

TEXAS COMMISSION ON FIRE PROTECTION
October 29, 2020, 10:00 a.m.
1701 N. Congress Ave., William B. Travis Building, Room 1-104, Austin, Texas

The meeting of the Texas Commission on Fire Protection will be held in-person at the physical location above. For all individuals entering the William B. Travis Building, masks are required in the facility, social distancing must be observed, and if you are not feeling well or were possibly exposed to COVID-19, please stay at home. Members of the public who are unable to attend in person may also participate in this meeting by two-way audio, by calling one of these toll-free numbers, 833-548-0282, 877-853-5247, 888-788-0099 or 833-548-0276 and using ID # 841 6095 2103 with Passcode: 626528

The Texas Commission on Fire Protection may discuss and/or take action on any of the following agenda items. The Commission may go into executive session on any agenda item listed below as authorized by the Open Meetings Act, Texas Government Code Chapter 551.

1. Call to order with invocation and pledge of allegiance.
2. Roll call and excuse of Commission member absences.
3. Commission meeting minutes of August 3, 2020.
4. The Budget and Strategic Plan Subcommittee may meet on October 29, 2020, during the commission meeting and provide a report relating to any recommendations developed by the subcommittee relating to modifications to the agency operating budget and strategic plan.
5. Reports from fire service interest groups and agencies on matters relating to their specific organizational purposes, functions, activities, and objectives, including reports from the Texas Fire Chiefs Association, the Texas State Association of Fire Fighters, the State Firemen's and Fire Marshals' Association of Texas, the Texas Fire Marshal's Association, the Texas Association of Fire Educators, the Texas A&M Forest Service, the National Fire Protection Association, Texas State Association of Fire and Emergency Districts, the Center for Public Safety Excellence, and the State Fire Marshal's Office.
6. Report from commission representative to the Homeland Security Council.
7. Report from the Health and Wellness Ad Hoc committee.
8. Subjects for future commission meeting agendas.
9. Future meeting dates.
10. Appointment of a new commission representative to serve on the Texas Fire School Advisory Board.
11. Appointment of a new member to serve on the fire fighter advisory committee.
12. Matters referred from the Fire Fighter Advisory Committee (FFAC), including, but not limited to:
 - A. Possible final adoption of the proposed amendments as follows:
 1. 37 Tex. Administrative Code, Part 13, Chapter 459, Fire and Life Safety Educator, Subchapter B, Minimum Standards For Fire and Life Safety Educator II, §459.201(c).
 2. 37 Tex. Administrative Code, Part 13, new Chapter 461, Incident Commander.

B. Report from the Curriculum and Testing Committee regarding recommended changes to the Certification Curriculum Manual as follows:

- a. Basic Fire Inspector Curriculum Reference List
- b. Plan Examiner Curriculum Reference List
- c. Incident Safety Officer Curriculum Reference List and Curriculum Skills
- d. Basic Wildland Skills Update
- e. Basic Fire Suppression Curriculum Reference List

13. Request from Brady Robinette regarding possible rule change to add [Federal Highway Administration Traffic Incident Management Program](#) as a requirement to obtain commission certification.
14. Proposed amendments to 37 Tex. Administrative Code, Part 13, Chapter 421, Standards For Certification.
15. Proposed amendments to 37 Tex. Administrative Code, Part 13, Chapter 429, Fire Inspector and Plan Examiner, Subchapter B, Minimum Standards For Plan Examiner, §429.201, Minimum Standard For Plan Examiner Personnel.
16. Proposed amendments to 37 Tex. Administrative Code, Part 13, Chapter 435, Fire Fighter Safety.
17. Proposed amendments to 37 Tex. Administrative Code, Part 13, Chapter 445, Administrative Inspections and Penalties.
18. Proposed amendments to 37 Tex. Administrative Code, Part 13, Chapter 453, Hazardous Materials.
19. Possible formation of an ad-hoc committee to review rules for 37 Tex. Administrative Code, Part 13, Chapter 435, Fire Fighter Safety and Chapter 427, Training Facility Certification.
20. Matters from the Executive Director.
 - A. Decisions of Executive Director in contested cases and consent orders.
 - B. Status regarding division functions:
 - a. Training Approval & Testing – test administered, training approvals, record reviews and online training audits
 - b. Certification & Professional Development – training applications, IFSAC seals issued, certifications issued, training facilities, curriculum development, library resource requests
 - c. Compliance – biennial inspections, compliance officers training, issues involving regulated entities
 - d. Information Technology – public website design, FARM and FIDO improvements, CAPPS (Central Accounting Payroll/Personnel System), IT security policy, service requests
21. Personnel matters regarding the appointment, employment, compensation, evaluation, reassignment, and duties of the Executive Director.
22. Public comment.
23. Adjourn meeting.

Any invocation that may be offered before the official start of the commission meeting shall be voluntary offering of a chaplain, to and for the benefit of the commission. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the commission and do not necessarily represent the religious beliefs or views of the Council in part or as a whole. No member of the community is required to attend or participate in the invocation and such decision will have no impact on their right to participate actively in the business of the commission. Copies of the policy governing invocations and setting forth the procedure to have a volunteer deliver an invocation are available upon written request submitted to the commission Clerk.

1. **Call to order with invocation and pledge of allegiance.**

2. Roll call and excuse of Commission member absences.

3. Commission meeting minutes of August 3, 2020.

TEXAS COMMISSION ON FIRE PROTECTION

Presiding Officer, Robert Moore, at 9:00 a.m. called the August 3, 2020 meeting of the Texas Commission on Fire Protection to order at 1701 N. Congress Avenue, Room 1-104, Austin, Texas.

Attending	Tommy Anderson Mike Jones* Steve Tull	Carlos Cortez* Robert Moore Kelly Vandygriff	Sue De Villez Bob Morgan* Rusty Wilson	Kelly Doster Mala Sharma	Paul Hamilton J. P. Steelman
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*absent entire meeting

**absent part of meeting

Staff	Mike Wisko Tara Youngblood Rosalind Hunt, Assistant Attorney General	Deborah Cowan Paul Maldonado	Servando Sanchez Grace Wilson	Cliff Grant Amanda Ramos	Joyce Guinn
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Guests	Sean Fay Katy Fallon-Brown	Leonard Chan	Orlando Hernandez	Jason Blackman
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1. Invocation And Pledge of Allegiance	The invocation was given by Commissioner Kelly Vandygriff and the Pledge of Allegiance was lead by Assistant Presiding Officer, J. P. Steelman.
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2. Roll call	Secretary, Steve Tull called the roll, and a quorum was present.
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3. Adoption of Minutes	A motion to approve the minutes of the January 22, 2020 and January 23, 2020 commission meeting was made by Kelly Doster and seconded by J. P. Steelman. The motion carried.
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4. Report from The Budget and Strategic Plan Subcommittee	Commissioner Steve Tull gave a brief report on the subcommittee meeting held March 3, 2020. No action necessary.
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5. Reports from Interest Groups	A brief report was given by the Texas Fire Chief's Association, Center for Public Safety Excellence, and the State Fire Marshal's Office.
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6. Report from School Advisory Board & TEEEX	Commission Representative Juan Gloria submitted a letter of resignation. Presiding Officer, Fire Robert Moore gave a brief update on activities to date.
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7. Report from Homeland Security Council Representative	Commissioner, Kelly Vandygriff the agency representative had not been able to attend any meetings to date so no report was given.
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8. Report from Health and Wellness Ad Hoc Committee	Commissioner Sharma, committee Chair gave a brief update on the committee meetings to date.
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| 9. Subjects for meeting agendas | Chapter 445 Administration Penalties and Traffic Safety |
| 10. Future meeting dates | The commission had previously set its next meeting on October 29, 2020 at 10:00 a.m. |
| 11. Appointment of Texas Fire School Advisory Board Representative | Presiding Officer Robert Moore directed staff to advertise for applicants for the position with a deadline of October 15, 2020. |
| 12. Appointment of Member to the Fire Fighter Advisory Committee | A subcommittee was formed to review all applicant's information and bring a recommended list to the full commission at the October 29, 2020 meeting. |
| 13. Matters from Fire Fighter Advisory Committee | <p>a. A motion was made by Steve Tull and seconded by Kelly Doster to approve the changes to the Basic Fire Suppression Curriculum as discussed with a January 1, 2021 effective date. The motion carried.</p> <p>b. A motion was made by Tommy Anderson and seconded by Kelly Doster to approve the changes to the Hazardous Materials Curriculum as discussed with a January 1, 2021 effective date. The motion carried.</p> <p>c. A motion was made by Steve Tull and seconded by J. P. Steelman to approve changes to the Fire Instructor Curriculum as discussed with a January 1, 2021 effective date. The motion carried.</p> <p>d. A motion was made by Steve Tull and seconded by Mala Sharma to approve the new Incident Commander Curriculum as discussed with a January 1, 2021 effective date. The motion carried.</p> <p>e. A motion was made by Tommy Anderson and seconded by Russell Wilson to approve the changes to the Incident Safety Officer reference list as discussed effective immediately. The motion carried.</p> |
| 14. 2019 Injury Report | A motion was made by Tommy Anderson and seconded by Paul Hamilton to approve the report as discussed including previous report recommendations and to draft a cover letter to include recommendations to focus on reducing station duty injuries and training exercises, how to create an injury report, and to include a link to the Health and Wellness Committee two hour CE video when completed. The motion carried. |
| 15. 37 TAC, Chapter 459 Fire & Life Safety Educator | A motion was made by Steve Tull and seconded by J. P. Steelman to approve for publication changes to 37 TAC, Chapter 459, section 459.201 as discussed. The motion carried. |
| 16. 37 TAC, Chapter 461 Incident Commander | A motion was made by Steve Tull and seconded by Kelly Doster to approve for publication new 37 TAC, Chapter 461, Incident Commander. The motion carried. |

17. Customer Service Survey results After discussion, no action necessary.
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18. Matters from Executive Director a. Mike Wisko, Executive Director informed the commissioners the agency had no contested cases or consent orders to report.
b. Mr. Wisko provided commissioners information regarding agency division functions.
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19. Personnel Matters Presiding Officer, Robert Moore did not call for an Executive Session.
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20. Public Comment Nothing presented
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21. Adjournment A motion to adjourn was made by Kelley Doster and seconded by J. P. Steelman . The motion carried.

Robert Moore, Presiding Officer

4. **The Budget and Strategic Plan subcommittee may meet on October 29, 2020, during the commission meeting and provide a report for discussion and possible action relating to any recommendations developed by the subcommittee, including but not limited to, modifications to the agency operating budget and strategic plan.**

Texas Commission on Fire Protection
Fiscal Year 2020 - Operating Budget
8/31/2020

Summary

Goals:	FY20	FY20	Balance	Remaining
	Budget	Expended		
Education, Information and Assistance	112,008.00	112,008.00	(0.00)	
Fire Department Standards	942,952.56	881,035.30	61,917.26	
Indirect Administration	613,304.00	587,070.06	26,233.94	
1001 - Salaries & Wages:	1,668,264.56	1,580,113.36	88,151.20	5%
Education, Information and Assistance	1,680.00	7,140.00	(5,460.00)	
Fire Department Standards	22,932.00	84,194.31	(61,262.31)	
Indirect Administration	41,960.00	62,003.20	(20,043.20)	
1002 - Other Personnel Costs	66,572.00	153,337.51	(86,765.51)	-130%
Education, Information and Assistance	100.00	160.76	(60.76)	
Fire Department Standards	1,000.00	1,423.82	(423.82)	
Indirect Administration	2,800.00	1,717.57	1,082.43	
2001 - Professional Fees and Services:	3,900.00	3,302.15	597.85	15%
Education, Information and Assistance	495.00	289.89	205.11	
Fire Department Standards	4,000.00	6,480.98	(2,480.98)	
Indirect Administration	3,000.00	1,714.37	1,285.63	
2003 - Consumable Supplies:	7,495.00	8,485.24	(990.24)	-13%
Education, Information and Assistance	10.00	0.00	10.00	
Fire Department Standards	3,260.00	3,256.44	3.56	
Indirect Administration	40.00	0.00	40.00	
2004 - Utilities:	3,310.00	3,256.44	53.56	2%
Education, Information and Assistance	4,425.00	1,142.67	3,282.33	
Fire Department Standards	87,856.00	69,168.24	18,687.76	
Indirect Administration	19,275.80	15,648.05	3,627.75	
2005 - Travel:	111,556.80	85,958.96	25,597.84	23%
Education, Information and Assistance	10.00	11.30	(1.30)	
Fire Department Standards	90.00	110.36	(20.36)	
Indirect Administration	325.00	294.56	30.44	
2006 - Rent - Building (storage):	425.00	416.22	8.78	2%
Education, Information and Assistance	290.32	297.48	(7.16)	
Fire Department Standards	2,903.23	2,772.56	130.67	
Indirect Administration	1,306.45	1,361.32	(54.87)	
2007 - Rent - Machine and Other:	4,500.00	4,431.36	68.64	2%
Education, Information and Assistance	5,972.09	3,800.58	2,171.51	
Fire Department Standards	47,475.17	74,934.75	(27,459.58)	
Indirect Administration	31,306.67	42,347.46	(11,040.79)	
2009 - Other Operating Expense:	84,753.93	121,082.79	(36,328.86)	-43%
Education, Information and Assistance	0.00	0.00	0.00	
Fire Department Standards	29,455.6	29,455.60	0.00	
Indirect Administration	0.00	0.00	0.00	
4000 - Grants:	29,455.60	29,455.60	0.00	0%
TOTAL - ALL EXPENDITURES		1,989,839.63		
APPROVED APPROPRIATION	1,975,777.30		(9,606.72)	0%

Texas Commission on Fire Protection
Fiscal Year 2021 - Operating Budget
10/1/2020

Summary

Goals:	FY21	FY21	Balance	Remaining
	Budget	Expended		
Education, Information and Assistance	112,008.00	9,334.00	102,674.00	
Fire Department Standards	942,952.56	77,042.91	865,909.65	
Indirect Administration	613,304.00	51,367.00	561,937.00	
1001 - Salaries & Wages:	1,668,264.56	137,743.91	1,530,520.65	92%
Education, Information and Assistance	1,680.00	180.00	1,500.00	
Fire Department Standards	22,932.00	1,556.25	21,375.75	
Indirect Administration	41,960.00	400.00	41,560.00	
1002 - Other Personnel Costs	66,572.00	2,136.25	64,435.75	97%
Education, Information and Assistance	100.00	0.00	100.00	
Fire Department Standards	1,000.00	0.00	1,000.00	
Indirect Administration	2,800.00	0.00	2,800.00	
2001 - Professional Fees and Services:	3,900.00	0.00	3,900.00	100%
Education, Information and Assistance	495.00	0.00	495.00	
Fire Department Standards	4,000.00	0.00	4,000.00	
Indirect Administration	3,000.00	0.00	3,000.00	
2003 - Consumable Supplies:	7,495.00	0.00	7,495.00	100%
Education, Information and Assistance	10.00	0.00	10.00	
Fire Department Standards	3,260.00	0.00	3,260.00	
Indirect Administration	40.00	0.00	40.00	
2004 - Utilities:	3,310.00	0.00	3,310.00	100%
Education, Information and Assistance	4,425.00	0.00	4,425.00	
Fire Department Standards	87,856.00	774.09	87,081.91	
Indirect Administration	19,275.80	0.00	19,275.80	
2005 - Travel:	111,556.80	774.09	110,782.71	99%
Education, Information and Assistance	10.00	0.00	10.00	
Fire Department Standards	90.00	0.00	90.00	
Indirect Administration	325.00	0.00	325.00	
2006 - Rent - Building (storage):	425.00	0.00	425.00	100%
Education, Information and Assistance	290.32	0.00	290.32	
Fire Department Standards	2,903.23	0.00	2,903.23	
Indirect Administration	1,306.45	0.00	1,306.45	
2007 - Rent - Machine and Other:	4,500.00	0.00	4,500.00	100%
Education, Information and Assistance	5,972.09	252.99	5,719.10	
Fire Department Standards	47,475.17	2,300.59	45,174.58	
Indirect Administration	31,306.67	1,242.96	30,063.71	
2009 - Other Operating Expense:	84,753.93	3,796.54	80,957.39	96%
Education, Information and Assistance	0.00	0.00	0.00	
Fire Department Standards	0.00	0.00	0.00	
Indirect Administration	0.00	0.00	0.00	
4000 - Grants:	0.00	0.00	0.00	0%
TOTAL - ALL EXPENDITURES		144,450.79		
APPROVED APPROPRIATION	1,975,777.30		1,806,326.53	91%

Texas Commission on Fire Protection
Fiscal Year 2021 - Operating Budget
10/1/2020

Summary

01

Goals:		Sept	TOTALS	% Remaining	Budget
1001 - Salaries & Wages:	Education	\$ 9,334.00	\$ 9,334.00	91.67%	\$ 112,008
	Standards	\$ 77,042.91	\$ 77,042.91	91.83%	\$ 942,953
	Admin	\$ 51,367.00	\$ 51,367.00	91.62%	\$ 613,304
			\$ 137,743.91	92%	\$ 1,668,265
1002 - Other Personnel Costs	Education	\$ 180.00	\$ 180.00	89.29%	\$ 1,680
	Standards	\$ 1,556.25	\$ 1,556.25	93.21%	\$ 22,932
	Admin	\$ 400.00	\$ 400.00	99.05%	\$ 41,960
			\$ 2,136.25	97%	\$ 66,572
2001 - Professional Fees/Services:	Education	\$ -	\$ -	100.00%	\$ 100
	Standards	\$ -	\$ -	100.00%	\$ 1,000
	Admin	\$ -	\$ -	100.00%	\$ 2,800
			\$ -	100%	\$ 3,900
2003 - Consumable Supplies:	Education	\$ -	\$ -	100.00%	\$ 495
	Standards	\$ -	\$ -	100.00%	\$ 4,000
	Admin	\$ -	\$ -	100.00%	\$ 3,000
			\$ -	100%	\$ 7,495
2004 - Utilities:	Education	\$ -	\$ -	100.00%	\$ 10
	Standards	\$ -	\$ -	100.00%	\$ 3,260
	Admin	\$ -	\$ -	100.00%	\$ 40
			\$ -	100%	\$ 3,310
2005 - Travel:	Education	\$ -	\$ -	100.00%	\$ 4,425
	Standards	\$ 774.09	\$ 774.09	99.12%	\$ 87,856
	Admin	\$ -	\$ -	100.00%	\$ 19,276
			\$ 774.09	99%	\$ 111,557

**Texas Commission on Fire Protection
Fiscal Year 2021 - Operating Budget
10/1/2020**

Summary 01

Goals:		Sept	TOTALS	% Remaining	Budget
2006 - Rent - Building (storage):	Education	\$ -	\$ -	100.00%	\$ 10
	Standards	\$ -	\$ -	100.00%	\$ 90
	Admin	\$ -	\$ -	100.00%	\$ 325
			\$ -	100%	\$ 425
2007 - Rent - Machine and Other:	Education	\$ -	\$ -	100.00%	\$ 290
	Standards	\$ -	\$ -	100.00%	\$ 2,903
	Admin	\$ -	\$ -	100.00%	\$ 1,306
			\$ -	100%	\$ 4,500
2009 - Other Operating Expense:	Education	\$ 258.10	\$ 258.10	95.68%	\$ 5,972
	Standards	\$ 2,345.86	\$ 2,345.86	95.06%	\$ 47,475
	Admin	\$ 1,265.59	\$ 1,265.59	95.96%	\$ 31,307
			\$ 3,869.55	95%	\$ 84,754
4000 - Grants:	Standards	\$ -	\$ -	#DIV/0!	\$ -
		\$ 144,523.80	\$ 144,523.80	93%	\$ 1,950,777
Education, Information and Assistance			\$ 9,772.10	92%	\$ 124,990.41
Fire Department Standards			\$ 81,719.11	93%	\$ 1,112,468.96
Indirect Administration			\$ 53,032.59	93%	\$ 713,317.92

Fiscal Year 2021 - Operating Budget 13008
10/1/2020

Appr. 3008

PCA

4001

Goal A: Education and Assistance

	<u>Education & Assistance</u>	<u>Total</u>	<u>% Remaining</u>
Salaries and Wages:			
7002- Salaries	9,334.00	9,334.00	
	Budget:	112,008.00	112,008.00
	Expended:	9,334.00	9,334.00
1001 - Balance Salaries & Wages:	102,674.00	102,674.00	92%
Other Personnel Costs:			
7022- Longevity Pay	180.00	180.00	
	Budget:	1,680.00	1,680.00
	Expended:	180.00	180.00
1002 - Balance Other Personnel Costs	1,500.00	1,500.00	89%
Professional Fees and Services:			
7253- Other Professional Fees (EAP)	0.00	0.00	
	Budget:	100.00	100.00
	Expended:	0.00	0.00
2001 - Balance Professional Fees and Services:	100.00	100.00	100%
Consumables:			
7300- Consumables	0.00	0.00	
	Budget:	495.00	495.00
	Expended:	0.00	0.00
2003 - Balance Consumable Supplies:	495.00	495.00	100%
Utilities:			
	Budget:	10.00	10.00
	Expended:	0.00	0.00
2004 - Balance Utilities:	10.00	10.00	100%
Travel:			
7101- Travel I/S - Public Transportation Fares	0.00	0.00	
7102- Mileage	0.00	0.00	
7105- Travel I/S - Incidental Expenses	0.00	0.00	
7106- Travel I/S - Meals & Lodging	0.00	0.00	
	Budget:	4,425.00	4,425.00
	Expended:	0.00	0.00
2005 - Balance Travel:	4,425.00	4,425.00	100%
Rent:			
7470- Rent Space - storage	0.00	0.00	
	Budget:	10.00	10.00
	Expended:	0.00	0.00
2006 - Balance Rent - Building (storage):	10.00	10.00	100%
Rent - Machine and Other:			
7406- Rental - Furnishings & Equipment (copier)	0.00	0.00	
	Budget:	290.32	290.32
	Expended:	0.00	0.00
2007 - Balance Rent - Machine and Other:	290.32	290.32	100%

**Fiscal Year 2021 - Operating Budget 13008
10/1/2020**

Appr. 3008

PCA

4001

Goal A: Education and Assistance

	Education & Assistance	Total	% Remaining
Other Operating Expense:			
7040- ERS-Retirement Contribution	46.67	46.67	
7042- ERS Insurance Payment	93.34	93.34	
7947- Workers Compensation Transfer (SORM)	112.98	112.98	
7961- STS Transfers-Telecommunications (TexAn)	0.00	0.00	
7962- Capitol Complex (CCTS)	0.00	0.00	
	Budget:	5,972.09	
	Expended:	252.99	
2009 - Balance Other Operating Expense:	5,719.10	5,719.10	96%
	Budget:	124,990.41	
	Expended:	9,766.99	
TOTAL BALANCE - 3008	115,223.42	115,223.42	92%
	% Remaining	92%	92%

Fiscal Year 2021 - Operating Budget - 13014
10/1/2020

Appr. 3014

PCA

4005

4006

4007

4008

**Goal B: Fire Department
Standards**

	<u>Compliance</u>	<u>Certification</u>	<u>Testing</u>	<u>Curriculum</u>	<u>Total</u>	<u>% Remaining</u>
Salaries and Wages:						
7002- Salaries	29,990.25	13,501.32	29,551.34	4,000.00	77,042.91	
	Budget:	380,641.32	214,615.80	299,695.44	48,000.00	942,952.56
	Expended:	29,990.25	13,501.32	29,551.34	4,000.00	77,042.91
1001 - Balance Salaries & Wages:	350,651.07	201,114.48	270,144.10	44,000.00	865,909.65	92%
Other Personnel Costs:						
7022- Longevity Pay	340.00	320.00	520.00	20.00	1,200.00	
7033- Employee Retirement - Other expenses	356.25	0.00	0.00	0.00	356.25	
	Budget:	8,640.00	9,492.00	4,800.00	240.00	23,172.00
	Expended:	696.25	320.00	520.00	20.00	1,556.25
1002 - Balance Other Personnel Costs	7,943.75	9,172.00	4,280.00	220.00	21,615.75	93%
Professional Fees and Services:						
7253- Other Professional Fees (EAP)	0.00	0.00	0.00	0.00	0.00	
	Budget:	388.89	222.22	333.33	55.56	1,000.00
	Expended:	0.00	0.00	0.00	0.00	0.00
2001 - Balance Professional Fees and Services:	388.89	222.22	333.33	55.56	1,000.00	100%
Consumables:						
7300- Consumables	0.00	0.00	0.00	0.00	0.00	
	Budget:	1,555.56	888.89	1,333.33	222.22	4,000.00
	Expended:	0.00	0.00	0.00	0.00	0.00
2003 - Balance Consumable Supplies:	1,555.56	888.89	1,333.33	222.22	4,000.00	100%
Utilities:						
7516- Telecom-Other (reg voice/internet)	0.00	0.00	0.00	0.00	0.00	
	Budget:	3,260.00	0.00	0.00	0.00	3,260.00
	Expended:	0.00	0.00	0.00	0.00	0.00
2004 - Balance Utilities:	3,260.00	0.00	0.00	0.00	3,260.00	100%
Travel:						
7101- Travel I/S - Public Transportation Fares	0.00	0.00	0.00	0.00	0.00	
7102- Mileage	693.80	0.00	0.00	0.00	693.80	
7105- Travel I/S - Incidental Expenses	0.00	0.00	0.00	0.00	0.00	
7106- Travel I/S - Meals & Lodging	80.29	0.00	0.00	0.00	80.29	
	Budget:	74,677.60	4,392.80	8,785.60	0.00	87,856.00
	Expended:	774.09	0.00	0.00	0.00	774.09
2005 - Balance Travel:	73,903.51	4,392.80	8,785.60	0.00	87,081.91	99%
Rent:						
7470- Rent Space - storage	0.00	0.00	0.00	0.00	0.00	
	Budget:	35.00	20.00	30.00	5.00	90.00
	Expended:	0.00	0.00	0.00	0.00	0.00
2006 - Balance Rent - Building :	35.00	20.00	30.00	5.00	90.00	100%
Rent - Machine and Other:						
7406- Rental - Furnishings & Equipment (copier)	0.00	0.00	0.00	0.00	0.00	
	Budget:	1,129.03	645.16	967.74	161.29	2,903.23
	Expended:	0.00	0.00	0.00	0.00	0.00
2007 - Balance Rent - Machine and Other:	1,129.03	645.16	967.74	161.29	2,903.23	100%

Fiscal Year 2021- Operating Budget - 13800

10/1/2020

Appr. 3800

PCA

4801

4802

4803

Goal C: Indirect Administration

%

	Exec Office	Fin Svcs	Commis	Total	Remaining
Salaries and Wages:					
7001- Salaries & Wages - Exempt	7,716.66	0.00	0.00	7,716.66	
7002- Salaries & Wages - Non-Exempt	29,800.34	13,850.00	0.00	43,650.34	
	Budget:	462,738.00	166,200.00	0.00	628,938.00
	Expended:	37,517.00	13,850.00	0.00	51,367.00
1001 - Balance Salaries & Wages:	425,221.00	152,350.00	0.00	577,571.00	92%
Other Personnel Costs:					
7022- Longevity Pay	200.00	200.00	0.00	400.00	
	Budget:	23,020.00	3,306.00	0.00	26,326.00
	Expended:	200.00	200.00	0.00	400.00
1002 - Balance Other Personnel Costs	22,820.00	3,106.00	0.00	25,926.00	98%
Professional Fees and Services:					
7253- Other Professional Fees (EAP)	0.00	0.00	0.00	0.00	
	Budget:	1,866.67	933.33	0.00	2,800.00
	Expended:	0.00	0.00	0.00	0.00
2001 - Balance Professional Fees and Services:	1,866.67	933.33	0.00	2,800.00	100%
Consumables:					
7300- Consumables	0.00	0.00	0.00	0.00	
	Budget:	2,000.00	1,000.00	0.00	3,000.00
	Expended:	0.00	0.00	0.00	0.00
2003 - Balance Consumable Supplies:	2,000.00	1,000.00	0.00	3,000.00	100%
Utilities:					
	Budget:	26.67	13.33	0.00	40.00
	Expended:	0.00	0.00	0.00	0.00
2004 - Balance Utilities:	26.67	13.33	0.00	40.00	100%
Travel:					
7101- Travel I/S - Public Transportation Fares	0.00	0.00	0.00	0.00	
7102- Mileage	0.00	0.00	0.00	0.00	
7104- Travel I/S - Actual Expense Overnight	0.00	0.00	0.00	0.00	
7105- Travel I/S - Incidental Expenses	0.00	0.00	0.00	0.00	
7106- Travel I/S - Meals & Lodging	0.00	0.00	0.00	0.00	
7110- Travel I/S - Board Member Meals & Lodging	0.00	0.00	0.00	0.00	
	Budget:	1,927.58	0.00	17,348.22	19,275.80
	Expended:	0.00	0.00	0.00	0.00
2005 - Balance Travel:	1,927.58	0.00	17,348.22	19,275.80	100%
Rent:					
7470- Rent Space - storage	0.00	0.00	0.00	0.00	
	Budget:	216.67	108.33	0.00	325.00
	Expended:	0.00	0.00	0.00	0.00
2006 - Balance Rent - Building (storage):	216.67	108.33	0.00	325.00	100%
Rent - Machine and Other:					
7406- Rental - Furnishings & Equipment (copier)	0.00	0.00	0.00	0.00	
	Budget:	870.97	435.48	0.00	1,306.45
	Expended:	0.00	0.00	0.00	0.00
2007 - Balance Rent - Machine and Other:	870.97	435.48	0.00	1,306.45	100%

Fiscal Year 2021- Operating Budget - 13800

10/1/2020

Appr. 3800

PCA

4801

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Goal C: Indirect Administration

%

	Exec Office	Fin Svcs	Commis	Total	Remaining
Other Operating Expense:					
7040- ERS Retirement Contribution	159.70	69.25	0.00	228.95	
7042- ERS Insurance Payment	375.17	138.50	0.00	513.67	
7947- Workers Compensation Transfer (SORM)	338.94	161.40	0.00	500.34	
7961- STS Transfers-Telecommunications (TexAn)	0.00	0.00	0.00	0.00	
7962- STS transfer to GR (CTS)	0.00	0.00	0.00	0.00	
Budget:	20,871.11	10,435.56	0.00	31,306.67	
Expended:	873.81	369.15	0.00	1,242.96	
2009 - Balance Other Operating Expense:	19,997.30	10,066.41	0.00	30,063.71	96%
Budget:	513,537.66	182,432.04	17,348.22	713,317.92	
Expended:	38,590.81	14,419.15	0.00	53,009.96	
TOTAL - BALANCE Remaining 3800	474,946.85	168,012.89	17,348.22	660,307.96	93%

Texas Commission on Fire Protection
Fiscal Year 2021 - Operating Appropriations
Thursday, October 1, 2020

Summary		BT01	BT04	BT11	BT12	BT13	BT15	BT16	
Appropriations		Appr Original Budget	Appr Transfers In	Est. Coll. Revenue	Cash Revenue	Excess Collected Revenue	Cash Expenditures	Cash Reserves - Payroll	Appr Cash Avail.
13008	Fire Safety Information	124,990.00	-	-	-	-	118.09	9,654.01	\$ 115,217.90
13014	Certify & Regulation	1,112,469.00	-	65,000.00	11,520.00	3,360.00	2,088.13	79,630.98	\$ 977,269.89
13800	Indirect Admin	713,318.00	-	-	-	-	522.97	52,509.62	\$ 660,285.41
23102	Benefit Replacement	-	1,500.00	-	-	-	-	-	\$ 1,500.00
90327	State Retirement	-	140,000.00	-	-	-	-	12,449.75	\$ 127,550.25
91142	OASI, State Match	-	120,000.00	-	-	-	-	10,184.61	\$ 109,815.39
97768	Convenience Fees	-	-	-	7,533.73	7,533.73	7,028.13	-	\$ 505.60
99327	Group Insurance	-	235,000.00	-	-	-	-	19,164.58	\$ 215,835.42
99906	Unappropriated General Rev	-	-	-	456,425.00	-	-	-	\$ 456,425.00
Totals		\$ 1,950,777.00	\$ 496,500.00	\$ 65,000.00	\$ 493,438.73	\$ 10,893.73	\$ 9,757.32	\$ 183,593.55	\$ 2,682,364.86

Revenue Comparison by Month 2020/2021
Thursday, October 1, 2020
YTD Comparisons

FY20 Revenue					FY21 Revenue				
Appr 99906 - General Revenue		Appr 13014 Fund 0001- IFSAC			Appr 99906 - General Revenue		Appr 13014 Fund 0001 - IFSAC		
Sep-18	\$ 312,100.00	100.0%	\$ 9,360.00	100.0%	Sep-19	\$ 456,425.00	100.0%	\$ 11,520.00	100.0%
Oct-18		0.0%		0.0%	Oct-19	\$ -	0.0%	\$ -	0.0%
Nov-18		0.0%		0.0%	Nov-19	\$ -	0.0%	\$ -	0.0%
Dec-18		0.0%		0.0%	Dec-19	\$ -	0.0%	\$ -	0.0%
Jan-19		0.0%		0.0%	Jan-20	\$ -	0.0%	\$ -	0.0%
Feb-19		0.0%		0.0%	Feb-20	\$ -	0.0%	\$ -	0.0%
Mar-19		0.0%		0.0%	Mar-20	\$ -	0.0%	\$ -	0.0%
Apr-19		0.0%		0.0%	Apr-20	\$ -	0.0%	\$ -	0.0%
May-19		0.0%		0.0%	May-20	\$ -	0.0%	\$ -	0.0%
Jun-19		0.0%		0.0%	Jun-20	\$ -	0.0%	\$ -	0.0%
Jul-19		0.0%		0.0%	Jul-20	\$ -	0.0%	\$ -	0.0%
Aug-19		0.0%		0.0%	Aug-20	\$ -	0.0%	\$ -	0.0%
Totals	\$ 312,100.00	100.0%	\$ 9,360.00	100.0%	\$ 456,425.00	100.0%	\$ 11,520.00	100.0%	

FY20 Revenue Collected **\$ 321,460 8.47%**

FY21 Revenue Collected **\$ 467,945 12.33%**

Revenue for Biennium:

Annual GR & Appropriated Receipts
 IFSAC Seals
 GAA Other Direct & Indirect
 Budget Rider
 Subtotal
 5% Contingency
Total Reqd

	FY20	FY21
Annual GR & Appropriated Receipts	\$ 1,885,777	\$ 1,885,777
IFSAC Seals	\$ 65,000	\$ 65,000
GAA Other Direct & Indirect	\$ 914,072	\$ 914,072
Budget Rider	\$ 750,000	\$ 750,000
Subtotal	\$ 3,614,849	\$ 3,614,849
5% Contingency	\$ 180,742	\$ 180,742
Total Reqd	\$ 3,795,591	\$ 3,795,591

Amount Over or (Under) Required Revenue **\$ (3,474,131) \$ (3,327,646)**

FY20	
Collected	8.47%
As of Date	10/1/2019

FY21	
Collected	12.33%
As of Date	10/1/2020

Percentage of Revenue Collected

Performance Measures

Texas Commission on Fire Protection Key Performance Measures.
Initial Report as of 10/19/2020 8:05 AM for Fiscal Year 2020.
Run by Deborah Cowan.

Metric						Method of Calculation
* - Reported to ABEST quarterly, Q1 - Quarter 1, Q2 - Quarter 2, Q3 - Quarter 3, Q4 - Quarter 4, FY YTD - Year to date based on fiscal year						
Number of inspections of regulated entities (Cumulative): 785						Total number of inspections of regulated entities conducted within the reporting period is obtained from the commission's data system. The total number includes biannual inspections, inspections of training programs in progress (also called audits), an inspection of an entity as part of an investigation, and meetings associated with inspections.
	Q1	Q2	Q3	Q4	FY YTD	
Inspection	178	275	68	172	693	
Investigation	0	1	1	0	2	
Training Audits	5	7	0	0	12	
Inspection Related	25	41	12	0	78	
*Total Inspections	208	324	81	172	785	
Number of examinations administered (Cumulative): 18389						Each written examination is counted. The measure records the total number of examinations administered for fire service certification purposes. A retest, usually conducted due to failure of an initial exam, is counted as an examination as well.
	Q1	Q2	Q3	Q4	FY YTD	
*Exams Administered	4502	5249	1576	7062	18389	
Exam pass rate (Non-Cumulative): 83.47%						The total number of individuals who passed their examination as reflected in the agency data management system (numerator) is divided by the total number of individuals examined (denominator) and then multiplied by 100 to achieve a percentage. Persons taking an examination multiple times are counted each time they take the exam.
	Q1	Q2	Q3	Q4	FY YTD	
# Examined	4502	5249	1576	7062	18389	
# Passed	3856	4344	1331	5818	15349	
Pass Rate	85.65%	82.76%	84.45%	82.38%	83.47%	
Number of individuals certified (Non-cumulative):						The total number of individuals holding one or more certifications with the agency is obtained from the data system at the end of the reporting period. An individual who holds more than one certification is counted only once. The measure records the number of certified persons, regardless of whether the individuals are associated with a fire protection entity.
	Q1	Q2	Q3	Q4		
# Individuals	32785	33538	33883	34525		
Number of Training Providers Certified (Non-cumulative):						The total number of training providers with one or more active certifications is counted. A training provider that holds more than one certification is counted only once.
	Q1	Q2	Q3	Q4		
# Providers	324	326	329	332		
Average cost per inspection of regulated Facilities: \$435.88						Total cost related to inspection activities for the reporting period (numerator) is divided by the total number of inspections conducted during the same period (denominator) to determine the average cost. Costs used to perform the calculation include salaries of inspection personnel (including 25% of compliance manager's salary); travel costs directly related to inspections and inspection-related meetings with regulated entities; supplies; document review and handling; and notifications. Indirect costs are excluded.
	Q1	Q2	Q3	Q4	FY YTD	
Cost entered	\$89,931.16	\$91,768.55	\$81,866.55	\$78,600.34	\$342,166.60	
*Total Inspections	208	324	81	172	785	
*Avg cost per	\$432.36	\$283.24	\$1,010.70	\$456.98	\$435.88	

Report was run on 10/19/2020 8:05 AM

5. **Reports from fire service interest groups and agencies on matters relating to organizational purposes, functions, and objectives, including, but not limited to, Texas Fire Chiefs Association, the Texas State Association of Fire Fighters, the State Firemen's and Fire Marshals' Association of Texas, the Texas Fire Marshal's Association, the Texas Association of Fire Educators, the Texas A&M Forest Service, the National Fire Protection Association, Texas State Association of Fire and Emergency Districts, the Center for Public Safety Excellence, and the State Fire Marshal's Office.**

6. Report from commission representative to the Homeland Security Council.

7. Report from the Health and Wellness Ad Hoc committee.

8. Subjects for future commission meeting agendas.

9. Future meeting dates.

10. Appointment of a new commission representative to serve on the Texas Fire School Advisory Board.

Texas Commission on Fire Protection
Fire School Advisory Board Matrix

Rank	Candidate Name	Rank	Fire Department Affiliation	Active or Retired	Previous TCFP Committee Service	Certification Level	Discipline	Years of Experience	IFSAC Seals	TEEX/Pro Board	Certifying Entity	Verified for TCFP Certification
	Jimmy Cox	Division Chief-Training	Grapevine Fire Department	active		Instructor III		3			TCFP	yes
	Although not listed on application Mr. Cox also holds TCFP certificaions for Driver-Operator Pumper, Fire Officer IV, Advanced Investigator, Advanced Fire Fighter and HazMat Tech with IFSAC for FFII											
	David Brannon	Fire Marshal	Pasadena Fire Department	active		Master	Arson Investigator	20	yes		TCFP	yes
						Master	Fire Investigator	29	yes		TCFP	yes
						Master	Structure	29			TCFP	yes
						Master	Instructor	9	yes		TCFP	yes
						Master	Inspector	23	yes		TCFP	yes
							Fire Officer II	29			TCFP	yes
							Incident Safety Officer	29			TCFP	yes
							Plan Examiner I	29			TCFP	yes
							Head of Department Suppression	7			TCFP	yes
	Walter A. Fairbanks	Fire Chief	City of Cisco	active		Master	Structure	23	yes		TCFP	yes
						Master	Inspector	13	yes		TCFP	yes
						Master	Investigator	14	yes		TCFP	yes
						Master	Instructor	20	yes		TCFP	yes
						Intermediate	Wildland	7	yes		TCFP	yes
							Head of Department	15			TCFP	yes
	Derek Inawo	No other required information recorded on application										
												yes
												yes
	Paul Gregory	Firefighter/EMT	Jacinto City Fire Dept.	active		Advanced	Structure	13			TCFP	yes
						Advanced	Investigator	4			TCFP	yes
							Instructor II	22			TCFP	yes
							Fire Officer II	2			TCFP	yes
							Driver/Operator-Pumper	3			TCFP	yes
							Driver/Operator-Aerial	2			TCFP	yes
							Incident Safety Officer				TCFP	yes
							Head of Department Suppression	8			TCFP	yes
	John Sandrea	Captain	Willowfork Fire Department	active		Master	Structure	12			TCFP	yes
						Master	Inspector	4	yes		TCFP	yes
						Master	Investigator		yes		TCFP	yes
						Master	Instructor		yes		TCFP	yes
							Fire Officer IV	5			TCFP	yes
							Driver/Operator-Pumper	8			TCFP	yes
							Driver/Operator-Aerial	2			TCFP	yes
							Fire & Life Safety Educator II	1	yes		TCFP	
							Plan Examiner I	1			TCFP	
							Haz Mat Incident Commander	4			TCFP	yes
	Madison Johnson	Fire Chief	Whitehouse Fire Dept.	active		Master	Structure	6			TCFP	yes
							Instructor II	6			TCFP	yes
							Head of Department S&P	7			TCFP	yes
							Fire Officer IV	3			TCFP	yes
							Fire Officer III	3			TCFP	
							Fire Officer II	5			TCFP	
							Fire Officer I	6			TCFP	
	Thomas Miller	Chief Trg. Officer	Humble Fire Rescue	active		Master	Structure	4	yes		TCFP	yes
		Trg. Facility Instructor	Lone Star College Kingwood Fire Academy	active		Master	Instructor	1			TCFP	yes
							Fire Officer IV	1			TCFP	yes
							Fire & Life Safety Educator II	1			TCFP	yes
							Driver Operator Pumper	4			TCFP	yes
							Driver Operator Aerial	2			TCFP	yes
							Incident Safety Officer	3			TCFP	yes
	Christofer J. Alexander	Deputy Fire Chief	Operations	active			Fire & Life Safety Educator I	1		TCFP	TCFP	yes
							Driver/Operator-Aerial	2		TCFP	TCFP	yes

Texas Commission on Fire Protection
Fire School Advisory Board Matrix

Rank	Candidate Name	Rank	Fire Department Affiliation	Active or Retired	Previous TCFP Committee Service	Certification Level	Discipline	Years of Experience	IFSAC Seals	TEEX/Pro Board	Certifying Entity	Verified for TCFP Certification	
						Master	Instructor	5			TCFP	TCFP	yes
						Master	Structure	5			TCFP	TCFP	yes
							Fire Officer IV	6			TCFP		
							Incident Safety Officer	6			TCFP		
							Haz-Mat Technician	6			TCFP		
							Haz-Mat Incident Commander	5			TCFP	TCFP	yes
	Stephen S. Malley	Dir. Public Safety Chief Training Officer	Weatherford College	active	Instructor Curriculum Fire Officer III & IV	Master	Structure	39	yes		TCFP	TCFP	yes
						Master	Arson Investigator	16	yes		TCFP	TCFP	yes
						Master	Fire Inspector	16	yes		TCFP	TCFP	yes
							Fire Officer II	15	yes		TCFP	TCFP	yes
							Incident Safety Officer	7			TCFP	TCFP	yes
						Master	Instructor	16	yes		TCFP	TCFP	yes
	David Teverbaugh	Program Director for Fire Science Technology	Lone star College	active	Basic Fire Curriculum	Master	Structure	37			TCFP	TCFP	yes
						Master	Instructor	13			TCFP	TCFP	yes
							Fire Officer IV	6			TCFP	TCFP	yes
							Haz Mat Technician	20			TCFP	TCFP	yes
							Incident Safety Officer	7			TCFP	TCFP	yes
							Driver/Operator	14			TCFP	TCFP	yes
						Basic	Wildland Fire Fighter	7			TCFP	TCFP	yes
	Scott Brinkley	Training Coordinator	Stephenville Fire Dept.	active		Master	Structure	21			TCFP	TCFP	yes
							Instructor II	18			TCFP	TCFP	yes
							Fire Officer II	11			TCFP	TCFP	yes
							Driver Operator-Pumper	3			TCFP	TCFP	yes
						Basic	Wildland Firefighter	7			TCFP	TCFP	yes
	Tanner Easton Maughan	Firefighter/EMT Doesn't meet qualifications	LaMarque Fire Dept.	active		Basic	Structure	1.5			TCFP	TCFP	yes
							Driver/Operator Pumper	1.5			TCFP	TCFP	yes
							Driver/Operator Aerial	1.5			TCFP	TCFP	yes
						Basic	Wildland Fire Fighter	1.5			TCFP	TCFP	yes
						Basic	Fire Investigator	1.5			TCFP	TCFP	yes
	John Holcomb	Fire Marshal Training Officer	MaBank Fire Dept.	active		Advanced	Arson Investigator	19			TCFP	TCFP	yes
						Advanced	Fire Inspector	15	yes		TCFP	TCFP	yes
						Advanced	Fire Investigator	21	yes		TCFP	TCFP	yes
						Advanced	Structure	12			TCFP	TCFP	yes
							Instructor II	16			TCFP	TCFP	yes
						Basic	Wildland Fire Fighter	7			TCFP	TCFP	yes
							Plan Examiner	1			TCFP	TCFP	yes
	Antonio Ramos	Captain	Houston Fire Dept.	active		Master	Structure	17			TCFP	TCFP	yes
						Master	Instructor	2	yes		TCFP	TCFP	yes
							Fire Officer IV	1	yes		TCFP	TCFP	yes
							Incident Safety officer	2			TCFP	TCFP	yes
							Haz Mat Technician	2			TCFP	TCFP	yes
						Basic	Marine Firefighter	1			TCFP	TCFP	yes
							Driver/Operator Pumper	12			TCFP	TCFP	yes
							Driver/Operator Aerial	2			TCFP	TCFP	yes
							Life Safety Educator II	1	yes		TCFP	TCFP	yes
	Joseph Brace, Jr.	District Chief Admin/Trg. Chief	Houston Fire Dept.	active		Master	Structure	17			TCFP	TCFP	yes
							Fire Officer IV	1			TCFP	TCFP	yes
						Master	Instructor	4			TCFP	TCFP	yes
							Incident Safety Officer	1			TCFP	TCFP	yes
							Inspector II	1	yes		TCFP	TCFP	yes
							Plan Examiner	1	yes		TCFP	TCFP	yes
							Driver/Operator Pumper	14			TCFP	TCFP	yes
	Thomas Andrew Parker	Training Chief	Longview Fire Dept.	active		Master	Structure	22			TCFP	TCFP	yes
						Master	Inspector	8			TCFP	TCFP	yes
							Instructor III	18			TCFP	TCFP	yes
							Fire Officer II	6			TCFP	TCFP	yes
							Haz Mat Technician	11			TCFP	TCFP	yes
							Wildland Firefighter	7			TCFP	TCFP	yes

11. Appointment of a new member to serve on the fire fighter advisory committee.

12. Matters referred from the Fire Fighter Advisory Committee (FFAC), including but not limited to:

A. Possible final adoption of proposed amendments as follows:

- 1. 37 Tex. Administrative Code, Part 13, Chapter 459, Fire and Life Safety Educator, Subchapter B, Minimum Standards For Fire and Life Safety Educator II, §459.201(c).**



Texas Commission on Fire Protection
Agenda Item Summary

MEETING: Commission
DATE: 10/29/2020

Agenda Item #: 12-A(1)
Agenda Title: Chapter 459, Fire and Life Safety Educator
Action to be taken: Discussion and possible final adoption

Origin of Item: Staff

1. INTRODUCTION/PURPOSE

The purpose of the item is for removal of the “temporary special provision that expired on February 29, 2020.

2. DESCRIPTION/ JUSTIFICATION

The special temporary provision has expired and removal from the rule is necessary.

3. BUDGET IMPACT

No budget impact is anticipated

4. TIMELINE CONSIDERATIONS

Propose for final adoption

5. RECOMMENDATION

Recommend adoption

6. REFERENCES

37 Tex. Administrative Code, Part 13, Chapter 459, Fire and Life Safety Educator

CHAPTER 459
FIRE AND LIFE SAFETY EDUCATOR
SUBCHAPTER B
MINIMUM STANDARDS FOR FIRE AND LIFE SAFETY EDUCATOR II

§459.201. Fire and Life Safety Educator II Certification.

(a) A Fire and Life Safety Educator II is defined as an individual who performs professional work in the coordination and delivery of public fire and life safety education, and fire prevention programs.

(b) All individuals holding a Fire and Life Safety Educator II certification shall be required to comply with the continuing education requirements in Chapter 441 of this title (relating to Continuing Education).

~~[(c) Special temporary provision. Individuals are eligible to take the commission examination for Fire and Life Safety Educator II by:~~

- ~~(1) holding Fire and Life Safety Educator I certification and meeting one of the following requirements:~~
- ~~(2) providing documentation acceptable to the commission that the individual has successfully completed Fire and Life Safety Educator II certification training that meets the minimum requirements of the National Fire Protection Association Standard 1035; or~~
- ~~(3) providing documentation acceptable to the commission of proficiency in fire and life safety education as an employee of a government entity, a member in a volunteer fire service organization, and/or an employee of a regulated non-governmental fire department or~~
- ~~(4) hold a TCFP Fire Instructor II certification or higher.~~
- ~~(5) This subsection will expire on February 29, 2020.]~~

§459.203 Minimum Standards for Fire and Life Safety Educator II Certification.

In order to be certified as a Fire and Life Safety Educator II, an individual must:

- (1) hold as a prerequisite Fire and Life Safety Educator I certification; and
- (2) possess valid documentation of accreditation from the International Fire Service Accreditation Congress as a Fire and Life Safety Educator II; or
- (3) complete a commission approved Fire and Life Safety Educator II program and successfully pass the commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved Fire and Life Safety Educator II program must consist of one of the following:

- (A) completion of an in-state Fire and Life Safety Educator II program meeting the requirements of the applicable NFPA standard and conducted by a commission certified training provider, that was submitted and approved through the commission's training prior approval system; or
- (B) completion of an out-of-state, educational institution of higher education, and/or military training program that has been submitted to the commission for evaluation and found to meet the requirements of the applicable NFPA standard.

§459.205. Examination Requirement.

Examination requirements in Chapter 439 of this title (relating to Examinations for Certification) must be met to receive Fire and Life Safety Educator II certification.

§459.207. International Fire Service Accreditation Congress (IFSAC) Seal.

Individuals completing a commission-approved Fire and Life Safety Educator II program may be granted an IFSAC seal for Fire and Life Safety Educator II by making application to the commission for the IFSAC seal and paying applicable fees. Individuals must submit the fee for the seal prior to the expiration of the examination to qualify for the IFSAC seal.

12. Matters referred from the Fire Fighter Advisory Committee (FFAC), including but not limited to:

A. Possible final adoption of the proposed amendments as follows:

- 2. 37 Tex. Administrative Code, Part 13, new Chapter 461, Incident Commander.**



Texas Commission on Fire Protection
Agenda Item Summary

MEETING: Commission
DATE: 10/29/2020

Agenda Item #: 12-A(2)

Agenda Title: Chapter 461 Incident Commander

Action to be taken: Discussion and possible final adoption

Origin of Item: Staff

1. INTRODUCTION/PURPOSE

The purpose of the item is for possible final adoption regarding new chapter for Incident Commander Certification.

2. DESCRIPTION/ JUSTIFICATION

The item allows for possible final adoption regarding the proposed new rule for the Incident Commander Curriculum developed by the Curriculum and Testing Committee.

3. BUDGET IMPACT

Minimal budget impact since this is a voluntary certification

4. TIMELINE CONSIDERATIONS

Propose for final adoption

5. RECOMMENDATION

Recommend final adoption

6. REFERENCES

37 Tex. Administrative Code, Part 13, new Chapter 461, Incident Commander

CHAPTER 461

INCIDENT COMMANDER

MINIMUM STANDARDS FOR INCIDENT COMMANDER

§461.1. Incident Commander Certification.

(a) An Incident Commander is defined as an individual responsible for all incident activities, including the development of strategies and tactics and the ordering and release of resources, who has overall authority and responsibility for conducting and managing all incident operations at the incident site.

(b) All individuals holding an Incident Commander certification shall be required to comply with the continuing education requirements in Chapter 441 of this title (relating to Continuing Education).

(c) Special temporary provision. Individuals are eligible to take the commission examination for Incident Commander by:

(1) holding as a minimum, Fire Officer II certification through the commission; and

(2) providing documentation of completion of the National Incident Management System courses 100, 200, 700 and 800; and

(3) providing documentation acceptable to the commission that the individual has successfully completed Incident Commander training that meets the minimum requirements of the National Fire Protection Association Standard 1026; or

(4) providing documentation acceptable to the commission, in the form of an affidavit from the individuals Head of Department or Chief Training Officer, that the individual has met the departments requirements to perform as an Incident Commander and has demonstrated proficiency as an Incident Commander.

(5) This subsection will expire on January 1, 2022.

§461.3 Minimum Standards for Incident Commander Certification.

In order to be certified as an Incident Commander, an individual must:

(1) provide documentation of completion of the National Incident Management System courses 100, 200, 700, and 800; and

(2) possess valid documentation of accreditation from the International Fire Service Accreditation Congress as an Incident Commander; or

(3) complete a commission approved Incident Commander program and successfully pass the commission examination as specified in Chapter 439 of this title (relating to

Examinations for Certification). An approved Incident Commander program must consist of one of the following:

(A) completion of an in-state Incident Commander program meeting the requirements of the applicable NFPA standard and conducted by a commission certified training provider, that was submitted and approved through the commission's training prior approval system; or

(B) completion of an out-of-state, educational institution of higher education, and/or military training program that has been submitted to the commission for evaluation and found to meet the requirements of the applicable NFPA standard.

§461.5. Examination Requirement.

Examination requirements in Chapter 439 of this title (relating to Examinations for Certification) must be met to receive Incident Commander certification.

12. Matters referred from the Fire Fighter Advisory Committee (FFAC), including but not limited to:

B. Report from the Curriculum and Testing Committee regarding recommended changes to the Certification Curriculum Manual as follows:

- a. Basic Fire Inspector Curriculum Reference List**
- b. Plan Examiner Curriculum Reference List**
- c. Incident Safety Officer Curriculum Reference List and Curriculum Skills**
- d. Basic Wildland Skills Update**
- e. Basic Fire Suppression Curriculum Reference List**

12. Matters referred from the Fire Fighter Advisory Committee (FFAC), including but not limited to:

B. Report from the Curriculum and Testing Committee regarding recommended changes to the Certification Curriculum follows:

a. Basic Fire Inspector Curriculum Reference List

REFERENCE LIST FOR THE BASIC FIRE INSPECTOR CURRICULUM

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

Emergency Response Guidebook, (2016 current edition). U.S. Department of Transportation

Fire Inspection and Code Enforcement (8th ed.) (2016). Stillwater, OK: Fire Protection Publications. International Fire Service Training Association.

Hazardous Materials for First Responders (5th Ed.) (2017). Stillwater, OK: Fire Protection Publications. International Fire Service Training Association.

Local Codes and Standards.

NFPA 1031: Standard for Professional Qualifications for Fire Inspector and Plan Examiner (2014 ed.). Quincy, MA: National Fire Protection Association. NFPA Publications.

NFPA 472: Standard for Competence of Responders to Hazardous Materials/Weapons of Mass Destruction Incidents (2013 ed.). Quincy, MA: National Fire Protection Association. NFPA Publications.

~~*Plans Examiner for Fire and Emergency Services* (2nd ed.) (2016). Stillwater, OK: Fire Protection Publications. International Fire Service Training Association.~~

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

12. Matters referred from the Fire Fighter Advisory Committee (FFAC), including but not limited to:

B. Report from the Curriculum and Testing Committee regarding recommended changes to the Certification Curriculum follows:

b. Plan Examiner Curriculum Reference List

REFERENCE LIST FOR THE PLANS EXAMINER CURRICULUM

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

Emergency Response Guidebook, (2016 Current edition). U.S. Department of Transportation

Fire Inspection and Code Enforcement (8th ed.) (2016). Stillwater, OK: Fire Protection Publications. International Fire Service Training Association.

Hazardous Materials for First Responders (5th Ed.) (2017). Stillwater, OK: Fire Protection Publications. International Fire Service Training Association.

Local Codes and Standards.

NFPA 1031: Standard for Professional Qualifications for Fire Inspector and Plan Examiner (2014 ed.). Quincy, MA: National Fire Protection Association. NFPA Publications.

NFPA 472: Standard for Competence of Responders to Hazardous Materials/Weapons of Mass Destruction Incidents (2013 ed.). Quincy, MA: National Fire Protection Association. NFPA Publications.

Plans Examiner for Fire and Emergency Services (2nd ed.) (2016). Stillwater, OK: Fire Protection Publications. International Fire Service Training Association.

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

12. Matters referred from the Fire Fighter Advisory Committee (FFAC), including but not limited to:

B. Report from the Curriculum and Testing Committee regarding recommended changes to the Certification Curriculum follows:

c. Incident Safety Officer Curriculum Reference List and Curriculum Skills

REFERENCE LIST FOR THE FIRE DEPARTMENT SAFETY OFFICER INCIDENT SAFETY OFFICER CURRICULUM

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

Required References

Fire Department Incident Safety Officer (3rd ed. Revised) (2020). Dodson, David W. Burlington, MA: Jones and Bartlett Learning.

NFPA 1500: Standard on Fire Department Occupational Safety and Health Program (2018~~13~~ ed.). Quincy, MA: National Fire Protection Association NFPA Publications.

NFPA 1521: Standard for Fire Department Safety Officer Professional Qualifications (2020 ~~2015~~ed). Quincy, MA: National Fire Protection Association NFPA Publications.

Certification Curriculum Manual for Fire Protection Personnel, Austin, TX: Texas Commission on Fire Protection

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

Recommended References

Code of Federal Regulations, Title 29 Part 1910.120. United States. U.S. Department of Labor, Occupational Safety and Health Administration.

Code of Federal Regulations, Title 29 Part 1910.146. United States. U.S. Department of Labor, Occupational Safety and Health Administration.

NFPA 472: Standard for Competence of Responders to Hazardous Materials/Weapons of Mass Destruction Incidents. (2018~~2013~~ ed.). Quincy, MA: NFPA Publications. National Fire Protection Association NFPA Publications.

NFPA 1006 Standard for Technical Rescuer Professional Qualifications. (2013 ed.). Quincy, MA: NFPA Publications. National Fire Protection Association NFPA Publications.

NFPA 1072: Standard for Hazardous Materials/Weapons of Mass Destruction Emergency Response Personnel Professional Qualifications. (2017 ed.). Quincy, MA: NFPA Publications. National Fire Protection Association NFPA Publications.

NFPA 1584 Standard on the Rehabilitation Process for Members During Emergency Operations and Training Exercises. (2015 ed.). Quincy, MA: NFPA Publications. National Fire Protection Association NFPA Publications.

NFPA 1710 Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments. (2020~~2016~~ ed.). Quincy, MA: NFPA Publications. National Fire Protection Association NFPA Publications.

NFPA 1951 Standard on Protective Ensembles for Technical Rescue Incidents. (2020~~2013~~ ed.). Quincy, MA: NFPA Publications. National Fire Protection Association NFPA Publications.

SKILLS MANUAL

CHAPTER TEN

INCIDENT SAFETY OFFICER

NFPA 1521, 2020 Edition

EFFECTIVE JANUARY 1, 2021



Texas Commission on Fire Protection
P.O. Box 2286 Austin, Texas 78768-2286 (512) 936-3838

INSTRUCTION SHEET

INCIDENT SAFETY OFFICER PERFORMANCE SKILLS

Format

Similar Incident Safety Officer skills are combined into one skill sheet when possible. These skill sheets should be used in a progressive type grading format. The skill sheet is divided into individual skill objectives. The Examiner should evaluate Incident Safety Officer candidates as they complete each skill of the evaluation. Any skills that could not be combined are provided as independent skill sheets.

For skill sheets that do not contain time constraints, the Course Instructor should specify time constraints as necessary.

Scoring Method

For all performance skills, the scoring method for each step of the skill objective is Satisfactory (S) or Unsatisfactory (U). If any step of a skill objective is scored "Unsatisfactory", the Incident Safety Officer candidate fails that skill and must be retested. Any "Unsatisfactory" rating requires the examiner to explain the reason for the failure in writing in the comments section of the skill sheet.

Preparation and Equipment

Many of the skill sheets require the use of department policies. It is suggested that Course Instructors use the actual policies and procedures of his or her department. If teaching this course at a non-departmental institution, acquire a fire department's policies and procedures, or modification thereof, to complete these skills. For optimal learning, scenario-based training and role-playing is recommended. If these skills are part of the Commission designated skills test, you may have to provide the candidate with scenarios to facilitate the testing.

EQUIPMENT LIST

- AHJ SOPs and training materials
- Radios
- Scene marking equipment
- Preplan
- An IAP that includes situation and resource status information
- A structure fire scenario which must include:
 - A working structure fire with an IDLH atmosphere.
 - A Command Post with an Incident Commander and established ICS structure.
 - Use of an accountability system.
 - An establishment of a RIC team.
 - The need for control zones.
 - An uncontrolled hazardous energy source.
 - A potential building collapse or partial building collapse.
 - An operation with imminent threat to fire fighter safety which must be stopped, altered or suspended.
 - The need for responder rehabilitation.
 - The need for decontamination procedures
 - A transfer of ISO duties.
- A wildland fire scenario which must include:
 - A wildland fire with multiple resources assigned.
 - A Command Post with an Incident Commander and established ICS structure.
 - Use of an accountability system.
 - The need for control zones.
 - A potential for fire blow up based on fuel, topography or weather.
 - An operation with imminent threat to fire fighter safety which must be stopped, altered or suspended.
 - The need for responder rehabilitation.
 - A transfer of ISO duties.
- A motor vehicle rescue scenario which must include:
 - A motor vehicle rescue incident with multiple resources assigned including a helicopter.
 - Motor vehicle incident hazards.
 - A Command Post with an Incident Commander and established ICS structure.
 - Use of an accountability system.
 - The need for control zones.
 - An uncontrolled hazardous energy source.
 - An operation with imminent threat to fire fighter safety which must be stopped, altered or suspended.
 - An atypical stressful event that causes signs and symptoms which indicate that members' physiological health must be protected.
 - The need for responder rehabilitation.
 - A transfer of ISO duties.

- A technical search and rescue scenario. This scenario must include any of the following operations:
 - Rope Rescue – High Angle or Low Angle
 - Confined Space Rescue
 - Trench Rescue
 - Structural Collapse
 - Dive Rescue
 - Water Rescue/Swift Water Rescue/Surf Rescue
 - Vehicle Rescue/Machinery Rescue
- An incident scenario which must include:
 - An event that caused injury, death or property damage
 - Items that may be considered evidence
 - Multiple individuals associated with the event
- An incident scenario from which a written PIA will be created
- A hazardous materials incident scenario
- [ICS Form 215A](#)
- [ICS form 208HM](#)
- Forms for safety investigation documentation
- Forms used for creating a formal PIA structure
- Safety data sheets and topographical information, blueprints, and building drawings, as applicable for the technical search and rescue and hazardous materials scenarios

**INCIDENT SAFETY OFFICER
LIST OF ALL SKILLS**

Discipline	Objective	Skill	Functional Name	NFPA 1521 #
Incident Safety Officer	General Requirements	5-1	Perform the Role of ISO at a Structure Fire Incident	5.2.1, 5.2.2, 5.2.3, 5.2.4, 5.2.5, 5.2.6, 5.2.7, 5.2.9, 5.2.10, 5.2.13, 5.2.14, 5.2.15, 5.3.1, 5.3.2, 5.3.3, 5.3.4, 5.3.6
Incident Safety Officer	General Requirements	5-2	Perform the Role of ISO at a Wildland Fire Incident	5.2.1, 5.2.2, 5.2.3, 5.2.4, 5.2.5, 5.2.6, 5.2.7, 5.2.9, 5.2.10, 5.2.14, 5.3.5
Incident Safety Officer	General Requirements	5-3	Perform the Role of ISO at a Motor Vehicle Incident	5.2.1, 5.2.2, 5.2.3, 5.2.4, 5.2.5, 5.2.6, 5.2.7, 5.2.8, 5.2.9, 5.2.10, 5.2.11, 5.2.12, 5.2.13
Incident Safety Officer	Technical Rescue Operations	5-4	Prepare a Safety Plan for a Technical Rescue Incident	5.4.1, 5.4.2, 5.4.3
Incident Safety Officer	Hazardous Material Operations	5-5	Prepare a Safety Plan for a Hazardous Materials Incident	5.5.1, 5.5.2, 5.5.3, 5.5.4
Incident Safety Officer	Accident Investigation	5-6	Conduct a Health and Safety Investigation	5.6.1
Incident Safety Officer	Post-Incident Analysis	5-7	Prepare a Post-Incident Analysis	5.7.1, 5.7.2

General Requirements – Skill Number 5-1 Perform the Role of ISO at a Structure Fire Incident

NFPA 1521- 5.2.1, 5.2.2, 5.2.3, 5.2.4, 5.2.5, 5.2.6, 5.2.7, 5.2.9, 5.2.10, 5.2.13, 5.2.14, 5.2.15, 5.3.1, 5.3.2, 5.3.3, 5.3.4, 5.3.6

OBJECTIVES

Perform the role of ISO within an incident command system (ICS) at an incident or planned event, given an incident or planned event, an ICS structure, a command post, a briefing from an incident commander (IC) or outgoing ISO, SOP related to health and safety, an incident action plan (IAP), applicable protective clothing and protective equipment, and communications and information recording equipment, so that the assignment is received and understood; situational information about the incident or planned event is received; incident priorities, goals, and objectives are transferred; action is taken to mitigate any immediate life safety threats; and applicable communication means are employed. (5.2.1)

Monitor the IAP, conditions, activities, and operations, given an incident or planned event, an IAP, and risk management assessment criteria, so that activities and operations that involve an unacceptable level of risk can be altered, terminated, or suspended to protect members' health and safety. (5.2.2)

Manage the transfer of ISO duties, given an incident or planned event, an established command structure and ISO, an IAP, an incident safety plan, a current situation status, incident resources, a command post, incident documentation, and communications equipment, so that incident information is exchanged, reports and plans for the subsequent operational period are completed, continuity of authority and situational awareness are maintained, changes in incident or planned event complexity are accounted for, the new ISO is briefed on the incident or planned event, and the new ISO is identified. (5.2.3)

Stop, alter, or suspend operations based on imminent threats posed to fire fighter safety, given an incident or planned event that contains threats to fire fighter safety, an incident management structure, risk management criteria, and applicable SOP/Gs, so that the hazard is identified, notice to suspend operations is communicated, action is taken to protect fire fighter safety, and this information is communicated to the IC. (5.2.4)

Monitor and determine the incident scene conditions, given an incident or planned event, so that the ISO can report to the IC on the status of hazards and risks to members. (5.2.5)

Monitor the accountability system, given an incident or planned event, an IMS, personal identification devices, radios, and applicable SOP/Gs, so that it can be determined that the accountability system is being utilized as designed, all relevant positions and functions are implemented, and any noted deficiencies are communicated to the IC. (5.2.6)

Determine hazardous incident conditions and advise the IC to establish or modify control zones, given an incident, so that the incident control zones are communicated to members and entry into the hazardous area is controlled. (5.2.7)

Monitor radio transmissions; given an incident or planned event with radio transmissions, so that communication barriers are identified and the possibility for missed, unclear, or incomplete communications is corrected. (5.2.9)

Identify the incident strategic requirements (e.g., fire, technical search and rescue, hazmat), the corresponding hazards, the size, complexity and anticipated duration of the incident, including the associated risks, given an incident or planned event, an IMS, and applicable SOP/Gs, so that the ISO can determine the need for assistant ISOs and/or technical specialists and make the recommendations to the IC. (5.2.10)

Determine hazardous energy sources that can affect responder health and safety, given an incident or planned event, an active IAP with assigned responders, and an opportunity to perform environmental and operational reconnaissance, so that risks to personnel are identified, reduced, or eliminated; hazard information is relayed to IC staff and ancillary agencies responsible for the hazardous energy source; appropriate zones are established and marked; and personnel operating at the scene are briefed on the hazardous energy control zone. (5.2.13)

Monitor conditions, including weather, fire fighter activities, and work cycle durations, given an incident or planned event, so that the need for rehabilitation can be determined, communicated to the IC, and implemented to ensure fire fighter health and safety. (5.2.14)

Identify incident environmental conditions and contaminants, given an incident or planned event, so that identified hazards can be communicated to the IC and division and/or group supervisors, and the need for contamination control procedures for PPE, personnel hygiene, and utilized equipment can be determined and implemented, prior to incident departure, to help prevent continued exposure and cross contamination from known and potential contaminants. (5.2.15)

Determine incident environmental and operational factors and confirm the establishment of rapid intervention crew (RIC) and evaluate the need to increase RIC capability, given an incident or planned event that includes one or more immediately dangerous to life and health (IDLH) elements, responders engaged in tactical operations, a pre-assigned RIC, and an IAP, so that a recommendation is offered to the IC. (5.3.1)

Communicate fire behavior, building access/egress issues, collapse, and hazardous energy issues to established RICs, given an incident or planned event, so that RIC team leaders are aware of the observations and concerns of the ISO. (5.3.2)

Identify and estimate building/structural collapse hazards, given a building fire incident, a building collapse incident, reconnaissance opportunity, and established AHJ pre-incident building plan information, so that the identified collapse hazard can be communicated to the IC and tactical-level management units; judgment is offered to the IC for the establishment of control zone(s); personnel are removed from collapse zone dangers; and appropriate adjustments are made to the IAP by the IC to improve member safety. (5.3.3)

Determine flashover and hostile fire event potential at building fires, given an incident, so that risks are identified and communicated to the incident commander and tactical-level management units, and adjustments are made to strategy and tactics to improve safety. (5.3.4)

Determine the suitability of building entry and egress options at building fires, given various building fire incidents, so that entry and egress options are optimized through communication with the IC and tactical-level management components. (5.3.6)

INSTRUCTIONS - procedures for achieving the objective

Given a structure fire scenario, you shall perform the role of the Incident Safety Officer (ISO). This will include:

1. Monitoring the IAP, conditions, activities, and operations
2. Managing the transfer of ISO duties
3. Stopping, altering, or suspending operations based on imminent threats posed to fire fighter safety
4. Monitoring and determining the incident scene conditions
5. Monitoring the accountability system
6. Determining hazardous incident conditions and advising the IC to establish or modify control zones
7. Monitoring radio transmissions
8. Identifying the incident strategic requirements and the corresponding hazards
9. Determining hazardous energy sources that can affect responder health and safety
10. Determining the need for rehab by monitoring conditions, including weather, fire fighter activities, and work cycle durations
11. Determining incident environmental and operational factors and confirming the establishment of rapid intervention crew (RIC) and evaluating the need to increase RIC capability
12. Communicating fire behavior, building access/egress issues, collapse, and hazardous energy issues to established RICs
13. Identifying and estimate building/structural collapse hazards
14. Determining flashover and hostile fire event potential

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15. Determining the suitability of building entry and egress options
16. Identifying the need for contamination control procedures to prevent continued exposure and cross contamination from potential contaminants

You will begin on my instruction to start. The skill will end when you state to me that you have completed all of the identified steps. Do you understand these instructions?

EXAMINER'S NOTE

It is suggested that you use the policies and procedures of your department. If you are teaching this course at a non-departmental institution, acquire a fire department's policies and procedures, or modification thereof, to complete the skill.

The ~~Incident Safety Officer~~ candidate may utilize an Incident Safety Officer ~~incident scene~~ checklist during the performance of this skill.

PREPARATION & EQUIPMENT

AHJ SOPs and training materials

Radios

Scene marking equipment

Preplan

Structure fire scenario. This scenario must include:

- A working structure fire with an IDLH atmosphere.
- A Command Post with an Incident Commander and established ICS structure.
- Use of an accountability system.
- An establishment of a RIC team.
- The need for control zones.
- An uncontrolled hazardous energy source.
- A potential building collapse or partial building collapse.
- An operation with imminent threat to fire fighter safety which must be stopped, altered or suspended.
- The need for responder rehabilitation.
- A transfer of ISO duties.
- The need for decontamination procedures

Candidate: _____

Notes: _____

Training Provider: _____

Test Site: _____

Examiner: _____

Incident Safety Officer	<u>TEST</u>		<u>RETEST</u>	
Skill # 5-1	S	U	S	U
NFPA 1521 – 5.2.1, 5.2.2, 5.2.3, 5.2.4, 5.2.5, 5.2.6, 5.2.7, 5.2.9, 5.2.10, 5.2.13, 5.2.14, 5.2.15, 5.3.1, 5.3.2, 5.3.3, 5.3.4, 5.3.6				
Perform the Role of ISO at a Structure Fire Incident				
The candidate:	S	U	S	U
a) Received IAP briefing from Command.				
b) Received assignment from Command.				
c) Prioritized tasks and evaluated resource needs.				
d) Applied AHJ building fire preplan systems.				
e) Recognized the need for supplemental technical knowledge, when applicable.				
f) Monitored scene conditions.				
g) Identified, evaluated and prioritized hazards.				
h) Determined degree of risk to members and prioritized the risks.				
i) Applied knowledge to minimize risks.				
j) Utilized organizational policies, procedures and training materials to ensure safety.				
k) Made decisions and took proactive actions to ensure responder safety.				
l) Demonstrated comprehensive knowledge of hazardous conditions and incident operations.				
m) Stopped, altered or suspended operations based on imminent threat to fire fighter safety.				
n) Reported to Command the status of hazards and risks to members.				
o) Monitored IAP and evaluated risks.				

p)	Anticipated evolving conditions that require IAP changes.				
q)	Monitored accountability system and reported any deficiencies to Command.				
r)	Advised Command to establish/modify control zones.				
s)	Communicated control zones to members to limit number of members in proximity to a hazard.				
t)	Monitored radio transmissions for missed, unclear or incomplete communications.				
u)	Evaluated hazards and determined if additional ISOs or technical specialists were required.				
v)	Identified and determined the risk of hazardous energy source(s).				
w)	Confirmed establishment of RIC team according to regulations, procedures and standards.				
x)	Audited conditions to ensure RIC policies were followed.				
y)	Interpreted and communicated fire suppressions hazards to RIC team. (fire behavior, access, egress, etc.)				
z)	Evaluated the need to increase RIC capability and made recommendation to Command when applicable.				
aa)	Identified and estimated structure collapse hazards.				
bb)	Read smoke and communicated fire behavior concerns.				
cc)	Determined flashover and hostile fire event potential.				
dd)	Determined suitability of building entry and egress options.				
ee)	Communicated by radio.				
ff)	Communicated face-to-face.				
gg)	Demonstrated critical identification, analysis and judgement abilities.				
hh)	Monitored conditions and determined the need for rehabilitation.				
ii)	Recognized signs of cardiac, heat and cold stress.				

jj) Communicated rehabilitation need to Command.				
kk) Established rehabilitation for fire fighter safety.				
ll) Evaluated fire, smoke and environmental conditions to determine member exposure and judged contamination reduction efforts.				
mm) Communicated contamination reduction judgements to Command and members as necessary to prevent further exposure to contaminated equipment with regards to use, transportation, separation and storage during incident operations and demobilization.				
nn) Transferred ISO duties to new ISO.				
oo) Delivered ISO transfer briefing and completed required forms.				
pp) Performed skill in a safe and proficient manner				

Examiner/Candidate Comments:

All steps of the skill objective are mandatory and must be scored as “Satisfactory” to pass the skill.

Certifying Examiner

Date

Re-Test Certifying
Examiner

Date

Overall Skill Sheet Score	
Pass <input type="checkbox"/>	Fail <input type="checkbox"/>
Overall Skill Sheet Re-Test Score	
Pass <input type="checkbox"/>	Fail <input type="checkbox"/>

General Requirements – Skill Number 5-2 Perform the Role of ISO at a Wildland Fire Incident

NFPA 1521- 5.2.1, 5.2.2, 5.2.3, 5.2.4, 5.2.5, 5.2.6, 5.2.7, 5.2.9, 5.2.10, 5.2.14, 5.3.5

OBJECTIVES

Perform the role of ISO within an incident command system (ICS) at an incident or planned event, given an incident or planned event, an ICS structure, a command post, a briefing from an incident commander (IC) or outgoing ISO, SOP related to health and safety, an incident action plan (IAP), applicable protective clothing and protective equipment, and communications and information recording equipment, so that the assignment is received and understood; situational information about the incident or planned event is received; incident priorities, goals, and objectives are transferred; action is taken to mitigate any immediate life safety threats; and applicable communication means are employed. (5.2.1)

Monitor the IAP, conditions, activities, and operations, given an incident or planned event, an IAP, and risk management assessment criteria, so that activities and operations that involve an unacceptable level of risk can be altered, terminated, or suspended to protect members' health and safety. (5.2.2)

Manage the transfer of ISO duties, given an incident or planned event, an established command structure and ISO, an IAP, an incident safety plan, a current situation status, incident resources, a command post, incident documentation, and communications equipment, so that incident information is exchanged, reports and plans for the subsequent operational period are completed, continuity of authority and situational awareness are maintained, changes in incident or planned event complexity are accounted for, the new ISO is briefed on the incident or planned event, and the new ISO is identified. (5.2.3)

Stop, alter, or suspend operations based on imminent threats posed to fire fighter safety, given an incident or planned event that contains threats to fire fighter safety, an incident management structure, risk management criteria, and applicable SOP/Gs, so that the hazard is identified, notice to suspend operations is communicated, action is taken to protect fire fighter safety, and this information is communicated to the IC. (5.2.4)

Monitor and determine the incident scene conditions, given an incident or planned event, so that the ISO can report to the IC on the status of hazards and risks to members. (5.2.5)

Monitor the accountability system, given an incident or planned event, an IMS, personal identification devices, radios, and applicable SOP/Gs, so that it can be determined that

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the accountability system is being utilized as designed, all relevant positions and functions are implemented, and any noted deficiencies are communicated to the IC. (5.2.6)

Determine hazardous incident conditions and advise the IC to establish or modify control zones, given an incident, so that the incident control zones are communicated to members and entry into the hazardous area is controlled. (5.2.7)

Monitor radio transmissions; given an incident or planned event with radio transmissions, so that communication barriers are identified and the possibility for missed, unclear, or incomplete communications is corrected. (5.2.9)

Identify the incident strategic requirements (e.g., fire, technical search and rescue, hazmat), the corresponding hazards, the size, complexity and anticipated duration of the incident, including the associated risks, given an incident or planned event, an IMS, and applicable SOP/Gs, so that the ISO can determine the need for assistant ISOs and/or technical specialists and make the recommendations to the IC. (5.2.10)

Monitor conditions, including weather, fire fighter activities, and work cycle durations, given an incident or planned event, so that the need for rehabilitation can be determined, communicated to the IC, and implemented to ensure fire fighter health and safety. (5.2.14)

Determine fire growth and blow up, given wildland and cultivated vegetation fires, so that information can be communicated to the IC and tactical-level management components, and adjustments made to the IAP to improve member safety. (5.3.5)

INSTRUCTIONS - procedures for achieving the objective

Given a wildland fire scenario, you shall perform the role of the Incident Safety Officer (ISO). This will include:

1. Monitoring the IAP, conditions, activities, and operations
2. Managing the transfer of ISO duties
3. Stopping, altering, or suspending operations based on imminent threats posed to fire fighter safety
4. Monitoring and determining the incident scene conditions
5. Monitoring the accountability system
6. Determining hazardous incident conditions and advising the IC to establish or modify control zones
7. Monitoring radio transmissions
8. Identifying the incident strategic requirements and the corresponding hazards
9. Determining the need for rehab by monitoring conditions, including weather, fire fighter activities, and work cycle durations
10. Determining fire growth potential based on fuel, topography and weather

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You will begin on my instruction to start. The skill will end when you state to me that you have completed all of the identified steps. Do you understand these instructions?

EXAMINER'S NOTE

It is suggested that you use the policies and procedures of your department. If you are teaching this course at a non-departmental institution, acquire a fire department's policies and procedures, or modification thereof, to complete the skill.

The Incident Safety Officer Candidate may utilize an Incident Safety Officer incident scene checklist during the performance of this skill.

PREPARATION & EQUIPMENT

AHJ SOPs and training materials

Radios

Wildland fire scenario. This scenario must include:

- A wildland fire with multiple resources assigned.
- A Command Post with an Incident Commander and established ICS structure.
- Use of an accountability system.
- The need for control zones.
- A potential for fire blow up based on fuel, topography or weather.
- An operation with imminent threat to fire fighter safety which must be stopped, altered or suspended.
- The need for responder rehabilitation.
- A transfer of ISO duties.

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Candidate: _____

Notes: _____

Training Provider: _____

Test Site: _____

Examiner: _____

Incident Safety Officer	<u>TEST</u>		<u>RETEST</u>	
Skill # 5-2	S	U	S	U
NFPA 1521 – 5.2.1, 5.2.2, 5.2.3, 5.2.4, 5.2.5, 5.2.6, 5.2.7, 5.2.9, 5.2.10, 5.2.14, 5.3.5				
Perform the Role of ISO at a Wildland Fire Incident				
The candidate:	S	U	S	U
a) Received IAP briefing from Command.				
b) Received assignment from Command.				
c) Prioritized tasks and evaluated resource needs.				
d) Recognized the need for supplemental technical knowledge, when applicable.				
e) Monitored scene conditions.				
f) Interpreted fuel, topography, flame length and weather effects on fire conditions.				
g) Communicated fire behavior concerns.				
h) Identified and evaluated hazards.				
i) Determined degree of risk to members and prioritized the risks.				
j) Applied knowledge to minimize risks.				
k) Made decisions and took proactive actions to ensure responder safety.				
l) Demonstrated comprehensive knowledge of hazardous conditions and incident operations.				
m) Utilized organizational policies, procedures and training materials to ensure safety.				
n) Stopped, altered or suspended operations based on imminent threat to fire fighter safety.				
o) Reported to Command the status of hazards and risks to members.				
p) Monitored IAP and evaluated risks.				

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q)	Anticipated evolving conditions that require IAP changes.				
r)	Monitored accountability system and reported any deficiencies to Command.				
s)	Advised Command to establish/modify control zones.				
t)	Communicated control zones to members to limit number of members in proximity to a hazard.				
u)	Monitored radio transmissions for missed, unclear or incomplete communications.				
v)	Evaluated hazards and determined if additional ISOs or technical specialists were required.				
w)	Communicated by radio.				
x)	Communicated face-to-face.				
y)	Demonstrated critical identification, analysis and judgement abilities.				
z)	Monitored conditions and determined the need for rehabilitation.				
aa)	Recognized signs of cardiac, heat and cold stress.				
bb)	Communicated rehabilitation need to Command.				
cc)	Established rehabilitation for fire fighter safety.				
dd)	Transferred ISO duties to new ISO.				
ee)	Delivered ISO transfer briefing and completed required forms.				
ff)	Performed skill in a safe and proficient manner.				

S = Satisfactorily completed/performed

U = Unsatisfactorily performed/failed to meet objective or grading step

All steps of the skill objective are mandatory and must be scored as “Satisfactory” to pass the skill.

Examiner/Candidate Comments:

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 Certifying Examiner

 Date

 Re-Test Certifying
 Examiner

 Date

Overall Skill Sheet Score	
Pass <input type="checkbox"/>	Fail <input type="checkbox"/>
Overall Skill Sheet Re-Test Score	
Pass <input type="checkbox"/>	Fail <input type="checkbox"/>

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General Requirements – Skill Number 5-3 Perform the Role of ISO at a Motor Vehicle Incident

NFPA 1521- 5.2.1, 5.2.2, 5.2.3, 5.2.4, 5.2.5, 5.2.6, 5.2.7, 5.2.8, 5.2.9, 5.2.10, 5.2.11, 5.2.12, 5.2.13

OBJECTIVES

Perform the role of ISO within an incident command system (ICS) at an incident or planned event, given an incident or planned event, an ICS structure, a command post, a briefing from an incident commander (IC) or outgoing ISO, SOP related to health and safety, an incident action plan (IAP), applicable protective clothing and protective equipment, and communications and information recording equipment, so that the assignment is received and understood; situational information about the incident or planned event is received; incident priorities, goals, and objectives are transferred; action is taken to mitigate any immediate life safety threats; and applicable communication means are employed. (5.2.1)

Monitor the IAP, conditions, activities, and operations, given an incident or planned event, an IAP, and risk management assessment criteria, so that activities and operations that involve an unacceptable level of risk can be altered, terminated, or suspended to protect members' health and safety. (5.2.2)

Manage the transfer of ISO duties, given an incident or planned event, an established command structure and ISO, an IAP, an incident safety plan, a current situation status, incident resources, a command post, incident documentation, and communications equipment, so that incident information is exchanged, reports and plans for the subsequent operational period are completed, continuity of authority and situational awareness are maintained, changes in incident or planned event complexity are accounted for, the new ISO is briefed on the incident or planned event, and the new ISO is identified. (5.2.3)

Stop, alter, or suspend operations based on imminent threats posed to fire fighter safety, given an incident or planned event that contains threats to fire fighter safety, an incident management structure, risk management criteria, and applicable SOP/Gs, so that the hazard is identified, notice to suspend operations is communicated, action is taken to protect fire fighter safety, and this information is communicated to the IC. (5.2.4)

Monitor and determine the incident scene conditions, given an incident or planned event, so that the ISO can report to the IC on the status of hazards and risks to members. (5.2.5)

Monitor the accountability system, given an incident or planned event, an IMS, personal identification devices, radios, and applicable SOP/Gs, so that it can be determined that

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the accountability system is being utilized as designed, all relevant positions and functions are implemented, and any noted deficiencies are communicated to the IC. (5.2.6)

Determine hazardous incident conditions and advise the IC to establish or modify control zones, given an incident, so that the incident control zones are communicated to members and entry into the hazardous area is controlled. (5.2.7)

Identify motor vehicle incident scene hazards, given an apparatus and temporary traffic control devices, an incident or planned event, so that actions to mitigate the hazards as described in Section 8.7 of NFPA 1500, *Standard on Fire Department Occupational Safety and Health Program*, are taken to protect member safety. (5.2.8)

Monitor radio transmissions; given an incident or planned event with radio transmissions, so that communication barriers are identified and the possibility for missed, unclear, or incomplete communications is corrected. (5.2.9)

Identify the incident strategic requirements (e.g., fire, technical search and rescue, hazmat), the corresponding hazards, the size, complexity and anticipated duration of the incident, including the associated risks, given an incident or planned event, an IMS, and applicable SOP/Gs, so that the ISO can determine the need for assistant ISOs and/or technical specialists and make the recommendations to the IC. (5.2.10)

Determine the hazards associated with the designation of a landing zone and interface with helicopters, given an incident or planned event that requires the use of a helicopter and landing zone, so that the IC can be informed of special requirements and the landing can be executed in a safe manner (5.2.11)

Notify the IC of the need for intervention resulting from an occupational exposure to atypical stressful events, given an incident or planned event and an awareness of incidents that can cause incident stress, so that members' psychological health and safety can be protected. (5.2.12)

Determine hazardous energy sources that can affect responder health and safety, given an incident or planned event, an active IAP with assigned responders, and an opportunity to perform environmental and operational reconnaissance, so that risks to personnel are identified, reduced, or eliminated; hazard information is relayed to IC staff and ancillary agencies responsible for the hazardous energy source; appropriate zones are established and marked; and personnel operating at the scene are briefed on the hazardous energy control zone. (5.2.13)

INSTRUCTIONS - procedures for achieving the objective

Given a motor vehicle rescue scenario, you shall perform the role of the Incident Safety Officer (ISO). This will include:

1. Monitoring the IAP, conditions, activities, and operations
2. Managing the transfer of ISO duties
3. Stopping, altering, or suspending operations based on imminent threats posed to fire fighter safety
4. Monitoring and determining the incident scene conditions
5. Monitoring the accountability system
6. Determining hazardous incident conditions and advising the IC to establish or modify control zones
7. Monitoring radio transmissions
8. Identifying the incident strategic requirements and the corresponding hazards
9. Determining hazardous energy sources that can affect responder health and safety
10. Determining the need for rehab by monitoring conditions, including weather, fire fighter activities, and work cycle durations
11. Identifying motor vehicle incident scene hazards
12. Determining the hazards associated with the designation of a landing zone and interface with a helicopter
13. Notifying the IC of the need for intervention resulting from exposure to an atypical stressful event

You will begin on my instruction to start. The skill will end when you state to me that you have completed all of the identified steps. Do you understand these instructions?

EXAMINER'S NOTE

It is suggested that you use the policies and procedures of your department. If you are teaching this course at a non-departmental institution, acquire a fire department's policies and procedures, or modification thereof, to complete the skill.

The Incident Safety Officer Candidate may utilize an Incident Safety Officer incident scene checklist during the performance of this skill.

PREPARATION & EQUIPMENT

AHJ SOPs and training materials

Radios

Motor vehicle rescue scenario. This scenario must include:

- A motor vehicle rescue incident with multiple resources assigned including a helicopter.
- Motor vehicle incident hazards.
- A Command Post with an Incident Commander and established ICS structure.
- Use of an accountability system.
- The need for control zones.

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- An uncontrolled hazardous energy source.
- An operation with imminent threat to fire fighter safety which must be stopped, altered or suspended.
- An atypical stressful event that causes signs and symptoms which indicate that members' physiological health must be protected.
- The need for responder rehabilitation.
- A transfer of ISO duties.

Candidate: _____

Notes: _____

Training Provider: _____

Test Site: _____

Examiner: _____

Incident Safety Officer		<u>TEST</u>		<u>RETEST</u>	
Skill # 5-3		S	U	S	U
NFPA 1521- 5.2.1, 5.2.2, 5.2.3, 5.2.4, 5.2.5, 5.2.6, 5.2.7, 5.2.8, 5.2.9, 5.2.10, 5.2.11, 5.2.12, 5.2.13					
Perform the Role of ISO at a Motor Vehicle Incident					
The candidate:		S	U	S	U
a)	Received IAP briefing from Command.				
b)	Received assignment from Command.				
c)	Prioritized tasks and evaluated resource needs.				
d)	Recognized the need for supplemental technical knowledge, when applicable.				
e)	Monitored scene conditions.				
f)	Identified and evaluated hazards.				
g)	Determined degree of risk to members and prioritized the risks.				
h)	Applied knowledge to minimize risks.				
i)	Made decisions and took proactive actions to ensure responder safety.				
j)	Utilized organizational policies, procedures and training materials to ensure safety.				
k)	Demonstrated comprehensive knowledge of hazardous conditions and incident operations.				
l)	Stopped, altered or suspended operations based on imminent threat to fire fighter safety.				
m)	Reported to Command the status of hazards and risks to members.				
n)	Monitored IAP and evaluated risks.				
o)	Anticipated evolving conditions that require IAP changes.				

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p)	Monitored accountability system and reported any deficiencies to Command.				
q)	Advised Command to establish/modify control zones.				
r)	Communicated control zones to members to limit number of members in proximity to a hazard.				
s)	Monitored radio transmissions for missed, unclear or incomplete communications.				
t)	Evaluated hazards and determined if additional ISOs or technical specialists were required.				
u)	Identified and determined the risk of hazardous energy source(s).				
v)	Identified motor vehicle incident scene hazards, so that actions to mitigate the hazards are taken to protect member safety.				
w)	Demonstrated knowledge of state and local traffic regulations, if applicable.				
x)	Recognized the hazards associated with the designation of a landing zone and interface with helicopter.				
y)	Notified Command of the need for intervention resulting from an occupational exposure to atypical stressful events.				
z)	Displayed an accepting and empathetic demeanor.				
aa)	Communicated by radio.				
bb)	Communicated face-to-face.				
cc)	Demonstrated critical identification, analysis and judgement abilities.				
dd)	Monitored conditions and determined the need for rehabilitation.				
ee)	Recognized signs of cardiac, heat and cold stress.				
ff)	Communicated rehabilitation need to Command.				
gg)	Established rehabilitation for fire fighter safety.				
hh)	Transferred ISO duties to new ISO.				
ii)	Delivered transfer briefing and completed required forms.				
jj)	Performed skill in a safe and proficient manner.				

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S = Satisfactorily completed/performed

U = Unsatisfactorily performed/failed to meet objective or grading step

All steps of the skill objective are mandatory and must be scored as “Satisfactory” to pass the skill.

Examiner/Candidate Comments:

Certifying Examiner

Date

Re-Test Certifying
Examiner

Date

Overall Skill Sheet Score	
Pass <input type="checkbox"/>	Fail <input type="checkbox"/>
Overall Skill Sheet Re-Test Score	
Pass <input type="checkbox"/>	Fail <input type="checkbox"/>

Technical Rescue Operations – Skill Number 5-4 Prepare a Safety Plan for a Technical Search and Rescue Incident

NFPA 1521- 5.4.1, 5.4.2, 5.4.3

OBJECTIVES

Determine the need for a search and rescue technician-trained ISO or assistant ISO, given a technical search and rescue incident, CFR 1910.146; NFPA1006, *Standard for Technical Rescuer Professional Qualifications*, and AHJ SOP/Gs for technical search and rescue operations, so that the IC can appoint an assistant ISO or a search and rescue technician. (5.4.1)

Prepare a safety plan that identifies corrective or preventive actions, given a technical search and rescue incident, an IAP that includes situation and resource status information, an incident safety analysis form (ICS form 215A or its equivalent), weather condition information, special technical data (such as safety data sheets and topographical information, blueprints, and building drawings), and predetermined incident information, so that safety data are obtained, an incident safety plan is developed with coordinating documentation, elements of the plan are incorporated in the IAP, changes in incident safety conditions are noted and reported, judgment is offered to the IC for the establishment of control zone(s) and exclusion zone(s), safety and appropriate PPE elements are met, and assistant ISOs are appointed as necessary. (5.4.2)

Deliver a safety briefing for technical search and rescue incident response members, given a technical search and rescue incident, so that critical information such as expected hazards, PPE requirements, established zones, emergency procedures, air monitoring, medical surveillance, and chain-of-command elements are communicated. (5.4.3)

INSTRUCTIONS - procedures for achieving the objective

Given a technical search and rescue scenario and an IAP that includes situation and resource status information, an incident safety analysis form (ICS form 215A or its equivalent), weather condition information, special technical data (such as safety data sheets and topographical information, blueprints, and building drawings), and predetermined incident information, you shall prepare a safety plan and conduct a safety briefing where the plan is communicated to all members operating at the technical search and rescue incident.

The safety plan at a minimum, must contain the following elements:

1. Expected hazards with corrective and/or preventive actions

2. PPE requirements
3. Established zones (control and exclusion)
4. Emergency procedures
5. Air monitoring
6. Medical surveillance
7. Chain of command elements
8. Appointment of assistant ISOs and/or search and rescue technician-trained ISO/assistant ISO, as necessary

You will begin on my instruction to start. The skill will end when you state to me that you have completed all of the identified steps. Do you understand these instructions?

EXAMINER'S NOTE

It is suggested that you use the policies and procedures of your department. If you are teaching this course at a non-departmental institution, acquire a fire department's policies and procedures, or modification thereof, to complete the skill.

The Incident Safety Officer Candidate may utilize an Incident Safety Officer incident scene checklist during the performance of this skill.

PREPARATION & EQUIPMENT

AHJ SOPs

Technical search and rescue scenario. This scenario must include any of the following operations:

- Rope Rescue – High Angle or Low Angle
- Confined Space Rescue
- Trench Rescue
- Structural Collapse
- Dive Rescue
- Water Rescue/Swift Water Rescue/Surf Rescue
- Vehicle Rescue/Machinery Rescue

An IAP that includes situation and resource status information

ICS form 215A*

Safety data sheets and topographical information, blueprints, and building drawings, as applicable for the technical search and rescue scenario

*As of 8/01/2020, this ICS form is available on-line, free of charge, at the following web address: https://www.fema.gov/media-library-data/20130726-1922-25045-3105/ics_forms_215a.pdf

Candidate: _____ Notes: _____

Training Provider: _____

Test Site: _____

Examiner: _____

Incident Safety Officer	<u>TEST</u>		<u>RETEST</u>	
Skill # 5-4	S	U	S	U
NFPA 1521 – 5.4.1, 5.4.2, 5.4.3				
Prepare a Safety Plan for a Technical Search and Rescue Incident				
The candidate:	S	U	S	U
a) Obtained IAP and safety data documentation.				
b) Read/edited technical documentation.				
c) Identified technical search and rescue resources				
d) Determined the need for a search and rescue technician-trained ISO or				
e) Forecasted stabilization strategies.				
f) Identified corrective and/or preventive actions.				
g) Prepared safety plan that contained all required elements and documentation.				
h) Communicated safety issues within the command structure.				
i) Incorporated elements of the safety plan into the IAP.				
j) Delivered a safety briefing that contained all required elements.				
k) Communicated critical messages in written and oral format.				
l) Demonstrated critical identification, analysis and judgement abilities.				
m) Performed skill in a safe and proficient manner.				

S = Satisfactorily completed/performed**U = Unsatisfactorily performed/failed to meet objective or grading step**

All steps of the skill objective are mandatory and must be scored as “Satisfactory” to pass the skill.

Examiner/Candidate Comments:

Certifying Examiner

Date

Overall Skill Sheet Score

Pass Fail

Overall Skill Sheet Re-Test Score

Re-Test Certifying
Examiner

Date

Pass Fail

Hazardous Materials Operations – Skill Number 5-5 Prepare a Safety Plan for a Hazardous Materials Incident

NFPA 1521- 5.5.1, 5.5.2, 5.5.3, 5.5.4

OBJECTIVES

Determine the need for a hazardous materials technician trained ISO or assistant ISO, given a hazardous materials incident, 29 CFR 1910.120; NFPA 472 and NFPA 1072, Standard for Competency for Responders to Hazardous Materials/Weapons of Mass Destruction Incidents; and AHJ SOP/Gs for hazardous materials operations, so that the IC can appoint an assistant ISO or a hazardous materials technician. (5.5.1)

Prepare a safety plan that identifies corrective or preventive actions, given a hazmat incident, IAP that includes situation and resource status information, an incident safety analysis form (ICS form 215A or its equivalent), weather condition information, special technical data (such as safety data sheets and topographical information, blueprints, and building drawings), and predetermined incident information, so that safety data are obtained, an incident safety plan is developed with coordinating documentation, elements of the plan are incorporated in the IAP, changes in incident safety conditions are noted and reported, judgment is offered to the IC for the establishment of control zone(s) and exclusion zone(s), safety and PPE elements of 29 CFR 1910.120 are met, and assistant ISOs are appointed as necessary. (5.5.2)

Deliver a safety briefing for hazardous materials incident response members, given a hazmat incident or scenario, so that critical information such as expected hazards, PPE requirements, established zones, decontamination procedures, emergency procedures, air monitoring, medical surveillance, and chain-of-command elements are communicated. (5.5.3)

Identify that hazardous materials incident control zones have been established and communicated to personnel on the scene, given a hazardous materials incident and SOP/Gs, so that responders can identify marked control zones, which must be inclusive of no-entry zones, hot zones, hazard reduction zones, support zones, and corridors. (5.5.4)

INSTRUCTIONS - procedures for achieving the objective

Given a hazardous material incident scenario and an IAP that includes situation and resource status information, an incident safety analysis form (ICS form 215A or its equivalent), weather condition information, special technical data (such as safety data sheets and topographical information, blueprints, and building drawings), and predetermined incident information, you shall prepare a safety plan and conduct a safety

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briefing where the plan is communicated to all members operating at the hazardous material incident.

The safety plan at a minimum, must contain the following elements:

1. Expected hazards with corrective and/or preventive actions
2. PPE requirements
3. Established zones (no-entry, hot, hazard reduction, support, and corridors)
4. Decontamination procedures
5. Emergency procedures
6. Air monitoring
7. Medical surveillance
8. Chain of command elements
9. Appointment of assistant ISOs and/or hazmat technician-trained ISO/assistant ISO, as necessary

You will begin on my instruction to start. The skill will end when you state to me that you have completed all of the identified steps. Do you understand these instructions?

EXAMINER'S NOTE

It is suggested that you use the policies and procedures of your department. If you are teaching this course at a non-departmental institution, acquire a fire department's policies and procedures, or modification thereof, to complete the skill.

The Incident Safety Officer Candidate may utilize an Incident Safety Officer incident scene checklist during the performance of this skill.

PREPARATION & EQUIPMENT

AHJ SOPs

Hazardous Materials incident scenario

An IAP that includes situation and resource status information

ICS Form 215A*

ICS 208HM*

Safety data sheets and topographical information, blueprints, and building drawings, as applicable for the hazardous material incident scenario

*As of 8/01/2020, the ICS forms are available on-line, free of charge, at the following web addresses:

215A: https://www.fema.gov/media-library-data/20130726-1922-25045-3105/ics_forms_215a.pdf

208HM:

[https://training.fema.gov/emiweb/is/icsresource/assets/ics%20forms/ics%20form%20208hm,%20site%20safety%20and%20control%20plan%20\(v3\).pdf](https://training.fema.gov/emiweb/is/icsresource/assets/ics%20forms/ics%20form%20208hm,%20site%20safety%20and%20control%20plan%20(v3).pdf)

Candidate: _____

Notes: _____

Training Provider: _____

Test Site: _____

Examiner: _____

Incident Safety Officer	<u>TEST</u>		<u>RETEST</u>	
Skill # 5-5	S	U	S	U
NFPA 1521 – 5.4.1, 5.5.2, 5.5.3, 5.5.4				
Prepare a Safety Plan for a Hazardous Materials Incident				
The candidate:	S	U	S	U
a) Obtained IAP and safety data documentation.				
b) Read/edited technical documentation.				
c) Identified hazmat resources needed.				
d) Determined the need for a hazmat technician-trained ISO or assistant ISO.				
e) Forecasted stabilizations strategies.				
f) Identified corrective and/or preventive actions.				
g) Adapted zoning strategies to incident challenges.				
h) Prepared safety plan that contained all required elements and documentation.				
i) Communicated safety issues within the command structure.				
j) Incorporated elements of the safety plan into the IAP.				
k) Delivered a safety briefing that contained all required elements.				
l) Communicated critical messages in written and oral format.				
m) Demonstrated critical identification, analysis and judgement abilities.				
n) Performed skill in a safe and proficient manner.				

S = Satisfactorily completed/performed

U = Unsatisfactorily performed/failed to meet objective or grading step

All steps of the skill objective are mandatory and must be scored as “Satisfactory” to pass the skill.

Examiner/Candidate Comments:

Certifying Examiner

Date

Re-Test Certifying
Examiner

Date

Overall Skill Sheet Score
Pass <input type="checkbox"/> Fail <input type="checkbox"/>
Overall Skill Sheet Re-Test Score
Pass <input type="checkbox"/> Fail <input type="checkbox"/>

Accident Investigation – Skill Number 5-6 Conduct a Health and Safety Investigation

NFPA 1521- 5.6.1

OBJECTIVE

Conduct a safety and health investigative process, given an incident or planned event, using applicable documents and techniques, so that the chain of evidence is started and maintained, critical incident data elements are collected, potential witnesses are identified, applicable SOP/G's are identified for review, and gathered information is documented and prepared for the HSO or investigative continuance as established by the AHJ policies and SOP/G's. (5.6.1)

INSTRUCTIONS - procedures for achieving the objective

Given an incident scenario, you shall conduct a health and safety investigation. This will include:

1. Analyzing information from different data sources to include identifying equipment and materials that might be considered evidence.
2. Demonstrating or stating procedures for preserving evidence and documentation.
3. Interacting with or interviewing personnel associated with the incident.
4. Completing safety investigation documentation, identifying the cause(s) of injury, death or property damage.
5. Determining corrective actions needed to prevent similar losses in the future.

You will begin on my instruction to start. The skill will end when you state to me that you have completed all of the identified steps. Do you understand these instructions?

EXAMINER'S NOTE

It is suggested that you use the policies and procedures of your department. If you are teaching this course at a non-departmental institution, acquire a fire department's policies and procedures, or modification thereof, to complete the skill.

PREPARATION & EQUIPMENT

AHJ SOP/Gs

Forms

Incident scenario. This scenario must include:

- An event that caused injury, death or property damage
- Items that may be considered evidence
- Multiple individuals associated with the event

Candidate: _____

Notes: _____

Training Provider: _____

Test Site: _____

Examiner: _____

Incident Safety Officer	<u>TEST</u>		<u>RETEST</u>	
Skill # 5-6	S	U	S	U
NFPA 1521 – 5.6.1				
Conduct a Health and Safety Investigation				
The candidate:	S	U	S	U
a) Analyzed information from different data sources; identified equipment and materials that might be considered evidence				
b) Demonstrated or stated procedures for preserving evidence and documentation				
c) Interacted with or interviewed personnel associated with the incident, often under conditions of personal stress				
d) Completed safety investigation documentation; identified cause(s) of injury, death or property damage				
e) Determined corrective actions needed to prevent similar losses in the future				
f) Demonstrated technical knowledge pertinent to the incident under investigation				
g) Performed skill in a safe and proficient manner				

S = Satisfactorily completed/performed**U = Unsatisfactorily performed/failed to meet objective or grading step**

All steps of the skill objective are mandatory and must be scored as “Satisfactory” to pass the skill.

Examiner/Candidate Comments:

Certifying Examiner

Date

Re-Test
Certifying Examiner

Date

Overall Skill Sheet Score	
Pass <input type="checkbox"/>	Fail <input type="checkbox"/>
Overall Skill Sheet Re-Test Score	
Pass <input type="checkbox"/>	Fail <input type="checkbox"/>

Post-Incident Analysis – Skill Number 5-7

Prepare a Post-Incident Analysis

NFPA 1521- 5.7.1, 5.7.2

OBJECTIVES

Prepare a written post-incident analysis (PIA) from the ISO perspective, given a witnessed incident, exercise, or planned event, so that safety and health issues, best safety practices, deviations from SOP/G's established by the AHJ, and recommendations for future events are documented. (5.7.1)

Report observations, concerns, and recommendations, given a witnessed incident or planned event and PIA group setting, so that that safety and health issues, best safety practices, deviations from SOP/G's established by the AHJ, and recommendations for future events are communicated to the AHJ. (5.7.2)

INSTRUCTIONS - procedures for achieving the objective

Given an incident scenario, you shall prepare a post-incident analysis. This will include:

1. Creating field notes of incident observations
2. Preparing a formal PIA structure using field notes
3. Relaying composed constructive information in a group setting.

You will begin on my instruction to start. The skill will end when you state to me that you have completed all of the identified steps. Do you understand these instructions?

EXAMINER'S NOTE

It is suggested that you use the policies and procedures of your department. If you are teaching this course at a non-departmental institution, acquire a fire department's policies and procedures, or modification thereof, to complete the skill.

PREPARATION & EQUIPMENT

AHJ SOP/G's

Forms

Incident scenario

Candidate: _____

Notes: _____

Training Provider: _____

Test Site: _____

Examiner: _____

Incident Safety Officer	<u>TEST</u>		<u>RETEST</u>	
Skill # 5-7	S	U	S	U
NFPA 1521 – 5.7.1, 5.7.2				
Prepare a Post-Incident Analysis				
The candidate:	S	U	S	U
a) Created field notes of incident observations				
b) Prepared a formal PIA structure using field notes				
c) Demonstrated active listening skills				
d) Relayed composed constructive information in a group setting				
e) Performed skill in a safe and proficient manner				

S = Satisfactorily completed/performed

U = Unsatisfactorily performed/failed to meet objective or grading step

All steps of the skill objective are mandatory and must be scored as “Satisfactory” to pass the skill.

Examiner/Candidate Comments:

Certifying Examiner

Date

Re-Test
Certifying Examiner

Date

Overall Skill Sheet Score
Pass <input type="checkbox"/> Fail <input type="checkbox"/>
Overall Skill Sheet Re-Test Score
Pass <input type="checkbox"/> Fail <input type="checkbox"/>

12. Matters referred from the Fire Fighter Advisory Committee (FFAC), including but not limited to:

B. Report from the Curriculum and Testing Committee regarding recommended changes to the Certification Curriculum follows:

d. Basic Wildland Skills Update

Discipline	Objective	Skill Number	Functional Name	NFPA 1051 #
Basic	General	1	Using a Fire Shelter	4.1.1
Basic	Preparedness	2	Part 1– Inspect PPE	4.1.1, 4.3.2
Basic	Preparedness	3	Part 2– Equipment Maintenance	4.3.3
Basic	Suppression	3 4	Part 1–Using the IRPG	4.5.3
Basic	Suppression	5	Part 2–Constructing a Fireline	4.5.4
Basic	Suppression	6	Part 3–Ignition Devices	4.5.5
Basic	Suppression	7	Part 4–Protect Structures	4.5.6
Basic	Suppression	8	Part 5– Mop Up Fire Area	4.5.7
Intermediate	General	1	Using a Map and Compass	6.1.1
Intermediate	General	2	Using a Radio	6.1.1
Intermediate	HR Management	3	Evaluating Crew Members Readiness	6.2.1
Intermediate	HR Management	4	Briefing & Leading Personnel	6.2.2, 6.2.3
Intermediate	Preparedness	5	Maintaining Power Tools & Portable Pumps	6.3.2
Intermediate	Suppression	6	Protect Improved Property	6.5.3
Intermediate	Preparedness	7	Operate a Chainsaw	6.5.4, 6.3.3
Intermediate	Suppression	8	Operate Water Delivery Equipment	6.5.5, 6.3.3
Intermediate	Suppression	9	Evidence Preservation & Site Security	6.5.6
Intermediate	Suppression	10	Communicate Fire Behavior	6.5.7



TEXAS A&M

FOREST SERVICE



January 24, 2020

Chuck great visiting with you yesterday. I appreciate you bringing me up to speed on the skills testing protocols on the TCFP Basic and Intermediate Wildland Certification. As of now for the basic wildland certification there are three areas to be tested with 8 specific skills to be performed. I support the recommendation to test one skill in each of the three areas. This would test 3 of the 8 skills. The 8 skills you referenced are all thought and performed during the basic wildland class and skills field session so the student is required to observe and perform these skills as part of the curriculum. By selecting from a pool of skills and testing 1 skill per area this would bring the testing protocols for the Basic wildland certification to the same standard as the other TCFP certifications. I believe this consistency in testing is very important and support the change you recommended.

Thanks
Rich

Richard C. Gray

Chief Regional Fire Coordinator
Incident Response Department
979-218-2406

INSTRUCT/ON SHEET
BASIC WILDLAND FIRE FIGHTER PERFORMANCE SKILLS

Format

The Basic Wildland Fire Fighter performance skills were designed to meet both the NFPA and NWCG national standards. For optimal learning, scenario-based training and role-playing is recommended; however, based on departmental needs certain activities may be simulated by other means. Skills demonstration requires realism, and should be conducted at various wildland/urban interface situations when possible. The Course Instructor should specify time constraints as necessary.

Note: The Basic Wildland Fire Fighter performance skills are numbered so that there is one skill per subject area. This means that all of the skills will be evaluated during the final TCFP designated skills testing. Some skills have multiple sections which are all considered part of that skill. Therefore, all parts of each skill must be evaluated.

Scoring Method

The scoring method is satisfactory (S) or unsatisfactory (U) for each grading criteria, and a Pass or Fail for the entire skill sheet. In order to successfully pass the Basic Wildland Fire Fighter skills evaluation, the Basic Wildland Fire Fighter candidate must receive satisfactory scores in all of the grading criteria. Any grading criteria marked unsatisfactory shall require the examiner to explain the reason for the failure in written form in the comments section of the skill sheet.

Preparation and Equipment

Some of the skills require the use of departmental policies. It is suggested that the Course Instructor use the policies and procedures from his/her department. If teaching this course at a non-departmental institution, acquire a fire department's policies and procedures, or modification thereof, to complete these skills.

Texas Administrative Code

<u>TITLE 37</u>	PUBLIC SAFETY AND CORRECTIONS
<u>PART 13</u>	TEXAS COMMISSION ON FIRE PROTECTION
<u>CHAPTER 439</u>	EXAMINATIONS FOR CERTIFICATION
<u>SUBCHAPTER A</u>	EXAMINATIONS FOR ON-SITE DELIVERY TRAINING
<u>RULE §439.11</u>	Commission-Designated Performance Skill Evaluations

(a) The commission-designated performance evaluations are randomly selected from each subject area within the applicable curriculum containing actual skill evaluations. This applies only for curricula in which performance standards have been developed.

(b) The training provider shall test the commission designated performance skills for competency. The skill evaluations may only take place after all training on the identified subject area has been completed. The date(s), time(s) and location(s) for the commission designated skill evaluations must be submitted on the commission designated skill schedule contained within the Training Prior Approval system. The commission must be notified immediately of any deviation from the submitted commission designated skill schedule. All skills must be evaluated by a commission approved field examiner. The individual who served as the instructor of a particular subject may not evaluate the performance skill for that subject.

(c) In order to qualify for the commission certification examination, the student must successfully complete and pass all designated skill evaluations. The student may be allowed two attempts to complete each skill. A second failure during the evaluation process will require remedial training in the failed skill area with a certified instructor before being allowed a third attempt. A third failure shall require that the student repeat the entire certification curriculum.

(d) If performance skill evaluations are not conducted for a student during the course of instruction, they must be conducted within ninety days (90) following the end date of the course. In a case such as this the training provider must also obtain a new set of commission designated skills for which to evaluate the student; the provider may not use the same set of skills provided during the original course of instruction. If performance skill evaluations are not conducted within the ninety day (90) period, the student must repeat the course. The ninety (90) day period may be extended for students who were unable to complete their performance skill evaluations due to injury, illness, military commitment, or other situation beyond their control.

(e) The training facility must maintain records (electronic or paper) of skills testing on each examinee. Test results must be recorded and saved on the applicable performance skill sheets provided in the commission Curriculum Skills Manual, and must include all information called for on the skill sheet.

(f) For certification disciplines in which an IDLH environment may exist, all skill testing participants shall have available for use NFPA compliant PPE and SCBA as defined in §435.1 of this title (relating to Protective Clothing) and §435.3 of this title (relating to Self-Contained Breathing Apparatus).

Source Note: The provisions of this §439.11 adopted to be effective March 27, 2006, 31 TexReg 2700; amended to be effective August 10, 2009, 34 TexReg 5413; amended to be effective May 18, 2010, 35 TexReg 3849; amended to be effective August 20, 2012, 37 TexReg 6315; amended to be effective May 20, 2014, 39 TexReg 3875; amended to be effective January 1, 2017, 41 TexReg 5765; amended to be effective August 2, 2018, 43 TexReg 4993

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TEXAS REGISTER

TEXAS ADMINISTRATIVE CODE

OPEN MEETINGS

12. Matters referred from the Fire Fighter Advisory Committee (FFAC), including but not limited to:

B. Report from the Curriculum and Testing Committee regarding recommended changes to the Certification Curriculum follows:

e. Basic Fire Suppression Curriculum Reference List

REFERENCE LIST FOR THE BASIC FIRE SUPPRESSION CURRICULUM

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

Certification Curriculum Manual. Austin, TX: Texas Commission on Fire Protection. Current issue.

Essentials of Fire Fighting (7 ed.) (2018). Stillwater, OK: Fire Protection Publications. International Fire Service Training Association.

Evidence-Based Practices for Strategic and Tactical Firefighting (2016). Burlington, MA: Jones & Bartlett Learning.

Fundamentals of Fire Fighter Skills and Hazardous Materials Response (4th ed.) (2019). **Burlington** , MA: Jones and Bartlett Publishers, Inc.

NFPA 1001: Standard for Fire Fighter Professional Qualifications (2019 ed.). Quincy, MA: NFPA Publications. National Fire Protection Association.

***NFPA 1851: Standard on Selection, Care, and Maintenance of Protective Ensembles for Structural Fire Fighting and Proximity Fire Fighting* (2020 ed.). Quincy, MA: NFPA Publications. National Fire Protection Association.**

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

Note to training providers:

The reference lists for Hazardous Materials Awareness and Operations are located in [Chapter 6](#) of the Certification Curriculum Manual.

13. Request from Brady Robinette regarding possible rule change to add Federal Highway Administration Traffic Incident Management Program as a requirement to obtain commission certification.

**14. Proposed amendments to 37 Tex. Administrative Code, Part 13, Chapter 421,
Standards For Certification.**



Texas Commission on Fire Protection Agenda Item Summary

MEETING: Commission
DATE: 10/29/2020

Agenda Item #: 14

Agenda Title: Chapter 421, Standards For Certification

Action to be taken: Discussion and possible publication

Origin of Item: Staff

1. INTRODUCTION/PURPOSE

The purpose of the item is for discussion of rule amendments due to changes in the National Fire Protection Association (NFPA) standard.

2. DESCRIPTION/ JUSTIFICATION

By amending the rule language to reflect **the current edition of the applicable NFPA standard** in lieu of the actual standard number, it would eliminate having to update the rules every time the NFPA makes changes to a standard or standard number.

3. BUDGET IMPACT

No budget impact is anticipated

4. TIMELINE CONSIDERATIONS

This proposal is for publication, to be considered for final adoption at the commission's January 2021 meeting.

5. RECOMMENDATION

Propose for publication

6. REFERENCES

Title 37, Chapter 421, Standards For Certification

CHAPTER 421

STANDARDS FOR CERTIFICATION

§421.1. Procedures for Meetings.

(a) Time and place. The Fire Fighter Advisory Committee and the Curriculum and Testing Committee shall meet at such time and place in the State of Texas as they deem proper. The Fire Fighter Advisory Committee shall meet at least twice each calendar year.

(b) Meeting called. Meetings shall be called by the chairman, by the Commission, or upon the written request of five members.

(c) Quorum. A majority of members shall constitute a quorum.

(d) Members. The Fire Fighter Advisory Committee shall consist of nine members appointed by the Commission. The Curriculum and Testing Committee shall consist of members appointed by the Commission upon the recommendation of the Fire Fighter Advisory Committee. Committee members serve at the will of the Commission.

(e) Officers. Officers of the Fire Fighter Advisory Committee and the Curriculum and Testing Committee shall consist of a chairman, vice-chairman, and secretary. Each committee shall elect its officers from the appointed members at its first meeting and thereafter at its first meeting following January 1 of each year or upon the vacancy of an office.

(f) Responsibility. The Fire Fighter Advisory Committee shall review Commission rules relating to fire protection personnel and fire departments and recommend changes in the rules to the Commission.

(g) Effective Date. Rules shall become effective no sooner than 20 days after filing with the Texas Register for final adoption. The committee or Commission may recommend a later effective date.

(h) Removal. It is a ground for removal from an advisory committee appointed by the Commission if a member is absent from more than half of the regularly scheduled committee meetings that the member is eligible to attend during a calendar year unless the absence is excused by a majority vote of the committee.

§421.3. Minimum Standards Set by the Commission.

(a) General statement. It shall be clearly understood that the specified minimum standards described in this section are designated as a minimum program. Employing entities are encouraged to exceed the minimum program wherever possible. Continuous in-service training beyond the minimum standards for fire protection personnel is strongly recommended. Nothing in these regulations shall limit or be construed as limiting the powers of the Civil Service Commission, or the employing entity, to enact rules and regulations which establish a higher standard of training than the minimum specified, or which provides for the termination of the services of unsatisfactory employees during or upon completion of the prescribed probationary period.

(b) Functional position descriptions.

(1) Structural Fire Protection personnel. The following general position description for structural fire protection personnel serves as a guide for anyone interested in understanding the

qualifications, competencies, and tasks required of the fire fighter operating in the State of Texas. It is ultimately the responsibility of an employer to define specific job descriptions within each jurisdiction.

(A) Qualifications. Successfully complete a commission approved course; achieve a passing score on written and performance certification examinations; must be at least 18 years of age; generally, the knowledge and skills required show the need for a high school education or equivalent; ability to communicate verbally, via telephone and radio equipment; ability to lift, carry, drag, and balance weight equivalent to the average human weight; ability to interpret in English, written and oral instructions; ability to work effectively in high stress situations; ability to work effectively in an environment with loud noises and flashing lights; ability to function through an entire work shift; ability to calculate weight and volume ratios; ability to read and understand English language manuals including chemical, medical and technical terms, and road maps; ability to accurately discern street signs and address numbers; ability to document in English, all relevant information in prescribed format in light of legal ramifications of such; ability to converse in English with coworkers and other emergency response personnel. Good manual dexterity with ability to perform all tasks related to the protection of life and property; ability to bend, stoop, and crawl on uneven surfaces; ability to withstand varied environmental conditions such as extreme heat, cold, and moisture; and ability to work in low or no light, confined spaces, elevated heights and other dangerous environments.

(B) Competency. A basic fire fighter must demonstrate competency handling emergencies utilizing equipment and skills in accordance with the objectives in Chapter 1 of the commission's Certification Curriculum Manual.

(2) Aircraft Rescue Fire Fighting personnel. The following general position description for aircraft rescue fire fighting personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of aircraft rescue fire fighting personnel operating in the State of Texas. It is ultimately the responsibility of an employer to define specific job descriptions within each jurisdiction.

(A) Qualifications. In addition to the qualifications for basic structural fire protection personnel: familiarity with geographic and physical components of an airport; ability to use and understand communication equipment, terminology, and procedures utilized by airports; ability and knowledge in the application of fire suppression agents; and ability to effectively perform fire suppression and rescue operations.

(B) Competency. Basic fire fighting and rescue personnel must demonstrate competency handling emergencies utilizing equipment and skills in accordance with the objectives in Chapter 2 of the commission's Certification Curriculum Manual.

(3) Marine Fire Protection personnel. The following general position description for marine fire protection personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the marine fire fighter operating in the State of Texas. It is ultimately the responsibility of an employer to define specific job descriptions within each jurisdiction.

(A) Qualifications. In addition to the qualifications for basic structural fire protection personnel: familiarity with geographic and physical components of a navigable waterway; ability to use and understand communication equipment, terminology, and procedures used by the maritime industry; and knowledge in the operation of fire fighting vessels.

(B) Competency. A marine fire fighter must demonstrate competency in handling emergencies utilizing equipment and skills in accordance with the objectives in Chapter 3 of the commission's Certification Curriculum Manual.

(4) Fire Inspection personnel. The following general position description for fire inspection personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the fire inspector operating in the State of Texas. It is ultimately the responsibility of an employer to define specific job descriptions within each jurisdiction.

(A) Qualifications. Successfully complete a commission approved course; achieve a passing score on certification examinations; must be at least 18 years of age; generally, the knowledge and skills required to show the need for a high school education or equivalent; ability to communicate verbally, via telephone and radio equipment; ability to lift, carry, and balance weight equivalent to weight of common tools and equipment necessary for conducting an inspection; ability to interpret written and oral instructions; ability to work effectively with the public; ability to work effectively in an environment with potentially loud noises; ability to function through an entire work shift; ability to calculate area, weight and volume ratios; ability to read and understand English language manuals including chemical, construction and technical terms, building plans and road maps; ability to accurately discern street signs and address numbers; ability to document, in writing, all relevant information in a prescribed format in light of legal ramifications of such; ability to converse in English with coworkers and other personnel. Demonstrate knowledge of characteristics and behavior of fire, and fire prevention principles. Good manual dexterity with the ability to perform all tasks related to the inspection of structures and property; ability to bend, stoop, and crawl on uneven surfaces; ability to climb ladders; ability to withstand varied environmental conditions such as extreme heat, cold, and moisture; and the ability to work in low light, confined spaces, elevated heights, and other dangerous environments.

(B) Competency. A fire inspector must demonstrate competency in conducting inspections utilizing equipment and skills in accordance with the objectives in Chapter 4 of the commission's Certification Curriculum Manual.

(5) Fire Investigator personnel. The following general position description for fire investigator personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the fire investigator operating in the State of Texas. It is ultimately the responsibility of an employer to define specific job descriptions within each jurisdiction.

(A) Qualifications. Successfully complete a commission approved course; achieve a passing score on certification examinations; be at least 18 years of age; generally, the knowledge and skills required to show the need for a high school education or equivalent; ability to communicate verbally, via telephone and radio equipment; ability to lift, carry, and balance weight equivalent to weight of common tools and equipment necessary for conducting an investigation; ability to interpret written and oral instructions; ability to work effectively with the public; ability to work effectively in a hazardous environment; ability to function through an entire work shift; ability to calculate area, weight and volume ratios; ability to read and understand English language manuals including chemical, legal and technical terms, building plans and road maps; ability to accurately discern street signs and address numbers; ability to document, in writing, all relevant information in a prescribed format in light of legal ramifications of such; ability to converse in English with coworkers and other personnel. Good manual dexterity with the ability to perform all tasks related to fire investigation; ability to bend, stoop, and walk on uneven surfaces; ability to climb ladders;

ability to withstand varied environmental conditions such as extreme heat, cold and moisture; and the ability to work in low light, confined spaces, elevated heights, and other potentially dangerous environments.

(B) Competency. A fire investigator or arson investigator must demonstrate competency in determining fire cause and origin utilizing equipment and skills in accordance with the objectives in Chapter 5 of the commission's Certification Curriculum Manual.

(6) Hazardous Materials Technician personnel. The following general position description for hazardous materials personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the hazardous materials technician operating in the State of Texas. It is ultimately the responsibility of an employer to define specific job descriptions within each jurisdiction.

(A) Qualifications. In addition to the qualifications for basic structural fire protection personnel: successfully complete a commission approved course; achieving a passing score on the certification examination; the ability to analyze a hazardous materials incident, plan a response, implement the planned response, evaluate the progress of the planned response, and terminate the incident.

(B) Competency. A hazardous materials technician must demonstrate competency handling emergencies resulting from releases or potential releases of hazardous materials, using specialized chemical protective clothing and control equipment in accordance with the objectives in Chapter 6 of the commission's Certification Curriculum Manual.

(7) Hazardous Materials Incident Commander personnel. The following general position description for Hazardous Materials Incident Commander serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the Hazardous Materials Incident Commander operating in the State of Texas. It is ultimately the responsibility of an employer to define specific job descriptions within each jurisdiction.

(A) Qualifications. In addition to the qualifications for awareness and operations level personnel, the Hazardous Materials Incident Commander is an individual who has met all the job performance requirements of Hazardous Materials Incident Commander as defined in **the current edition of the applicable NFPA standard**, [Chapter 8 of NFPA 472, Competence of Responders to Hazardous Materials Incidents/Weapons of Mass Destruction.] The individual should demonstrate knowledge in the policies, plans, and procedures regarding hazardous materials response as adopted by the local jurisdiction; and all components of the incident command system and their proper utilization.

(B) Competency. In addition to the competencies of awareness and operations level personnel, a Hazardous Materials Incident Commander must demonstrate competency in such areas as: analyzing an incident via the collection of information and an estimation of potential outcomes; planning appropriate response operations; implementing a planned response; evaluating the progress of a planned response and revising as necessary; terminating an incident; conducting a post-incident critique; and reporting and documenting an incident in a manner consistent with local, state, and federal requirements.

(8) Driver/Operator-Pumper personnel. The following general position description for driver/operator-pumper personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the driver/operator-pumper of a fire department pumper operating in the State of Texas. It is ultimately the responsibility of an employer to define specific job descriptions within each jurisdiction.

(A) Qualifications. In addition to the qualifications for basic structural fire protection personnel: ability to perform specified routine test, inspection, and maintenance functions; ability to perform practical driving exercises; ascertain the expected fire flow; ability to position a fire department pumper to operate at a fire hydrant; ability to produce effective streams; and supply sprinkler and standpipe systems.

(B) Competency. A driver/operator-pumper must demonstrate competency operating a fire department pumper in accordance with the objectives in Chapter 7 of the commission's Certification Curriculum Manual.

(9) Fire Officer I personnel. The following general position description for Fire Officer I personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the Fire Officer I operating in the State of Texas. It is ultimately the responsibility of an employer to define specific job descriptions within each jurisdiction.

(A) Qualifications. In addition to the qualifications for basic structural fire protection and Fire Instructor I personnel: the ability to supervise personnel, and assign tasks at emergency operations; the ability to direct personnel during training activities; the ability to recommend action for member-related problems; the ability to coordinate assigned tasks and projects, and deal with inquiries and concerns from members of the community; the ability to implement policies; the ability to perform routine administrative functions, perform preliminary fire investigation, secure an incident scene and preserve evidence; the ability to develop pre-incident plans, supervise emergency operations, and develop and implement action plans; the ability to deploy assigned resources to ensure a safe work environment for personnel, conduct initial accident investigation, and document an incident.

(B) Competency. A Fire Officer I must demonstrate competency in handling emergencies and supervising personnel utilizing skills in accordance with the objectives in Chapter 9 of the commission's Certification Curriculum Manual.

(10) Fire Officer II personnel. The following general position description for Fire Officer II personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the Fire Officer II operating in the State of Texas. It is ultimately the responsibility of an employer to define specific job descriptions within each jurisdiction.

(A) Qualifications. In addition to the qualifications for Fire Officer I and Fire Instructor I personnel: the ability to motivate members for maximum job performance; the ability to evaluate job performance; the ability to deliver life safety and fire prevention education programs; the ability to prepare budget requests, news releases, and policy changes; the ability to conduct pre-incident planning, fire inspections, and fire investigations; the ability to supervise multi-unit emergency operations, identify unsafe work environments or behaviors, review injury, accident, and exposure reports.

(B) Competency. A Fire Officer II must demonstrate competency in supervising personnel and coordinating multi-unit emergency operations utilizing skills in accordance with the objectives in Chapter 9 of the commission's Certification Curriculum Manual.

(11) Fire Officer III personnel. The following general position description for Fire Officer III personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the Fire Officer III operating in the State of Texas. It is

ultimately the responsibility of an employer to define specific job descriptions within each jurisdiction.

(A) Qualifications. A Fire Officer III is a midlevel supervisor who performs both supervisory and first-line managerial functions. In addition to the qualifications and competency for Fire Officer II, the Fire Officer III is an individual who has met all the job performance requirements of Fire Officer III as defined in Chapter 6 of NFPA 1021, Standard for Fire Officer Professional Qualifications. Typical duties of an individual at the Fire Officer III level include: establishing procedures for hiring, assignment, and professional development of personnel; developing public service/partnership and programs; preparing budgets and budget management systems; planning for organizational resource management; evaluating inspection and public safety programs and plans; managing multi-agency plans and operations; serving as Incident Commander at expanding emergency incidents for all hazard types; and developing and managing a departmental safety program.

(B) Competency. A Fire Officer III must demonstrate competency doing research; analyzing data and using evaluative techniques; developing proposals; developing, preparing, and implementing various procedures and programs within an organization; managing personnel resources; preparing and managing budgets; utilizing techniques to encourage personnel participation and development; and working in top-level positions within the incident command system.

(12) Fire Officer IV personnel. The following general position description for Fire Officer IV personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the Fire Officer IV operating in the State of Texas. It is ultimately the responsibility of an employer to define specific job descriptions within each jurisdiction.

(A) Qualifications. A Fire Officer IV is an upper level supervisor who performs both supervisory and managerial functions. In addition to the qualifications and competency for Fire Officer III, the Fire Officer IV is an individual who has met all the job performance requirements of Fire Officer IV as defined in Chapter 7 of NFPA 1021, Standard for Fire Officer Professional Qualifications. Typical duties of an individual at the Fire Officer IV level include: administering job performance requirements; evaluating and making improvements to department operations; developing long-range plans and fiscal projections; developing plans for major disasters; serving as Incident Commander at major incidents for all hazard types; and administering comprehensive risk management programs.

(B) Competency. A Fire Officer IV must demonstrate competency in appraising and evaluating departmental programs to ensure adherence to current laws and best practices; developing medium and long-range plans for organizations; and assuming a top-level leadership role in both the organization and community.

(13) Fire Service Instructor I personnel. The following general position description for Fire Service Instructor I personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the Fire Service Instructor I operating in the State of Texas. It is ultimately the responsibility of an employer to define specific job descriptions within each jurisdiction.

(A) Qualifications. In addition to successfully completing a commission approved course and achieving a passing score on the certification examination: must have the ability to deliver instructions effectively from a prepared lesson plan; the ability to use instructional aids and evaluation instruments; the ability to adapt to lesson plans to the unique requirements of both

student and the jurisdictional authority; the ability to organize the learning environment to its maximum potential; the ability to meet the record-keeping requirements of the jurisdictional authority.

(B) Competency. A Fire Service Instructor I must demonstrate competency in delivering instruction in an environment organized for efficient learning while meeting the record-keeping needs of the authority having jurisdiction, utilizing skills in accordance with the objectives in Chapter 8 of the commission's Certification Curriculum Manual.

(14) Fire Service Instructor II personnel. The following general position description for Fire Service Instructor II personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the Fire Service Instructor II operating in the State of Texas. It is ultimately the responsibility of an employer to define specific job descriptions within each jurisdiction.

(A) Qualifications. In addition to successfully completing a commission approved course, achieving a passing score on the certification examination, and meeting the qualifications for Fire Service Instructor I: the ability to develop individual lesson plans for a specific topic, including learning objectives, instructional aids, and evaluation instruments; the ability to schedule training sessions based on the overall training plan of the jurisdictional authority; the ability to supervise and coordinate the activities of other instructors.

(B) Competency. A Fire Service Instructor II must demonstrate competency in developing individual lesson plans; scheduling training sessions; and supervising other instructors, utilizing skills in accordance with the objectives in Chapter 8 of the commission's Certification Curriculum Manual.

(15) Fire Service Instructor III personnel. The following general position description for Fire Service Instructor III personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the Fire Service Instructor III operating in the State of Texas. It is ultimately the responsibility of an employer to define specific job descriptions within each jurisdiction.

(A) Qualifications. In addition to successfully completing a commission approved course, achieving a passing score on the certification examination, and meeting the qualifications for Fire Service Instructor II: the ability to develop comprehensive training curricula and programs for use by single or multiple organizations; the ability to conduct organizational needs analysis; and the ability to develop training goals and implementation strategies.

(B) Competency. A Fire Service Instructor III must demonstrate competency in developing comprehensive training curricula and programs; conducting organizational needs analysis; and developing training goals and implementation strategies, utilizing skills in accordance with the objectives in Chapter 8 of the commission's Certification Curriculum Manual.

(16) Incident Safety Officer personnel. The following general position description for Incident Safety Officer personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the Incident Safety Officer operating in the State of Texas. It is ultimately the responsibility of an employer to define specific job descriptions within each jurisdiction.

(A) Qualifications. An Incident Safety Officer is an individual who has met the requirements of Fire Officer Level I specified in NFPA 1021, Standard for Fire Officer Professional Qualifications and

Chapter 6 of NFPA 1521, Standard for Fire Department Safety Officer and has the knowledge, skill, and abilities to manage incident scene safety. Typical Incident Safety Officer duties include risk and resource evaluation; hazard identification and communication; action plan reviews; safety briefings; accident investigation; post incident analysis; and participation in safety committee activities.

(B) Competency. An Incident Safety Officer must demonstrate competency in management of incident scene safety through a working knowledge of the various emergency operations as prescribed by the local jurisdiction; an understanding of building construction; fire science and fire behavior; managing an organization's personnel accountability system; and incident scene rehabilitation methodology.

(17) Basic Wildland Fire Protection personnel. The following general position description for Basic Wildland Fire Protection personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the Basic Wildland Fire Fighter operating in the State of Texas. It is ultimately the responsibility of an employer to define specific job descriptions within each jurisdiction.

(A) Qualifications. A Basic Wildland Fire Fighter is an individual who has met the requirements of Chapter 5 of NFPA 1051, Standard for Wildland Fire Fighter Professional qualifications, and should demonstrate knowledge in: wildland fire behavior; fireline safety and use; limitations of personal protective equipment; fire shelter use; fire suppression tactics and techniques in wildland settings; and have an understanding of the fire fighter's role within the local incident management system.

(B) Competency. A Basic Wildland Fire Fighter must demonstrate competency in such areas as: maintaining personal protective equipment and assigned fire suppression tools and equipment; the ability to quickly prepare for a response when notified; recognizing hazards and unsafe situations in a wildland fire; securing a fire line; mopping up a fire area; and patrolling a fire area so as to ensure fire control.

(18) Intermediate Wildland Fire Protection personnel. The following general position description for Intermediate Wildland Fire Protection personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the Intermediate Wildland Fire Fighter operating in the State of Texas. It is ultimately the responsibility of an employer to define specific job descriptions within each jurisdiction.

(A) Qualifications. In addition to the qualifications and competency for the Basic Wildland Fire Fighter, the Intermediate Wildland Fire Fighter is an individual who has met the requirements of Chapter 6 of NFPA 1051, Standard for Wildland Fire Fighter Professional qualifications, and should demonstrate knowledge in: basic map reading; use of a locating device such as a compass; radio procedures as adopted by the local jurisdiction; and record keeping.

(B) Competency. An Intermediate Wildland Fire Fighter must demonstrate competency in such areas as: the ability to lead a team of fire fighters in the performance of assigned tasks while maintaining the safety of personnel; implementing appropriate fireline construction methods and other techniques for protection of exposed property; operation of water delivery equipment; securing an area of suspected fire origin and associated evidence; and serving as a lookout in a wildland fire.

§421.5. Definitions.

The following words and terms, when used in the Standards Manual, shall have the following meanings, unless the context clearly indicates otherwise.

(1) Admission to employment--An entry level full-time employee of a local government entity in one of the categories of fire protection personnel.

(2) Appointment--The designation or assignment of a person to a discipline regulated by the commission. The types of appointments are:

(A) permanent appointment--the designation or assignment of certified fire protection personnel or certified part time fire protection employees to a particular discipline (See Texas Government Code, Chapter 419, §419.032); and

(B) probationary or temporary appointment--the designation or assignment of an individual to a particular discipline, except for head of a fire department, for which the individual has passed the commission's certification and has met the medical requirement of §423.1(c) of this title (relating to Minimum Standards for Structure Fire Protection Personnel), if applicable, but has not yet been certified. (See Texas Government Code, Chapter, §419.032.)

(3) Approved training--Any training used for a higher level of certification must be approved by the commission and assigned to either the A-List or the B-List. The training submission must be in a manner specified by the commission and contain all information requested by the commission. The commission will not grant credit twice for the same subject content or course. Inclusion on the A-List or B-List does not preclude the course approval process as stated elsewhere in the Standards Manual.

(4) Assigned/work--A fire protection personnel or a part-time fire protection employee shall be considered "assigned/working" in a position, any time the individual is receiving compensation and performing the duties that are regulated by the commission and has been permanently appointed, as defined in this section, to the particular discipline.

(5) Assistant fire chief--The officer occupying the first position subordinate to the head of a fire department.

(6) Auxiliary fire fighter--A volunteer fire fighter.

(7) Benefits--Benefits shall include, but are not limited to, inclusion in group insurance plans (such as health, life, and disability) or pension plans, stipends, free water usage, and reimbursed travel expenses (such as meals, mileage, and lodging).

(8) Chief Training Officer--The individual, by whatever title he or she may be called, who coordinates the activities of a certified training facility.

(9) Class hour--Defined as not less than 50 minutes of instruction, also defined as a contact hour; a standard for certification of fire protection personnel.

(10) Code--The official legislation creating the commission.

(11) College credits--Credits earned for studies satisfactorily completed at an institution of higher education accredited by an agency recognized by the U.S. Secretary of Education and including National Fire Academy (NFA) open learning program colleges, or courses recommended for college

credit by the American Council on Education (ACE) or delivered through the National Emergency Training Center (both EMI and NFA) programs. A course of study satisfactorily completed and identified on an official transcript from a college or in the ACE National Guide that is primarily related to Fire Service, Emergency Medicine, Emergency Management, or Public Administration is defined as applicable for Fire Science college credit, and is acceptable for higher levels of certification. A criminal justice course related to fire and or arson investigation that is satisfactorily completed and identified on an official transcript from a college or in the ACE National Guide may be used to qualify for Master Arson Investigator certification.

(12) Commission--Texas Commission on Fire Protection.

(13) Commission-recognized training--A curriculum or training program which carries written approval from the commission, or credit hours that appear on an official transcript from an accredited college or university, or any fire service training received from a nationally recognized source, i.e., the National Fire Academy.

(14) Compensation--Compensation is to include wages, salaries, and "per call" payments (for attending drills, meetings or answering emergencies).

(15) Expired--Any certification that has not been renewed on or before the end of the certification period.

(16) Federal fire fighter--A person as defined in Texas Government Code, Chapter 419, §419.084(h).

(17) Fire chief--The head of a fire department.

(18) Fire department--A department of a local government that is staffed by one or more fire protection personnel or part-time fire protection employees.

(19) Fire protection personnel--Any person who is a permanent full-time employee of a fire department or governmental entity and who is appointed duties in one of the following categories/disciplines: fire suppression, fire inspection, fire and arson investigation, marine fire fighting, aircraft rescue fire fighting, fire training, fire education, fire administration and others employed in related positions necessarily or customarily appertaining thereto.

(20) Fire Code Inspection—Also called Fire Safety Inspection as referenced in Texas Government Code, Chapter 419, §419.909. An inspection performed for the purpose of determining and enforcing compliance with an adopted fire code.

(21) Fire suppression duties--Engaging in the controlling or extinguishment of a fire of any type or performing activities which are required for and directly related to the control and extinguishment of fires or standing by on the employer's premises or apparatus or nearby in a state of readiness to perform these duties.

(22) Full-time--An officer or employee is considered full-time if the employee works an average of 40 hours a week or averages 40 hours per week or more during a work cycle in a calendar year. For the purposes of this definition paid leave will be considered time worked.

(23) Government entity--The local authority having jurisdiction as employer of full-time fire protection personnel in a state agency, incorporated city, village, town or county, education institution or political subdivision.

(24) High school--A school accredited as a high school by the Texas Education Agency or equivalent accreditation agency from another jurisdiction.

(25) Immediately dangerous to life or health (IDLH)--An atmosphere that poses an immediate threat to life, would cause irreversible adverse health effects, or would impair an individual's ability to escape from a dangerous atmosphere.

(26) Incipient stage fire--A fire which is in the initial or beginning stage and which can be controlled or extinguished by portable fire extinguishers, Class II standpipe or small hose systems without the need for protective clothing or breathing apparatus.

(27) Instructor:

(A) Lead Instructor--Oversees the presentation of an entire course and assures that course objectives are met in accordance with the applicable curriculum or course material. The lead instructor should have sufficient experience in presenting all units of the course so as to be capable of last-minute substitution for other instructors.

(B) Instructor (also Unit Instructor for wildland courses)--Responsible for the successful presentation of one or more areas of instruction within a course, and should be experienced in the lesson content they are presenting.

(C) Guest Instructor--An individual who may or may not hold Instructor certification but whose special knowledge, skill, and expertise in a particular subject area may enhance the effectiveness of the training in a course. Guest instructors shall teach under the endorsement of the lead instructor.

(28) Interior structural fire fighting--The physical activity of fire suppression, rescue or both, inside of buildings or enclosed structures which are involved in a fire situation beyond the incipient stage. (See 29 CFR §1910.155.)

(29) Military active duty (or active duty)--Current full-time military service in the armed forces of the United States, or full-time military service as a member of the Texas military forces or a similar service of another state.

(30) Military service member--A person who is on active duty.

(31) Military spouse--A person who is married to a military service member.

(32) Military veteran--A person who has served on active duty and who was discharged or released from active duty.

(33) Municipality--Any incorporated city, village, or town of this state and any county or political subdivision or district in this state. Municipal pertains to a municipality as defined in this section.

(34) National Fire Academy semester credit hours--The number of hours credited for attendance of National Fire Academy courses is determined as recommended in the most recent edition of the "National Guide to Educational Credit for Training Programs," American Council on Education (ACE).

(35) National Fire Protection Association (NFPA)--An organization established to provide and advocate consensus codes and standards, research, training, and education for fire protection.

(36) National Wildfire Coordinating Group (NWCG)--An operational group designed to establish, implement, maintain, and communicate policy, standards, guidelines, and qualifications for wildland fire program management among participating agencies.

(37) Non-self-serving affidavit--A sworn document executed by someone other than the individual seeking certification.

(38) Participating volunteer fire fighter--An individual who voluntarily seeks certification and regulation by the commission under the Texas Government Code, Chapter 419, Subchapter D.

(39) Participating volunteer fire service organization--A fire department that voluntarily seeks regulation by the commission under the Texas Government Code, Chapter 419, Subchapter D.

(40) Part-time fire protection employee--An individual who is appointed as a part-time fire protection employee and who receives compensation, including benefits and reimbursement for expenses. A part-time fire protection employee is not full-time as defined in this section.

(41) Personal alert safety system (PASS)--Devices that are certified as being compliant with NFPA 1982 and that automatically activates an alarm signal (which can also be manually activated) to alert and assist others in locating a fire fighter or emergency services person who is in danger.

(42) Political subdivision--A political subdivision of the State of Texas that includes, but is not limited to the following:

- (A) city;
- (B) county;
- (C) school district;
- (D) junior college district;
- (E) levee improvement district;
- (F) drainage district;
- (G) irrigation district;
- (H) water improvement district;
- (I) water control and improvement district;
- (J) water control and preservation district;
- (K) freshwater supply district;
- (L) navigation district;

(M) conservation and reclamation district;

(N) soil conservation district;

(O) communication district;

(P) public health district;

(Q) river authority;

(R) municipal utility district;

(S) transit authority;

(T) hospital district;

(U) emergency services district;

(V) rural fire prevention district; and

(W) any other governmental entity that:

(i) embraces a geographical area with a defined boundary;

(ii) exists for the purpose of discharging functions of the government; and

(iii) possesses authority for subordinate self-government through officers selected by it.

(43) Pre-fire Planning—Also called a Pre-fire Survey. A walk-through performed by fire fighters for the purpose of gaining familiarity with a building, its contents, and its occupancy.

(44) Reciprocity for IFSAC seals and TEEEX Pro Board certificates--Valid documentation of accreditation from the International Fire Service Accreditation Congress and the National Board on Fire Service Professional Qualifications issued by the Texas A&M Engineering Extension Service used for commission certification may only be used for obtaining an initial certification.

(45) Recognition of training--A document issued by the commission stating that an individual has completed the training requirements of a specific phase level of the Basic Fire Suppression Curriculum.

(46) School--Any school, college, university, academy, or local training program which offers fire service training and included within its meaning the combination of course curriculum, instructors, and facilities.

(47) Structural fire protection personnel--Any person who is a permanent full-time employee of a government entity who engages in fire fighting activities involving structures and may perform other emergency activities typically associated with fire fighting activities such as rescue, emergency medical response, confined space rescue, hazardous materials response, and wildland fire fighting.

(48) Trainee--An individual who is participating in a commission approved training program.

(49) Volunteer fire protection personnel--Any person who has met the requirements for membership in a volunteer fire service organization, who is assigned duties in one of the following categories: fire suppression, fire inspection, fire and arson investigation, marine fire fighting, aircraft rescue fire fighting, fire training, fire education, fire administration and others in related positions necessarily or customarily appertaining thereto.

(50) Volunteer fire service organization--A volunteer fire department or organization not under mandatory regulation by the commission.

(51) Years of experience--For purposes of higher levels of certification or fire service instructor certification:

(A) Except as provided in subparagraph (B) of this paragraph, years of experience is defined as full years of full-time, part-time or volunteer fire service while holding:

(i) a commission certification as a full-time, or part-time employee of a government entity, a member in a volunteer fire service organization, and/or an employee of a regulated non-governmental fire department; or

(ii) a State Firemen's and Fire Marshals' Association advanced fire fighter certification and have successfully completed, as a minimum, the requirements for an Emergency Care Attendant (ECA) as specified by the Department of State Health Services (DSHS), or its successor agency, or its equivalent; or

(iii) an equivalent certification as a full-time fire protection personnel of a governmental entity from another jurisdiction, including the military, or while a member in a volunteer fire service organization from another jurisdiction, and have, as a minimum, the requirements for an ECA as specified by the DSHS, or its successor agency, or its equivalent; or

(iv) for fire service instructor eligibility only, a State Firemen's and Fire Marshals' Association Level II Instructor Certification, received prior to June 1, 2008 or Instructor I received on or after June 1, 2008 or an equivalent instructor certification from the DSHS or the Texas Commission on Law Enforcement. Documentation of at least three years of experience as a volunteer in the fire service shall be in the form of a non self-serving sworn affidavit.

(B) For fire service personnel certified as required in subparagraph (A) of this paragraph on or before October 31, 1998, years of experience includes the time from the date of employment or membership to date of certification not to exceed one year.

§421.9. Designation of Fire Protection Duties.

(a) An individual who performs one or more fire protection duties, listed in the Texas Government Code, §419.021(3)(C), for a fire department of local government entity shall be designated to only one of the following categories:

(1) fire protection personnel;

(2) a part-time fire protection employee; or

(3) a volunteer fire fighter or other auxiliary fire fighter.

(b) A fire department regulated by the Commission may not designate the same person under more than one category under this section. The designation shall be made on the records of the department and the designation shall be made available for inspection by the Commission or sent to the Commission on request.

(c) A fire department regulated by the Commission shall report the appointment of fire protection personnel to a regulated discipline via the Commission's online management program, or the appropriate form if available. Fire protection personnel who are assigned to a regulated discipline as part of their regularly assigned duties shall be appointed to that discipline with the Commission. No individual may be appointed to a discipline without approval by the Commission. The Commission shall not approve an initial appointment to a regulated discipline until it has reviewed and approved a person's fingerprint-based criminal history record. Termination of fire protection personnel or part-time fire protection employees shall be reported to the Commission via the Commission's online management program, or the appropriate form if available within 14 calendar days of the action. In the case of termination, the employing entity shall report an individual's last known home address to the Commission. A Removal from Appointment form may be submitted without the employee's signature.

(d) A fire department may not in a calendar year compensate, reimburse, or provide benefits to a person the department has designated as a volunteer or other auxiliary fire fighter in an amount that is equal to or more than what a person receives working 2,080 hours at the federal minimum wage.

(e) A person certified as fire protection personnel in one fire department may be employed and designated as a part-time fire protection employee in another fire department without additional certification as a part-time fire protection employee.

§421.11. Requirement To Be Certified Within One Year.

(a) Except for subsection (c) and (d) of this section, fire protection personnel or part-time fire protection employees of a fire department who are appointed duties identified as fire protection personnel duties must be certified by the commission in the discipline(s) to which they are assigned within one year of their appointment to the duties or within two years of successfully passing the applicable commission examination, whichever is less. The commission shall not approve an initial certification for a regulated discipline until it has reviewed and approved a person's fingerprint-based criminal history record. An individual who accepts appointment(s) in violation of this section shall be removed from the appointment(s) and will be subject to administrative penalties. A department or local government that appoints an individual in violation of this section will also be subject to administrative penalties.

(b) An individual who has been removed from appointment to duties identified as fire protection personnel duties for violation of this section must petition the commission in writing for permission to be reappointed to the duties from which they were removed. The petition will be considered only if the individual has obtained all appropriate certification(s) applicable to the duties to which the individual seeks reappointment.

(c) A military spouse may be appointed to fire protection personnel duties with a regulated fire department without being required to obtain the applicable certification, provided the military

spouse submits the following to the commission prior to appointment and has received confirmation of approval from the commission:

- (1) notification to the commission of intent to perform regulated fire protection duties;
- (2) documentation of equivalent certification from another jurisdiction;
- (3) a fingerprint-based criminal history record using the commission approved system;
- (4) proof of residency in Texas; and
- (5) a copy of the individual's military identification card.

(d) A military spouse appointed to fire protection duties under this section may engage in those duties only for the period in which the military service member to whom the spouse is married is stationed at a military installation in Texas, but not to exceed three years from the date the military spouse receives approval from the commission to engage in those duties.

§421.13. Individual Certificate Holders.

(a) Employment is not mandatory for certification. An individual may hold or renew any certificate issued by the commission for which they maintain their qualifications.

(b) An individual certificate holder must notify the commission of a change of his or her home address within 14 calendar days of a change of address.

§421.15. Extension of Training Period.

A fire department may apply to the commission for an extension of the one-year training period, identified in §419.032(c) of the Government Code, for a time period not exceeding two years from the date of original appointment as follows:

- (1) the request for extension shall be placed on the Fire Fighter Advisory Committee's (FFAC's) agenda to be heard at its next regular or special called meeting after submission of the request;
- (2) after review by the FFAC, the application along with the FFAC's recommendations will be sent to the commission to be heard at its next regular meeting. If the request for extension is approved by the commission, the extension shall become effective immediately; and
- (3) the one-year extension of training time, if granted, shall run from the date of forfeiture and removal or, at the latest, from one year after the original date training began, whichever occurs first.

§421.17. Requirement to Maintain Certification.

(a) All full-time or part-time employees of a fire department or local government assigned duties identified as fire protection personnel duties must maintain certification by the commission in the discipline(s) to which they are assigned for the duration of their assignment.

(b) In order to maintain the certification required by this section, the certificate(s) of the employees must be renewed annually by complying with §437.5 of this title (relating to Renewal Fees) and Chapter 441 of this title (relating to Continuing Education) of the commission standards manual.

(c) Except for subsection (d) of this section, an individual whose certificate has been expired for one year or longer may not renew the certificate previously held. To obtain a new certification, an individual must meet the requirements in Chapter 439 of this title (relating to Examinations for Certification).

(d) A military service member whose certificate has been expired for three years or longer may not renew the certificate previously held. To obtain a new certification, the person must meet the requirements in Chapter 439 of this title (relating to Examinations for Certification). In order to qualify for this provision, the individual must have been a military service member at the time the certificate expired and continued in that status for the duration of the three-year period.

(e) The commission will provide proof of current certification to individuals whose certification has been renewed.

~~[(f) All certificate holders are subject to the requirements of §57.491 of the Texas Education Code regarding license renewal and default on student loans.]~~

15. Proposed amendments to 37 Tex. Administrative Code, Part 13, Chapter 429, Fire Inspector and Plan Examiner, Subchapter B, Minimum Standards For Plan Examiner, §429.201, Minimum Standard For Plan Examiner Personnel.



Texas Commission on Fire Protection Agenda Item Summary

MEETING: Commission
DATE: 10/29/2020

Agenda Item #: 15

Agenda Title: Chapter 429, Fire Inspector and Plan Examiner

Action to be taken: Discussion and possible publication

Origin of Item: Staff

1. INTRODUCTION/PURPOSE

The purpose of the item is for discussion regarding deletion of the temporary special provision that expired on September 1, 2020.

2. DESCRIPTION/ JUSTIFICATION

The agenda item allows for discussion regarding the removal of the subsection in the rule allowing for the temporary provision which has expired.

3. BUDGET IMPACT

No budget impact is anticipated

4. TIMELINE CONSIDERATIONS

This proposal is for publication, to be considered for final adoption at the commission's January 2021 meeting.

5. RECOMMENDATION

Propose for publication

6. REFERENCES

Title 37, Chapter 429, Fire Inspector and Plan Examiner

CHAPTER 429
FIRE INSPECTOR AND PLAN EXAMINER
SUBCHAPTER B
MINIMUM STANDARDS FOR PLAN EXAMINER

§429.201. Minimum Standards for Plan Examiner Personnel.

~~[(a)]~~ Plan examiner duties are defined as the review of building or other structure plans for the purpose of determining compliance with adopted fire codes and standards.

~~[(b)]~~ Special temporary provision. Individuals are eligible to apply for Plan Examiner certification if they hold an active Fire Inspector certification and any of the following criteria is met:

~~— (1) the individual passed the Plan Examiner section of a Fire Inspector exam at any time; or~~

~~— (2) the individual is or has been assigned to plan review duties with a local jurisdiction. Verification of plan review duties must be in the form of a letter from the head of the department for the jurisdiction; or~~

~~— (3) the individual is or has served as an instructor for a Fire Inspector training program approved by the commission for Fire Inspector certification. Verification of instructor duties must be in the form of a letter from the head of the department if the training program is part of a suppression or prevention department, or the chief training officer if the program is not a part of a suppression or prevention department.~~

~~— (4) This subsection will expire on September 1, 2020.]~~

§429.203. Minimum Standards for Plan Examiner I Certification.

In order to be certified as a Plan Examiner I, an individual must:

(1) possess valid documentation as a Plan Examiner I from either:

(A) the International Fire Service Accreditation Congress; or

(B) the National Board on Fire Service Professional Qualifications issued by the Texas A&M Engineering Extension Service using the 2009 or later edition of the NFPA standard applicable to this discipline and meeting the requirements as specified in §439.1(a)(2) of this title (relating to Requirements—General); or

(2) complete a commission approved Plan Examiner I training program and successfully pass the commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved training program shall consist of one of the following:

(A) completion of the commission approved Plan Examiner I Curriculum, as specified in the commission's Certification Curriculum Manual; or

(B) successful completion of an out-of-state, NFA, and/or military training program which has been submitted to the commission for evaluation and found to meet the minimum requirements as listed in the commission approved Plan Examiner I Curriculum as specified in the commission's Certification Curriculum Manual; or

(C) documentation of the receipt of a Plan Examiner I certificate issued by the State Firemen's and Fire Marshals' Association of Texas that is deemed equivalent to a commission approved Plan Examiner I curriculum.

§429.205. International Fire Service Accreditation Congress (IFSAC) Seal.

- (a) Individuals who pass the state examination may be granted an IFSAC seal for Plan Examiner I by making application to the commission for the IFSAC seal and paying the associated fee.
- (b) In order to qualify for an IFSAC seal, an individual must submit the application for the seal prior to the expiration of the examination.

**16. Proposed amendments to 37 Tex. Administrative Code, Part 13, Chapter 435, Fire
Fighter Safety.**



Texas Commission on Fire Protection Agenda Item Summary

MEETING: Commission
DATE: 10/29/2020

Agenda Item #: 16

Agenda Title: Chapter 435, Fire Fighter Safety

Action to be taken: Discussion and possible publication

Origin of Item: Staff

1. INTRODUCTION/PURPOSE

The purpose of the item is to consider the removal of language requiring the annual submittal of standard operating procedures (SOP) to the commission.

2. DESCRIPTION/ JUSTIFICATION

Amending this rule will relieve an undue burden on regulated entities as well as the Compliance Division. SOPs are reviewed during inspections and investigations and the current rule adds undue electronic storage issues for the agency.

3. BUDGET IMPACT

No significant impact is anticipated

4. TIMELINE CONSIDERATIONS

Propose for publication

5. RECOMMENDATION

Recommend publication

6. REFERENCES

37 TAC, Chapter 435, Fire Fighter Safety

CHAPTER 435

FIRE FIGHTER SAFETY

§435.1. Protective Clothing.

A regulated fire department shall:

(1) purchase, provide, and maintain a complete set of protective clothing for all fire protection personnel who would be exposed to hazardous conditions from fire or other emergencies or where the potential for such exposure exists. A complete set of protective clothing shall consist of garments including bunker coats, bunker pants, boots, gloves, helmets, and protective hoods, worn by fire protection personnel in the course of performing fire-fighting operations;

(2) ensure that all protective clothing which are used by fire protection personnel assigned to fire suppression duties comply with the minimum standards of the National Fire Protection Association suitable for the tasks the individual is expected to perform. The National Fire Protection Association standard applicable to protective clothing is the standard in effect at the time the entity contracts for new, rebuilt, or used protective clothing; and

(3) maintain, provide to the commission [~~annually and/or~~] upon request, and comply with a departmental standard operating procedure regarding the use, selection, care, and maintenance of protective clothing which complies with NFPA 1851, Standard on Selection, Care, and Maintenance of Structural Fire Fighting Protective Ensembles.

(4) To ensure that protective clothing for fire protection personnel continues to be suitable for assigned tasks, risk assessments conducted in accordance with NFPA 1851 shall be reviewed and revised as needed, but in any case, not more than five years following the date of the last risk assessment.

§435.3. Self-Contained Breathing Apparatus.

The employing entity shall:

(1) purchase, provide, and maintain a complete self-contained breathing apparatus for each on-duty fire protection personnel who engage in operations where IDLH atmospheres may be encountered, where the atmosphere is unknown or would be exposed to hazardous atmospheres from fire or other emergencies or where the potential for such exposure exists;

(2) ensure that all self-contained breathing apparatus used by fire protection personnel complies with the minimum standards of the National Fire Protection Association identified in NFPA 1981, Standard on Open-Circuit Self-Contained Breathing Apparatus for Fire Fighters;

(A) the National Fire Protection Association standard applicable to a self-contained breathing apparatus is the standard in effect at the time the entity contracts for new, rebuilt, or used self-contained breathing apparatus;

(B) an entity may continue to use a self-contained breathing apparatus in use or contracted for before a change in the National Fire Protection Association standard, unless the commission determines that the continued use of the self-contained breathing apparatus constitutes an undue

risk to the wearer, in which case the commission shall order that the use be discontinued and shall set an appropriate date for compliance with the revised standard;

(3) develop an air quality program that complies with the most recent edition of the NFPA 1989 Standard on Breathing Air Quality for Emergency Services Respiratory Protection;

(4) maintain and supply upon request by the commission, records and reports documenting compliance with commission requirements concerning self-contained breathing apparatus and breathing air. Records of all tests shall be made and the records shall be retained for a period of no less than three years;

(5) maintain and provide upon request by the commission, a departmental standard operating procedure regarding the use of self-contained breathing apparatus; and

(6) maintain and provide upon request by the commission, a department standard operating procedure regarding the selection, care, and maintenance of self-contained breathing apparatus that complies with the most recent edition of the NFPA 1852 Standard on Selection, Care, and Maintenance of Open-Circuit Self-Contained Breathing Apparatus (SCBA).

§435.5. Commission Recommendations.

The commission recommends that all employing entities use as a guide the following publications:

- (1) NFPA 1403 "Live Fire Training Evolutions";
- (2) NFPA 1500 "Fire Department Occupational Safety and Health Program;"
- (3) IAFF/IAFC - "Fire Service Joint Labor Management Wellness-Fitness Initiative."

§435.7. Fire Department Staffing Studies.

(a) Section 419.022(a)(4) Texas Government Code provides that the commission may on request, assist in performing staffing studies of fire departments. Staffing studies must take into consideration all the objectives and missions of the fire department. Many staffing studies have been developed that can be used to assist in evaluating the needs of a fire department.

(b) A city should ultimately decide on the level of fire protection it is willing to provide to its citizens. The city and fire department should, as a minimum, address the needs of prevention, investigation and suppression as outlined in the appropriate National Fire Protection Association Standards. That decision should be based on facts, the safety of its citizens, and the safety of the fire fighters providing that protection.

(c) The commission will assist by maintaining information pertinent to fire department staffing. The information shall be maintained in the Ernest A. Emerson Fire Protection Resource Library at the commission. Copies shall be made available, free of charge, to anyone requesting such information to the extent permitted by copyright laws.

§435.9. Personal Alert Safety System (PASS).

The employing entity shall:

(1) purchase, provide, and maintain a PASS device for each on duty fire protection personnel who engage in operations where IDLH atmospheres may be encountered, or where the atmosphere is unknown, or where hazardous conditions from fire or other emergencies exist, or where the potential for such exposure exists;

(2) ensure that all PASS devices used by fire protection personnel comply with the minimum standards of the National Fire Protection Association identified in NFPA 1982, Standard on Personal Alert Safety Systems (PASS) for Fire Fighters:

(A) the National Fire Protection Association standard applicable to a PASS device is the standard in effect at the time the entity contracts for new, rebuilt, or used PASS devices;

(B) an entity may continue to use a PASS device that meets the requirements of an earlier edition of NFPA 1982, unless the commission determines that the continued use of the PASS device constitutes an undue risk to the wearer, in which case the commission shall order that the use be discontinued and shall set an appropriate date for compliance with the revised standard;

(3) ensure that the PASS device assigned to an individual user be inspected at the beginning of each duty period and before each use.

(4) maintain and provide upon request by the commission, a departmental standard operating procedure regarding the proper use, selection, care and maintenance of PASS devices.

§435.11. Incident Management System (IMS).

(a) The fire department shall develop, maintain and use an incident management system.

(b) The incident management system shall:

(1) include a written operating procedure for the management of emergency incidents;

(2) require that the IMS be used at all emergency incidents;

(3) require operations to be conducted in a manner that recognizes hazards and assists in the prevention of accidents and injuries;

(4) require that all fire protection personnel be trained in the use of the IMS; and

(5) require that the IMS be applied to all drills, exercises and all other situations that involve hazards similar to those encountered at an actual emergency.

(c) The IMS shall meet the requirements of the applicable sections of the NFPA 1561, Standard on Fire Department Incident Management System.

(d) The commission recommends departments follow the National Incident Management System (NIMS) when developing their incident management system.

§435.13. Personnel Accountability System.

(a) The fire department shall develop, maintain and use a personnel accountability system that provides for a rapid accounting of all personnel at an emergency incident.

(b) The accountability system shall:

- (1) require all fire protection personnel be trained in the use of the accountability system;
 - (2) require that the fire protection personnel accountability system be used at all incidents;
 - (3) require that all fire protection personnel operating at an emergency incident to actively participate in the personnel accountability system; and
 - (4) require that the incident commander be responsible for the overall personnel accountability system for the incident.
- (c) The fire department shall be responsible for developing the system components required to make the personnel accountability system effective.
- (d) The personnel accountability system shall meet the minimum standards required by the National Fire Protection Association 1561, Standard on Fire Department Incident Management System. If the standard is revised, the fire department shall have one (1) year from the effective date of the new standard to comply.

§435.15. Operating At Emergency Incidents.

(a) The fire department shall develop, maintain and use a standard operating procedure for fire protection personnel operating at emergency incidents.

(b) The standard operating procedure shall:

- (1) specify an adequate number of personnel to safely conduct emergency scene operations;
- (2) limit operations to those that can be safely performed by personnel at the scene;
- (3) require all personnel to be trained in and use the standard operating procedures; and
- (4) comply with §435.17 (Procedures for Interior Structural Fire Fighting).

(c) The fire department may use standards established by the National Fire Protection Association for fire protection personnel operating at an emergency incident.

§435.17. Procedures for Interior Structural Fire Fighting (2-In /2-Out Rule).

(a) The fire department shall develop written procedures that comply with the Occupational Safety and Health Administration's Final Rule, 29 CFR Section 1910.134(g)(4) by requiring:

- (1) a team of at least four fire protection personnel must be assembled before an interior fire attack can be made when the fire has progressed beyond the incipient stage;
- (2) at least two fire protection personnel to enter the IDLH atmosphere and remain in visual or voice (not radio) contact with each other;

(A) Visual means that the fire protection personnel must be close enough to see each other.

(B) Voice means that the fire protection personnel of the entry team must be close enough to speak to one another without the use of radios.

(3) at least two fire protection personnel remain located outside the IDLH atmosphere to perform rescue of the fire protection personnel inside the IDLH atmosphere;

(4) all fire protection personnel engaged in interior structural fire fighting use self-contained breathing apparatus and be clothed in a complete set of protective clothing as identified in Chapter 435;

(5) all fire protection personnel located outside the IDLH atmosphere be equipped with appropriate retrieval equipment where retrieval equipment would contribute to the rescue of the fire protection personnel that have entered the IDLH atmosphere;

(6) one of the outside fire protection personnel must actively monitor the status of the inside fire protection personnel and not be assigned other duties. The second outside fire protection personnel may be assigned to an additional role, including, but not limited to, incident commander, safety officer, driver-operator, command technician or aide, or fire fighter/EMS personnel, so long as this individual is able to perform assistance or rescue activities without jeopardizing the safety or health of any fire protection personnel working at the scene;

(7) the fire protection personnel outside the IDLH atmosphere must remain in communication (including, but not limited to, radio) with the fire protection personnel in the IDLH atmosphere. Use of a signal line (rope) as a communications instrument for interior fire fighting is not permitted by the commission. This does not preclude the use of rescue guide ropes (guide line or lifeline or by what ever name they may be called) used during structural searches; and

(8) each outside fire protection personnel must have a complete set of protective clothing and self-contained breathing apparatus, as identified in Chapter 435, immediately accessible for use if the need for rescue activities inside the IDLH atmosphere is necessary.

(b) The fire department shall comply with the 2-in/2-out rule as described in this section except in an imminent life-threatening situation when immediate action could prevent the loss of life or serious injury before the team of four fire protection personnel are assembled.

§435.19. Enforcement of Commission Rules.

(a) The commission shall enforce all commission rules at any time, including, but not limited to, commission investigations, fire department inspections, or upon receiving a written complaint from an identified person or entity of an alleged infraction of a commission rule.

(b) The commission shall not provide prior notification of an inspection to a fire department.

(c) Upon receipt of a signed complaint alleging a violation of a commission rule, the commission shall have 30 days to initiate an investigation and report back to the complainant its progress.

(d) Upon substantiating the validity of a written complaint, the commission shall follow the procedures outlined in Texas Government Code, Chapter 419, §419.011(b) and (c).

§435.21. Fire Service Joint Labor Management Wellness-Fitness Initiative.

(a) A fire department shall assess the wellness and fitness needs of the personnel in the department. The procedure used to make this assessment shall be written and made available for Commission inspection.

(b) A fire department shall develop and maintain a standard operating procedure to address those needs.

(c) The approach to the fitness needs of the department shall be based on the local assessment and local resources.

(d) The standard operating procedure shall be made available to the Commission for inspection.

§435.23. Fire Fighter Injuries.

(a) A fire department shall report all Texas Workers' Compensation Commission reportable injuries that occur to on-duty regulated fire protection personnel on the Commission form.

(b) Minor injuries are those injuries that do not result in the fire fighter missing more than one duty period or does not involve the failure of personal protective equipment. Minor injuries shall be reported within 30 business days of the injury event.

(c) Major injuries are those that require the fire fighter to miss more than one duty period. Major injuries shall be reported within five business days of the injury event.

(d) Investigatable injuries are those resulting from the malfunction of personal protective equipment, failure of personal protective equipment to protect the fire fighter from injury, or injuries sustained from failure to comply with any provision of Commission mandated department SOPs. Investigatable injuries shall be reported within five business days of the injury event.

(e) The regulated entity shall secure any personal protective equipment involved in a fire fighter injury and shall be made available to the Commission for inspection.

§435.25. Courage to be Safe So Everyone Goes Home Program.

(a) In an effort to improve firefighter safety in the State of Texas, all regulated entities will ensure that the National Fallen Firefighters Foundation's "Courage to be Safe So Everyone Goes Home" program be completed as part of the continuing education required for certified fire protection personnel by. Individuals will be credited with four hours of continuing education credit for completing this program.

(b) All fire protection personnel will be required to complete the National Fallen Firefighters Foundation's "Courage to be Safe So Everyone Goes Home" program training within one year following appointment to a fire department if the individual has not previously completed the program.

(c) Departments will report the completion of training through the commission's web based reporting system.

(d) Failure to complete the National Fallen Firefighters Foundation's "Courage to be Safe So Everyone Goes Home" program before the required deadlines will be considered a violation of continuing education rules found in Chapter 441 of this title (relating to Continuing Education).

§435.27. Live Fire Training Structure Evolutions.

The most current edition of NFPA 1403, Standard on Live Fire Training Evolutions, shall be used as a guide when developing standard operating procedures for conducting live fire training. The following requirements shall apply for all Live Fire Training Structure Evolutions conducted.

(1) The officer in charge or instructor will ensure that the water supply rate and duration for each individual Live Fire Training Structure Evolution is adequate to control and extinguish the training

fire, the supplies necessary for backup lines to protect personnel, and any water needed to protect exposed property.

(2) The instructor-in-charge shall assign the following personnel:

(A) One instructor to each functional crew, which shall not exceed five students.

(B) One instructor to each backup line.

(C) Additional personnel to backup lines to provide mobility.

(D) One additional instructor for each additional functional assignment.

(3) The officer in charge or instructor will ensure that the buildings or props being utilized for live fire training are in a condition that would not pose an undue safety risk.

(4) A safety officer shall be appointed for all Live Fire Training Structure Evolutions. The safety officer shall have the authority, regardless of rank, to alter, suspend or control any aspect of the operations when, in his or her judgment, a potential or actual danger, accident, or unsafe condition exists. The safety officer shall not be assigned other duties that interfere with safety responsibilities.

(5) No person(s) shall play the role of a victim inside the building.

(6) Prior to the ignition of any fire, instructors shall ensure that all personal protective clothing and/or self contained breathing apparatus are NFPA compliant and being worn in the proper manner.

(7) Prior to conducting any live fire training, a pre-burn briefing session shall be conducted. All participants shall be required to conduct a walk-through of the structure in order to have a knowledge of, and familiarity with, the layout of the building and to be able to facilitate any necessary evacuation of the building.

(8) A standard operating procedure shall be developed and utilized for Live Fire Training Structure Evolutions. The standard operating procedure shall include, but not be limited to:

(A) a Personal Alert Safety System (PASS). A PASS device shall be provided for all participating in live fire training and shall meet the requirements in §435.9 of this title (relating to Personal Alert Safety System (PASS));

(B) a Personnel Accountability System that complies with §435.13 of this title (relating to Personnel Accountability System) shall be utilized;

(C) an Incident Management System;

(D) use of personal protective clothing and self-contained breathing apparatus;

(E) an evacuation signal and procedure; and

(F) pre-burn, burn and post-burn procedures.

§435.29. Federal Highway Administration Traffic Incident Management Program.

- (a) In an effort to improve firefighter safety in the State of Texas, all regulated entities will ensure that the Federal Highway Administration Traffic Incident Management program or an equivalent course that is approved by the commission be completed as part of the continuing education required for certified fire protection personnel by December 1, 2020. Individuals will be credited with four hours of continuing education credit for completing this program.
- (b) All regulated fire protection personnel must complete the Federal Highway Administration Traffic Incident Management program or an equivalent course that is approved by the commission prior to December 1, 2020.
- (c) All fire protection personnel appointed after December 1, 2020 will be required to complete the Federal Highway Administration Traffic Incident Management program training or an equivalent course that is approved by the commission within one year of appointment to a fire department.
- (d) Departments will report the completion of training through the commission's web based reporting system.
- (e) Failure to complete the Federal Highway Administration Traffic Incident Management program or an equivalent course that is approved by the commission before the required deadline will be considered a violation of continuing education rules found in Chapter 441 of this title (relating to Continuing Education).

17. Proposed amendments to 37 Tex. Administrative Code, Part 13, Chapter 445, Administrative Inspections and Penalties.



Texas Commission on Fire Protection Agenda Item Summary

MEETING: Commission
DATE: 10/29/2020

Agenda Item #: 17

Agenda Title: Chapter 445, Administrative Inspections and Penalties

Action to be taken: Discussion and possible publication

Origin of Item: Staff

1. INTRODUCTION/PURPOSE

The purpose of the item is for discussion regarding the clarification of minor and major penalties for non-compliance with commission rules by fire departments when an inspection is conducted.

2. DESCRIPTION/ JUSTIFICATION

Amending this rule will allow the agency to be compliant with an existing state government code as well as a 2009 Sunset Recommendation for such language.

3. BUDGET IMPACT

No budget impact is anticipated

4. TIMELINE CONSIDERATIONS

This proposal is for publication, to be considered for final adoption at the commission's January 2021 meeting.

5. RECOMMENDATION

Propose for publication

6. REFERENCES

Title 37, Chapter 445, Administrative Inspections and Penalties

CHAPTER 445

ADMINISTRATIVE INSPECTIONS AND PENALTIES

§445.1. Entity Inspections.

- (a) The Commission shall conduct at least biennial inspections of the entities that fall under the regulatory authority of the Commission~~;~~ and may perform risk-based inspections of entities the Commission determines to be at risk.
- (b) The purpose of these inspections shall be to promote safety and proficiency in the fire service by ensuring compliance with state law and Commission rules pertaining to minimum standards for fire protection personnel education, protective clothing, self-contained breathing apparatus, personal alert safety systems, standard operating procedures, or any other aspect of the fire service regulated by the Commission.
- (c) This shall include inspections of volunteer fire fighters and fire departments that participate in the voluntary regulation program pursuant to §419.071 of the Texas Government Code in one or more of the component areas.

§445.3. Right of Access.

- (a) A duly authorized representative of the commission may enter the premises of any entity regulated by the commission at any time during normal working hours and in such manner as to minimize interference with the operations of the entity to determine whether or not the entity is in compliance with the Code and the rules of the commission.
- (b) No person shall refuse to permit~~;~~ or interfere with an inspection authorized by the Code or commission rules.
- (c) Interference with, or refusal to permit an inspection under the Code or commission rules is grounds for discipline.
- (d) The commission's right of access will be enforced through either administrative or judicial procedures as is necessary or required.

§445.5. Duty To Comply; Enforcement.

- (a) An entity regulated by the commission shall have the duty to implement and maintain compliance with the rules and the Code.
- (b) Every regulated entity under the Code shall be given an inspection covering the categories established by the commission. An entity found to be in noncompliance with the Code or rules of the commission shall be subject to warnings, administrative penalties, and other discipline as appropriate.

§445.7 Procedures.

- (a) The inspector shall, if possible, notify the current or acting, on duty and available, department head of the inspector's presence at the department and his intention to conduct a departmental inspection.
- (b) During the course of the inspection, any noncompliance with state law or commission rule shall be noted. Violations shall be determined to be either minor or major violations based upon the following guidelines.
- (1) Minor violations shall be defined as those violations which the inspector determines do not pose a serious threat to personnel safety due to lack of personnel protection equipment or training, are not widespread, or are not repeat violations of the same nature for which the entity was cited within the previous five years.
- (2) Major violations shall be defined as those violations which in the inspector's opinion constitute **higher potential** ~~[an immediate]~~ threat to personnel safety, flagrant or repeated violations in the same or similar areas, fraud, or obvious attempts to circumvent state law or commission rule. ~~[A major violation may be as follows but not limited to a deficiency or safety issue involving protective clothing, a self-contained breathing apparatus, personal alert safety systems, breathing air, or other matter that in the inspector's judgment presents an immediate and significant risk of injury.]~~
- (c) In order to determine compliance with commission requirements pertaining to a particular item, the inspector may examine as many items of protective clothing and equipment deemed necessary by the inspector.

§445.9 Minor ~~[Procedure for]~~ Violations.

~~[(a) Findings of only minor violations.]~~ If during the course of a departmental inspection the inspector determines the department has committed ~~[only]~~ minor violations, the following **procedures shall apply.** ~~[procedure applies.]~~

- (1) The inspector shall issue **a notice of alleged violations identifying** ~~[an inspectors report which will identify]~~ the findings from the compliance inspection. ~~[The inspector's report is a written summary of an inspector's findings that is given to an inspected entity after an inspection. In cases of minor violations, the inspector's report may identify deficiencies and prescribe corrective action within specific timeframes.]~~
- (2) The department then has 30 calendar days from the date the **notice of alleged violations** ~~[inspector's report]~~ is received to provide the commission with **an acceptable corrective action plan** ~~[a written schedule of actions]~~ that will be taken to correct the **minor** violations. The schedule of actions **in the plan** will allow necessary amounts of time for such things as obtaining items through city requisitions and bid processes, when necessary. Lack of funds is not an acceptable reason for delay.
- (3) If the department fails to ~~[timely]~~ provide an acceptable **plan for obtaining compliance or does not request a hearing, the department may be:** ~~[written schedule of actions for obtaining compliance, the inspector or compliance officer may issue a notice of alleged violation. The notice of alleged violation is a written document that briefly summarizes the alleged violation(s), and requires the person to correct the violation(s). The~~

notice may also prescribe a specific time period to rectify the matter and achieve compliance, and assess an administrative penalty. If an administrative penalty is assessed, the notice shall state the amount of the penalty. The notice shall also inform the person of the person's right to an informal staff conference and that if the person fails to timely correct the alleged violation or fails to request a preliminary staff conference before the 61st day after receipt of the notice, the commission may issue a default order. In addition, the notice of alleged violation may:}]

(A) **allowed**[allow] extra time to come into compliance;

(B) **assessed appropriate penalties**[assess administrative penalties], which may be **probated or prorated and may include suspension of certificates, administrative penalties, hearing costs, and attorneys fees;** [prorated;]

(C) **required to furnish proof of compliance.** [suspend or revoke licenses or certificates; and]

[(D) require proof of compliance.]

[(b) Findings of major violations. If during the course of a departmental inspection the inspector determines the department has committed a major violation, the following procedure applies.]

[(1) The inspector or compliance officer shall issue a notice of alleged violation. The notice shall identify the violations and require the department or provider to correct the violation. In addition, the notice of alleged violation may:]

——— [(A) specify a time period to achieve compliance;]

——— [(B) assess administrative penalties;]

——— [(C) suspend or revoke licenses or certificates; and]

——— [(D) require proof of compliance.]

[(2) In addition to any of the above, the commission may also temporarily suspend a person's or regulated entity's certificate on a determination by a panel of the commission that continued activity by the person or entity would present an immediate threat to the public, regulated personnel, or fire service trainees; and seek an injunction in a district court in Travis County along with civil penalties, court costs, and attorney's fees. See Tex. Gov't Code §419.906(a), (d).]

[(c) If a fire department or training provider fails to correct the alleged violation in a timely manner or fails to request a preliminary staff conference (information settlement conference) before the 61st day after the date it receives a notice of alleged violation, the commission through its executive director may issue a default order.]

[(d) When determining administrative penalties for a notice of alleged violation or default order the following factors shall be considered:]

——— [(1) compliance history;]

- [(2) seriousness of the violation;]
- [(3) the safety threat to the public or fire personnel;]
- [(4) any mitigating factors; and]
- [(5) any other factors the commission considers appropriate.]

[(e) If the fire department or training provider timely requests a preliminary staff conference (informal settlement conference), the procedures in Chapter 401, Subchapter E apply, and if the preliminary staff conference does not result in approval of a consent order the matter shall be referred for a contested case hearing.]

§445.11 Major Violations

If during the course of a departmental inspection the inspector determines the department has committed major violations involving protective clothing, self-contained breathing apparatus, personal alert safety systems or breathing air, the following procedures shall apply:

- (1) The inspector shall issue a notice of alleged violations identifying the violations and the corrective measures to be taken by the department to correct the listed violations.**
- (2) The department has 30 calendar days from the date of receipt of the formal notice of noncompliance to correct the violations, and to provide the Commission with proof of compliance or submit written notice of appeal.**
- (3) If the department fails to come into compliance in the required time frame an administrative penalty of up to \$500 per day may be assessed from the first day of formal notice of violation for each violation. If it is determined that the department was assessed administrative penalties for the same or similar violations within the previous five years, the administrative penalty of up to \$1,000 per violation may be assessed.**
- (4) The department then has 30 calendar days from formal notice of administrative penalties assessed to pay the administrative penalty or submit written notice of appeal.**
- (5) Upon receipt of a written appeal concerning administrative action or penalty a hearing will be scheduled. Chapter 154 of the Texas Civil Practice and Remedies Code shall be used as a procedural guide.**

§445.13 Disciplinary Hearings.

A complaint case shall be opened no later than the 30th day after formal notice to the fire department, training provider or individual, concerning unresolved major violations found during an inspection. A hearing will be scheduled with the fire department, training provider or individual to determine administrative actions or penalties. The

Commission shall consider the following factors when determining administrative penalties:

(1) compliance history;

(2) seriousness of the violation;

(3) the safety threat to the public or fire personnel;

(4) any mitigating factors; and

(5) any other factors the commission considers appropriate.

§445.15 Judicial Enforcement.

The Commission may enter a default order if a fire department or training provider fails to take action to correct a violation found during an inspection conducted under this chapter, or to request an informal settlement conference before the 61st day after the date the Commission provides to the department or provider notice requiring the department or provider to correct the violations.

§445.17 Liability for Violations.

The issuance of violation notices, administrative penalties, order, and the permitting of a regulated entity to correct deficiencies in no way relieves the entity from the duty to, at all times, remain in complete compliance with the Code or commission rules or from the liability it could incur from failing to fulfill its statutory and regulatory duties.

§445.19 Inspection Forms.

The executive director, or his designee, shall develop forms for the inspection of records, equipment, clothing, and facilities which shall be on file at the commission office and available for public inspections.

**18. Proposed amendments to 37 Tex. Administrative Code, Part 13, Chapter 453,
Hazardous Materials.**



Texas Commission on Fire Protection Agenda Item Summary

MEETING: Commission
DATE: 10/29/2020

Agenda Item #: 18

Agenda Title: Chapter 453, Hazardous Materials

Action to be taken: Discussion and possible publication

Origin of Item: Staff

1. INTRODUCTION/PURPOSE

The purpose of the item is for discussion of rule amendments due to changes in the National Fire Protection Association (NFPA) standard.

2. DESCRIPTION/ JUSTIFICATION

By amending the rule language to reflect **the current edition of the applicable NFPA standard** in lieu of the actual standard number, it would eliminate having to update the rules every time the NFPA makes changes to a standard or standard number.

3. BUDGET IMPACT

No budget impact is anticipated

4. TIMELINE CONSIDERATIONS

This proposal is for publication, to be considered for final adoption at the commission's January 2021 meeting.

5. RECOMMENDATION

Propose for publication

6. REFERENCES

Title 37, Chapter 453, Hazardous Materials

CHAPTER 453
HAZARDOUS MATERIALS
SUBCHAPTER A
MINIMUM STANDARDS FOR HAZARDOUS MATERIALS TECHNICIAN

§453.1. Hazardous Materials Technician Certification.

(a) A Hazardous Materials Technician is defined as an individual who performs emergency response to an occurrence which results in, or is likely to result in, an uncontrolled release of a hazardous substance where there is a potential safety or health hazard (i.e., fire, explosion, or chemical exposure). A Hazardous Materials Technician responds to such occurrences and is expected to perform work to handle and control (stop, confine, or extinguish) actual or potential leaks or spills. The Hazardous Materials Technician assumes a more aggressive role than a first responder at the operations level, in that the Hazardous Materials Technician will approach the point of release. The Hazardous Materials Technician is expected to use specialized Chemical Protective Clothing (CPC) and specialized control equipment.

(b) All individuals holding a Hazardous Materials Technician Certification shall be required to comply with the continuing education requirements in §441.17 of this title (relating to Continuing Education for Hazardous Materials Technician).

§453.3. Minimum Standards for Hazardous Materials Technician Certification.

In order to be certified as a Hazardous Materials Technician an individual must:

(1) hold certification as Structural Fire Protection Personnel, Aircraft Rescue Fire Fighting Personnel, or Marine Fire Protection Personnel; and

(2) possess valid documentation as a Hazardous Materials Technician from either:

(A) the International Fire Service Accreditation Congress; or

(B) the National Board on Fire Service Professional Qualifications issued by the Texas A&M Engineering Extension Service using the 2008 or later edition of the NFPA standard applicable to this discipline and meeting the requirements as specified in §439.1 of this title (relating to Requirements—General); or

(3) complete a commission approved Hazardous Materials Technician training program and successfully pass the commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved Hazardous Materials Technician program must consist of one of the following:

(A) completion of an in-state Hazardous Materials Technician training program that meets the requirements of the applicable NFPA standard, is conducted by a commission certified training provider and approved through the commission's training prior approval system; or

(B) completion of an out-of-state and/or military training program that has been submitted to the commission for evaluation and found to meet or exceed the NFPA standard for Hazardous Materials Technician.

§453.5. Examination Requirements.

(a) Examination requirements of Chapter 439 of this title (relating to Examinations for Certification) must be met in order to receive a Hazardous Materials Technician Certification.

(b) Individuals will be permitted to take the commission examination for Hazardous Materials Technician by documenting completion of **Hazardous Materials** ~~[the NFPA 472]~~ Awareness and Operations **to include Mission-Specific Competencies for Personal Protective Equipment and Product Control** level training **under the current edition of the applicable NFPA standard** and completing a commission approved Hazardous Materials Technician training program.

§453.7. International Fire Service Accreditation Congress (IFSAC) Seal.

Individuals completing a commission approved Hazardous Materials Technician training program, documenting an IFSAC seal for Hazardous Materials Awareness Level Personnel; and

(1) Hazardous Materials Operations Level Responders, including the Mission-Specific Competencies for Personal Protective Equipment and Product Control under the current edition; or

(2) NFPA 472 Hazardous Materials Operations prior to the 2008 edition; and

(3) upon passing the applicable state examination, may be granted an IFSAC seal as a Hazardous Materials Technician by making application to the commission for the IFSAC seal and paying applicable fees. In order to qualify for an IFSAC seal, an individual must submit the application for the seal prior to the expiration of the examination.

CHAPTER 453

HAZARDOUS MATERIALS

SUBCHAPTER B

MINIMUM STANDARDS FOR HAZARDOUS MATERIALS INCIDENT COMMANDER

§453.201. Hazardous Materials Incident Commander Certification.

The Hazardous Materials Incident Commander is defined as that person responsible for all incident activities, including the development of strategies and tactics and the ordering and release of resources.

§453.203. Minimum Standards for Hazardous Materials Incident Commander.

In order to be certified as Hazardous Materials Incident Commander an individual must:

(1) hold certification as Structural Fire Protection Personnel, Aircraft Rescue Fire Fighting Personnel, or Marine Fire Protection Personnel; and

(2) possess valid documentation as a Hazardous Materials Incident Commander from either:

(A) the International Fire Service Accreditation Congress; or

(B) the National Board on Fire Service Professional Qualifications issued by the Texas A&M Engineering Extension Service using the 2008 or later edition of the NFPA standard applicable to this discipline and meeting the requirements as specified in §439.1(a)(2) of this title (relating to Requirements—General); or

(3) complete a commission approved Hazardous Materials Incident Commander training program and successfully pass the commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved Hazardous Materials Incident Commander program must consist of one of the following:

(A) completion of an in-state Hazardous Materials Incident Commander training program that meets the requirements of the applicable NFPA standard, is conducted by a commission certified training provider and approved through the commission's training prior approval system; or

(B) completion of an out-of-state and/or military training program that has been submitted to the commission for evaluation and found to meet or exceed the NFPA standard for Hazardous Materials Incident Commander.

§453.205. Examination Requirements.

(a) Examination requirements of Chapter 439 of this title (relating to Examinations for Certification) must be met in order to receive a Hazardous Materials Incident Commander certification.

(b) Individuals will be permitted to take the commission examination for Hazardous Materials Incident Commander by documenting completion of **Hazardous Materials** [NFPA 472] Awareness and Operations **to include Mission-Specific Competencies for Personal Protective Equipment and Product Control** level training **under the current edition of the applicable NFPA standard** and completing a commission approved Hazardous Materials Incident Commander training program.

§453.207 International Fire Service Accreditation Congress (IFSAC) Seal.

Individuals completing a commission approved Hazardous Materials Incident Commander program and documenting the following IFSAC seals:

- (1) Hazardous Materials Awareness Level Personnel; and
- (2) Hazardous Materials Operations Level Responders, including the Mission-Specific Competencies for Personal Protective Equipment and Product Control under the current edition; or
- (3) NFPA 472 Hazardous Materials Operations prior to the 2008 edition; and
- (4) upon passing the applicable state examination, may be granted an IFSAC seal for Hazardous Materials Incident Commander by making application to the commission for the IFSAC seal and paying applicable fees. Individuals must submit the application and fee for the seal prior to the expiration of the examination in order to qualify for the IFSAC seal.

19. Possible formation of an ad-hoc committee to review rules for 37 Tex. Administrative Code, Part 13, Chapter 435, Fire Fighter Safety and Chapter 427, Training Facility Certification.

20. Matters from the Executive Director:

A. Decisions of Executive Director in contested cases and consent orders.

20. Discussion and possible action on matters from the Executive Director.

B. Status regarding division functions:

a. Training Approval & Testing – test administered, training approvals, record reviews and online training audits

b. Certification & Professional Development – training applications, IFSAC seals issued, certifications issued, training facilities, curriculum development, library resource requests

c. Compliance – biennial inspections, compliance officers training, issues involving regulated entities

d. Information Technology – public website design, FARM and FIDO improvements, CAPPs (Central Accounting Payroll/Personnel System), IT security policy, service requests

Commission Quarterly Report

Training Approval and Testing Section

- **Test Administration, Training Approvals, Record Reviews, and Training Audits Statistics – 4th Quarter, FY 2020**
 - Test Administration – 7036 exams were administered during this quarter with a pass rate of 83.47%.
 - Training Approvals – Total of 706 training approvals were submitted with start dates during this quarter in the commission’s Training Facility Management System.
 - Record Reviews – One hundred-six (106) record reviews for equivalency were conducted (of those, 56 SFFMA/19 out of state or college/21 BWFF). Two hundred-three (203) Qual#s were issued in the Training Facility Management System.
 - Training and Skill Testing Audits – No online audits conducted during the 4th quarter due to the promotion of staff member and hiring and training of new staff member.
 - Two (2) additional testing centers began the process of being added as approved TCFP online testing centers.

- **Activities for the Next Quarter**
 - Continue working with training facility coordinators to resolve any issues that resulted from COVID-19 shutdown or delayed training classes/skills. Strive to complete testing of any individuals affected by COVID-19 shutdown.
 - Continue working to establish online testing centers in areas where availability is lacking or limited.

	Q1	Q2	Q3	Q4
<u>Certification/Renewal:</u>				
Professional Development Training Applications	2,864	2,483	2,052	2,473
<u>Issued:</u> IFSAC Seals	1,938	2,183	1,148	2,033
TCFP Certifications	3,934	3,846	2,176	3,686
Criminal History	400	543	334	608
Medical documents:	725	905	716	1079
Confirmation of Commissions (Peace Officer)	71	65	39	59
Service time applications	86	101	59	80
<u>Renewals:</u> Department Personnel	29,992	39	9	10
Certified Training Facilities		280	2	2
Individual Certified Holders	2,459	229	86	74
Registered Seals: IFSAC	547	592	453	437
TEEX Proboard	413	502	292	233
Total number of Training Facilities	324	326	331	332

Quarterly Report – Curriculum Development

June 2020 – August 2020

Meetings

June 11: Fire Fighter Advisory Committee

August 3: Commission Meeting

June 22, July 28, August 2: Curriculum and Testing Committee

July 16, August 20: HazMat Ad Hoc

August 5&6: Investigator Ad Hoc

4th Quarter Library Report

	Q1	Q2	Q3	Q4
<i>Items loaned</i>				
A/V items	5	3	2	0
Print items	12	5	3	3
New borrowers	4	14	6	3
Responses to borrower follow-up surveys	0	0	0	0
<i>Items cataloged</i>				
A/V items	16	13	7	2
Print items	10	13	17	16
Desk copies	0	3	8	10
<i>Research and reference requests</i>				
Internal requests (count)	12	9	21	18
External requests (count)	29	26	16	12
Hours (total)	24	22.5	11	34.5
<i>Other duties</i>				
Job postings	206	213	236	182

Compliance Report
Fourth Quarter FY 20-FY 21
August 2020

- The Compliance Officers attended annual training in Austin August 16 thru August 20.
 - Review Head of Department Certification requirements, processes and procures as indicated by Texas Administrative Code CHAPTER 449 HEAD OF A FIRE DEPARTMENT
 - Executive Director updates and expectations with compliance and enforcement program processes and procedures. Motto "Be Nice."
 - Review and application of Texas Administrative Code 435.1 Protective Clothing. Per the ED's memo dated 7-13- 2020 discontinue the requirement for the Compliance Officers to review each PPE SOP annually. The burden is on each department to comply with 1851 and their SOP. Compliance officers will recommend SOP improvements based on what is observed during the inspection.
 - NFPA 1851 Ch 6.3.3.1 Ensemble elements that have been properly stored in accordance with Chapter 9 and are not being used are not required to be subjected to advanced inspection.
 - Review and update the new processes and procedures used to initiate and complete biennial compliance inspection.
 - Review and update on other various compliance issues such as SCBA flow testing by the organization prior to placing them in service, SCBA mask fit testing, complying with NFPA 1851 as it relates to providing clean gear for the next use, Training Program Audits, Injury reporting status, Sunset review status, penalty matrix, travel voucher updates, office and residence requirements for regional compliance officers, COVID updates, other topics as needed and applicable to compliance program activities.
 - Received updates from other agency program managers.
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- The Compliance team attended and completed the agency wide on-line Diversity and Inclusion; Why it Matters for Staff training.
 - Compliance officers have resumed inspections, audits, testing and other normal work activities with process and procedure modifications to address the COVID and other safety needs of compliance officers and that of regulated entities.
 - The Compliance manager and Compliance Officer Rick Wallace met with Sunset staff for the initial meeting with Sunset. The compliance team continues to provided data, information and documentation in response to Sunset review requests.
 - The Region 5 compliance officer vacancy was filled with returning compliance officer Lamar Ford. We welcome Lamar back to work with TCFP and are looking forwarding to his work with Region 5 entities and fire departments.
 - Compliance office Brian Meroney was deployed with Texas Task Force 1 as part of a USAR Team in preparation of the arrival of Hurricane's Marco and Laura in Texas. Brian served as a Medical Specialist and Water Rescue Tech during this deployment. Brian was released from this deployment and return safely to TCFP duties. Thank you Brian.

Information Technology
4th Qtr Report FY 20

- TCFP Websites and Web Applications Uptime 99%.
- Onboarded additional FTE to the IT team.
- Implemented a streamlined code check-in protocol to speed up development.
- Installed new firewall for improved network performance and security.
 - Additional network configurations and patches updated
- Acquired Azure cloud commitment credits
 - Developed TCFP migration strategy to Azure cloud.
- Transition to a cloud-based helpdesk + change management + asset management system (ManageEngine).
 - Migrated some templates over from old helpdesk system
 - Updating asset management database with inventory
 - Migrated over all staff users and reinstated CMC panel on the new system
- FARM and FIDO updated
 - Performed bug fixes
 - UI & Backend improvements
- Public Website Management module in docs updated.
- Addressed 373 Service Request (Tickets)

21. Personnel matters regarding the appointment, employment, compensation, evaluation, reassignment, and duties of the Executive Director.

22. Public Comment

23. Adjourn meeting.