
- ◆ Industry association seeking to improve compliance with voluntary standards
- ◆ Need to address issue of how to deal with improvements in standards over time if made mandatory

Strengthen General Wearing Apparel Standard 16 CFR 1610

- ◆ Outdated 1953 standard does not protect consumers
- ◆ Newspaper, tissue paper pass 16 CFR 1610
- ◆ >4,300 serious burn injuries per year 1997-2006; children ages 5-14 had highest average annual burn injury rate
- ◆ 120 deaths per year 1999-2004; death rate for >age 65 six times national average
- ◆ Stricter performance standards can be met, as experience with Children's Sleepwear Standard shows
- ◆ Recent CPSC attention to standard limited to "tweaking" things like laundering procedures

Develop performance standards for residential fire sprinklers

- ◆ Fire sprinklers required in model codes for residences, subject to local adoption
- ◆ Residential application complicated
 - more diverse use/exposure patterns
 - reasonably anticipated misuse and abuse
 - lack of access by authorities for inspection/testing
- ◆ CPSC can take lead on development of standards to ensure reliability of residential sprinklers before widespread application in private residences

Develop safety messages to consumers on imported drywall fire risks

- ◆ What can consumers be told, while research is being completed, to determine extent of fire risk due to corrosion from imported drywall?
- ◆ NASFM wishes to work with the CPSC and affected states to develop reasonable precautionary information to address potential risk

NASFM Requests of the CPSC - Summary

- ◆ Maintain focus on fire and carbon monoxide safety in CPSC Strategic Plan
- ◆ Continue to emphasize CPSC staff participation in voluntary standards activities related to fire and combustion projects
- ◆ Complete ongoing rulemaking activities on upholstered furniture, lighters
- ◆ Initiate new rulemaking activities on candles, general wearing apparel
- ◆ Develop performance standards to ensure reliability of residential fire sprinklers
- ◆ Help with safety messages to consumers while research completed on imported drywall fire risks

Thank you for your time!

- ◆ What additional information can we provide to you?
- ◆ With whom should we work on your staff?
- ◆ May we provide you with updates as they occur?