

**Fire Policy Committee
Minutes
June 10, 2009**

The Fire Policy Committee of the Board on Public Safety Standards and Training held a regular meeting at 9:00 a.m. on June 10, 2009 at the Oregon Public Safety Academy in Salem, Oregon. Chair Jim Whelan called the meeting to order at 9:00 a.m.

Attendees

Committee Members:

James Whelan, Oregon Volunteer Firefighters' Association, Chair
Kelly Bach, Oregon State Fire Fighters Council, Vice Chair
Larry Goff, Oregon Fire District Directors' Association
William Klein, Community College Fire Programs
John Klum, Portland Fire & Rescue
Mark Prince, Oregon Fire Chiefs' Association
Randy Simpson, Oregon State Fire Marshal
Rod Smith, Oregon Fire Instructors Association
Michelle Stevens, Oregon State Fire Marshal's Association

Committee Members Absent:

William Lafferty, Oregon Department of Forestry
Joe Seibert, Non-Management Firefighter

DPSST Staff:

Eriks Gabliks, Deputy Director
Mark Ayers, Assistant Training Division Director
Julie Olsen-Fink, Senior Fire Certification Coordinator
Tina Diehl, Fire Certification Specialist
Allison Sebern, Fire Certification Support Specialist
Bonnie Narvaez, Certification Coordinator

Guests:

Ryan Karjala, Sisters-Camp Sherman RFPD
John Fowler, Pendleton Fire
Milt Villegas, Tualatin Valley Fire & Rescue
Ted Megert, Oregon State Fire Marshal



1. Minutes from February 20, 2009; March 2, 2009; March 16, 2009 meetings

Bill Klein moved to approve the minutes from the February 20, 2009; March 2, 2009; and March 16, 2009 Fire Policy Committee meetings. Randy Simpson seconded the motion. The motion carried in a unanimous vote.

2. Proposed Administrative Rules – Wildland Definitions OAR 259-009-0005

Julie Olsen-Fink discussed that the BPSST/DPSST Wildland Interface Task Force originally met on January 30, 2009 and successfully concluded their work on February 19, 2009. The Task Force was assigned the duty of reviewing the current National Wildfire Coordinating Group (NWCG) requirements for certification and compare the changes in requirements NWCG has made since the standards were adopted by Oregon for structural fire fighters in 1998. The Task Force is recommending the Oregon fire service remain current with NWCG standards to provide consistency and further recommends Oregon Administrative Rules (OAR) reflect these changes and be adopted as permanent rule. Their recommendation is to add into OAR definitions that define what each level of certification is.

259-009-0005 Definitions

(1) "Authority having jurisdiction" shall mean the Department of Public Safety Standards and Training.

(2) "Agency Head" means the chief officer of a fire service agency directly responsible for the administration of that unit.

(3) "Board" means the Board on Public Safety Standards and Training.

(4) "Chief Officer" means an individual of an emergency fire agency at a higher level of responsibility than a company officer. A chief officer supervises two or more fire companies in operations or manages and supervises a particular fire service agency program such as training, communications, logistics, prevention, emergency medical services provisions and other staff related duties.

(5) "Community College" means a public institution operated by a community college district for the purpose of providing courses of study limited to not more than two years full-time attendance and designed to meet the needs of a geographical area by providing educational services, including but not limited to vocational or technical education programs or lower division collegiate programs.

(6) "Company Officer" means a fire officer who supervises a company of fire fighters assigned to an emergency response apparatus.

(7) "Content Level Course" is a course that includes an identifiable block of learning objectives or outcomes that are required for certification at one or more levels.

(8) "Department" means the Department of Public Safety Standards and Training.

(9) "Director" means the Director of the Department of Public Safety Standards and Training.

(10) "Entry Level Fire Fighter" means an individual at the beginning of his/her fire service involvement. During the probationary period an entry level fire fighter is in a

training and indoctrination period under constant supervision by a more senior member of a fire service agency.

(11) "Field Training Officer" means an individual who is authorized by a fire service agency or by the Department to sign as verifying completion of tasks required by task books.

(12) "Fire Company" means a group of fire fighters, usually 3 or more, who staff and provide the essential emergency duties of a particular emergency response apparatus.

(13) "Fire Fighter" is a term used to describe an individual who renders a variety of emergency response duties primarily to save lives and protect property. This applies to career and volunteer personnel.

(14) "Fire Ground Leader" means a Fire Service Professional who is qualified to lead emergency scene operations."

(15) "Fire Inspector" means an individual whose primary function is the inspection of facilities in accordance with the specific jurisdictional fire codes and standards.

(16) "Fire Service Agency" means any unit of state or local government, a special purpose district or a private firm which provides, or has authority to provide, fire protection services.

(17) "Fire Service Professional" means a paid (career) or volunteer fire fighter, an officer or a member of a public or private fire protection agency who is engaged primarily in fire investigation, fire prevention, fire safety, fire control or fire suppression or providing emergency medical services, light and heavy rescue services, search and rescue services or hazardous materials incident response. "Fire service professional" does not include forest fire protection agency personnel.

(18) "Fire Training Officer" means a fire service member assigned the responsibility for administering, providing, and managing and/or supervising a fire service agency training program.

(19) "NFPA" stands for National Fire Protection Association which is a body of individuals representing a wide variety of professions, including fire protection, who develop consensus standards and codes for fire safety by design and fire protection agencies.

(20) "NFPA Airport Firefighter" means a member of a Fire Service Agency who has met job performance requirements of NFPA Standard 1003.

(21) "NFPA Driver-Operator" means a member of a fire service agency licensed to operate a fire service agency vehicle/apparatus in accordance with the job performance requirements of NFPA 1002 and who have met the Entry Level Fire Fighter requirements. Fire service agency vehicle/apparatus operators are required to be certified at NFPA 1001 fire fighter I standard prior to driver operator duties. Additional requirements are involved for those driver operators of apparatus equipped with an

attack or fire pump, aerial devices, a tiller, aircraft firefighting and rescue vehicles, wildland fire apparatus, and mobile water supply apparatus (tanker/tender).

(22) "NFPA Fire Fighter I" means a member of a fire service agency who has met the ~~H~~Level I job performance requirements of NFPA standard 1001. Sometimes referred to as a journeyman fire fighter.

(23) "NFPA Fire Fighter II" means a member of a fire service agency who met the more stringent ~~H~~Level job performance requirements of NFPA Standard 1001. Sometimes referred to as a senior fire fighter.

(24) "NFPA Fire Inspector I" means an individual who conducts basic fire code inspections and has met the ~~H~~Level I job performance requirements of NFPA Standard 1031.

(25) "NFPA Fire Inspector II" means an individual who conducts complicated fire code inspections, reviews plans for code requirements, and recommends modifications to codes and standards. This individual has met the ~~H~~Level II job performance requirements of NFPA standard 1031.

~~(26)~~ **(26)** "NFPA Fire Inspector III" means an individual at the third and most advanced level of progression who has met the job performance requirements specified in this standard for Level III. The Fire Inspector III performs all types of fire inspections, plans review duties, and resolves complex code-related issues.

~~(26)~~ **(27)** "NFPA Fire Investigator" means an individual who conducts post fire investigations to determine the cause and the point of origin of fire. This individual has met the job performance requirements of NFPA Standard 1033.

(28) "NFPA Fire Marshal" means a person who is designated to provide delivery, management, and/or administration of fire protection and life safety related codes and standards, investigation, education, and/or prevention services for local, county, state, provincial, federal, or private sector jurisdiction as adopted or determined by that entity.

~~(27)~~ **(29)** "NFPA Fire Officer I" means the fire officer, at the supervisory level, who has met the job performance requirements specified in NFPA 1021 Standard Fire Officer Professional Qualifications. (Company officer rank)

~~(28)~~ **(30)** "NFPA Fire Officer II" means the fire officer, at the supervisory/managerial level, who has met the job performance requirements in NFPA Standard 1021. (Station officer, battalion chief rank)

~~(29)~~ **(31)** "NFPA Fire Officer III" means the fire officer, at the managerial/administrative level, who has met the job performance requirements in NFPA Standard 1021. (District chief, assistant chief, division chief, deputy chief rank)

~~(30)~~ **(32)** "NFPA Fire Officer IV" means the fire officer, at the administrative level, who has met the job performance requirements in NFPA Standard 1021. (Fire Chief)

~~(31)~~ **(33)** NFPA Instructor I means a fire service instructor who has demonstrated the knowledge and ability to deliver instruction effectively from a prepared lesson plan, including instructional aids and evaluation instruments; adapt lesson plans to the unique requirements of the students and authority having jurisdiction; organize the learning environment so that learning is maximized; and meet the record-keeping requirements of authority having jurisdiction.

~~(32)~~ **(34)** NFPA Instructor II means a fire service instructor who, in addition to meeting Instructor I qualifications, has demonstrated the knowledge and ability to develop individual lesson plans for a specific topic including learning objectives, instructional aids, and evaluation instruments; schedule training sessions based on overall training plan of authority having jurisdiction; and supervise and coordinate the activities of other instructors.

~~(33)~~ **(35)** NFPA Instructor III means a fire service instructor who, in addition to meeting Instructor II qualifications, has demonstrated the knowledge and ability to develop comprehensive training curricula and programs for use by single or multiple organizations; conduct organization needs analysis; and develop training goals and implementation strategies.

~~(34)~~ **(36)** "NFPA Marine Land-Based Fire Fighter" means a member of a fire service agency who meets the job performance requirements of NFPA 1005.

~~(35)~~ **(37)** "Service Delivery" means to be able to adequately demonstrate, through job performance, the knowledge, skills, and ability of a certification level.

~~(36)~~ **(38)** "Staff" are those employees occupying full-time, part-time, and/or temporary positions with the Department.

~~(37)~~ **(39)** "Task Performance" means to be able to demonstrate the ability to perform the tasks, of a certification level, in a controlled environment while being evaluated.

~~(38)~~ **(40)** "The Act" refers to the Public Safety Standards and Training Act (ORS 181.610 to 181.705).

~~(39)~~ **(41)** "Topical Level Course" is a course that does not include an identifiable block of learning objectives or outcomes that are required for certification at one or more levels.

~~(40)~~ **(42)** "Track" means a field of study required for certification.

~~(41)~~ **(43)** "Waiver" means to refrain from pressing or enforcing a rule.

(44) "Wildland Interface Fire Fighter" means a person at the first level of progression who demonstrated the knowledge and skills necessary to function safely as a member of a Wildland fire suppression crew with direct supervision.

(45) "Wildland Interface Engine Boss" means a person at the second level of progression who has demonstrated the skills and depth of knowledge necessary to

function under general supervision while operating a piece of apparatus such as a engine.

(46) “Wildland Interface Strike Team/Task Force Leader” means a person who is responsible for supervising and directing multiple wildland fire suppression resources, such as a hand crews, tenders or engines.

(47) Wildland Interface Division/Group Supervisor” means a person who is responsible for commanding and managing resources on a particular geographic area of a wildland fire. The Division Supervisor is responsible for the suppression tactics of an extended attack wildland or an initial attack fire.

Action Item I: Determine whether to recommend filing the proposed language for OAR 259-009-0005 with the Secretary of State as proposed rule.

Action Item II: Determine whether to recommend filing the proposed language for OAR 259-009-0005 with the Secretary of State as permanent rule if no comments are received and no hearing is held.

Action Item III: Pursuant to HB 3238, determine whether there is a significant fiscal impact on small businesses (See House Bill 3238). *No fiscal impact by consensus.*

Bill Klein moved to recommend to the Board to file the proposed language for OAR 259-009-0005 with the Secretary of State as proposed rule and as permanent rule if no comments are received. Rod Smith seconded the motion. The motion carried in a unanimous vote.

3. Proposed Administrative Rules – Wildland OAR 259-009-0062(2)(1)

Julie Olsen-Fink discussed that the BPSST/DPSST Wildland Interface Task Force originally met on January 30, 2009 and successfully concluded their work on February 19, 2009. The Task Force was assigned the duty of reviewing the current National Wildfire Coordinating Group (NWCG) standards for certification and compare the changes in requirements NWCG has made since the standards were adopted by Oregon for structural fire fighters in 1998. The Task Force is recommending the Oregon fire service remain current with NWCG standards to provide consistency and further recommends Oregon Administrative Rules (OAR) reflect these changes and be adopted as permanent rule.

Julie Olsen-Fink stated that the task force is recommending that the FPC review the modified language and determine whether to approve the changes in OAR 259-009-0062 and adopt these certification levels and requirements for fire service professionals. If the FPC approves the language, staff will incorporate the changes with the existing language.

For ease of review, only the relevant portion of the revised text is included. The following language includes recommended additions (**bold and underlined text**) and deletions (~~strikethrough text~~):

259-009-0062
Fire Service Personnel Certification

* * *

(2) The following standards for fire service personnel are hereby adopted by reference:

* * *

(k) Fire Ground Leader.

(A) This is a standard that is Oregon-specific.

(B) An applicant applying for Fire Ground Leader ~~shall~~ **must** first be certified as an NFPA Fire Fighter II.

(C) An applicant **applying for Fire Ground Leader** ~~would need to~~ **must** document training in seven areas:

- (i) Building Construction: Non-Combustible;
- (ii) Building Construction: Combustible;
- (iii) Incident Safety Officer or Fire Fighter Safety;
- (iv) Managing Water Supplies Operations;
- (v) MCTO -- Preparation or PICO;
- (vi) MCTO -- Decision Making;
- (vii) MCTO -- Tactics or STICO;
- (viii) Incident Command System;
- (vix) Fire Investigation.

(D) A task book ~~shall~~ **must** be completed before certification is awarded.

~~(l) Wildland Interface Fire Fighter, Wildland Interface Engine Boss/Officer, Wildland Strike Team leader, Wildland Division/Group Supervisor (DPSST Wildland Interface Certification Guide, Revised September, 2003).~~

(A) This is an NWCG standard.

(B) An individual applying for Wildland Interface Fire Fighter must document training in the following areas at the time of application:

(i) S-130 Fire Fighter Training;

(ii) S-190 Wildland Fire Behavior;

(iii) S-131 Firefighter Type I;

(iv) I-100 Intro to ICS; and

(v) Completion of the NWCG FFT1 Task Book;

(m) Wildland Interface Engine Boss.

(A) This is an NWCG standard.

(B) An individual applying for Wildland Interface Engine Boss must be certified as Wildland Interface Fire Fighter prior to applying for Wildland Interface Engine Boss and must document training in the following areas at the time of application:

(i) 1-200 Basic Incident Command;

(ii) S-230 or S-231 Crew Boss (Single Resource);

(iii) S-290 Intermediate Wildland Fire Behavior; and

(iv) Completion of the NWCG Interface Engine Task Book.

(n) Wildland Interface Strike Team/Task Force Leader Engine.

(A) This is an NWCG standard.

(B) An individual applying for Wildland Interface Strike Team/Task Force Leader Engine must be certified as Wildland Interface Engine Boss prior to applying for Wildland Interface Strike Team/Task Force Leader Engine and must document training in the following areas at the time of application:

(i) Wildland Interface Strike Team/Leader Engine;

(ii) S-215 Fire Operations in the WUI;

(iii) S-330 Task Force/Strike Team Leader;

(iv) I-300 Intermediate ICS; and

(v) Completion of the NWCG Wildland Interface Strike Team/Task Force Leader Task Book.

(o) Wildland Interface Division/Group Supervisor.

(A) This is an NWCG standard.

(B) An individual applying for Wildland Interface Division/Group Supervisor must be certified as Wildland Interface Strike Team/Task Force Leader prior to applying for certification as Wildland Interface Division/Group Supervisor and must document training in the following areas at the time of application:

(i) S-390 Into. to Wildland Fire Behavior Calculations;

(ii) S-339 Division/Group Supervisor; and

(iii) Completion of the Wildland Interface Division/Group Supervisor Task Book.

~~(m)~~ **(p)** Maritime Fire Service Operator Standards Professional Qualifications (October, 1999) and completion of an approved task book.

(A) Historical Recognition:

(i) The application shall be submitted with the Fire Chief or designee's signature attesting to the skill level and training of the applicant.

(ii) The application must be submitted to the Department no later than October 1, 2004, to receive certification for Maritime Fire Service Operator without having to complete the task book.

(iii) All applications received after October 1, 2004, will need to show completion of the approved task book.

~~(n)~~ **(q)** Certification guide for Wildland Fire Investigator (August, 2005).

~~(o)~~ **(r)** The provisions of the NFPA Standard No. 1006, Edition of 2000, entitled, "Professional Qualifications for Rescue Technician" are adopted subject to the following modifications:

(A) The Authority Having Jurisdiction shall mean the local or regional fire service agency.

(B) Historical Recognition:

(i) Application shall be submitted with the Fire Chief or designee's signature attesting to the skill level and training of the applicant.

(ii) The application to use historical recognition shall be submitted to DPSST on or before March 31, 2003.

(C) Instructors:

(i) Curriculum must be certified by DPSST to meet NFPA 1006.

(ii) An instructor delivering training under a fire service agency's accreditation agreement must be a certified technician in that specialty rescue area.

(D) Task Books:

(i) A task book must be completed for each of the six specialty rescue areas applied for.

(ii) Only a certified technician in that specialty rescue area can sign off the task book.

(iii) The requirements in Chapters 2 and 3 need to be met only one time for all six specialty rescue areas.

~~(p)~~ (s) Urban Search and Rescue.

(A) This is a standard that is Oregon-specific.

(B) The following eleven (11) specialty Urban Search and Rescue (USAR) certifications are adopted:

(i) Task Force Leader;

(ii) Safety Officer;

(iii) Logistics Manager;

(iv) Rescue Team Manager;

(v) Rescue Squad Officer;

(vi) Rescue Technician;

(vii) Medical Technician;

(viii) Rigging Technician;

(ix) Search Team Manager;

(x) Search Squad Officer;

(xi) Search Technician.

(C) An applicant applying for any USAR certification(s) must complete the appropriate application(s) attesting to completion of the required training.

(3) Task performance evaluations, where prescribed, shall be required prior to certification. Such examinations shall be conducted in the following manner:

(a) Task performance competency shall be evaluated by three people nominated by the employing fire service agency's Chief Officer for approval by the Department or its designated representative.

(b) The employing fire service agency's equipment and operational procedures shall be used in accomplishing the task performance to be tested.

(c) Specific minimum testing procedures, as provided by the Department, shall be used for administration of the evaluation.

(d) The training officer for an accredited fire service agency training program must notify the Department or its designated representative prior to performing a Task Performance Evaluation.

(e) At the request of the fire chief, a representative of the Department will be designated to monitor the task performance evaluation for personnel from a fire service agency whose training program is not accredited.

- *Comments were made by John Fowler from Pendleton Fire.*
- *Eriks Gabliks discussed that there are two pieces to be looked at and meshed together: The work of the Task Force and the comments made by John Fowler.*
- *Bonnie Narvaez explained the public comment process and procedure.*

Action Item I: Determine whether to recommend filing the proposed language for OAR 259-009-0062 with the Secretary of State as proposed rule.

Action Item II: Determine whether to recommend filing the proposed language for OAR 259-009-0062 with the Secretary of State as permanent rule if no comments are received and no hearing is held.

Action Item III: Pursuant to HB 3238, determine whether there is a significant fiscal impact on small businesses (See House Bill 3238). *No fiscal impact by consensus.*

Jim Whelan moved to recommend to the Board to file the proposed language for OAR 259-009-0062, with the amended corrections made, with the Secretary of State as proposed rule and as permanent rule if no comments are received. Mark Prince seconded the motion. The motion carried in a majority vote.

4. Proposed Administrative Rules – NFPA Fire Investigator, NFPA Fire Inspector and NFPA Fire Marshal Definitions OAR 259-009-0005

Julie Olsen-Fink discussed that the BPSST/DPSST National Fire Protection Association (NFPA) Fire Investigator, NFPA Fire Inspector and NFPA Fire Marshal Task Force originally met on January 21, 2009 and concluded their work on March 25, 2009. The Task Force members reviewed three levels of certification as one group; this decision was made by staff due to the standards being closely interconnected. NFPA Fire Investigator and NFPA Fire Inspector were reviewed to determine whether or not the state should adopt

the 2009 standards. NFPA Fire Marshal 2007 standard would be a new standard for the Oregon fire service. Therefore, if adopted, the definition section of Oregon Administrative Rule (OAR) 259-009-0005 would need to reflect the definition of NFPA Fire Marshal. In review of the definition section, staff observed there wasn't a definition listed for NFPA Fire Inspector III; therefore, it is recommended that it also be added to rule.

Staff recommends that the FPC reviews the modified language and determine whether to adopt these definitions for fire service professionals.

The following proposed language contains recommended additions (**bold and underline text**) and deletions (~~strikethrough text~~).

259-009-0005

Definitions

- (1) "Authority having jurisdiction" ~~shall~~ means the Department of Public Safety Standards and Training.
- (2) "Agency Head" means the chief officer of a fire service agency directly responsible for the administration of that unit.
- (3) "Board" means the Board on Public Safety Standards and Training.
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- (5) "Community College" means a public institution operated by a community college district for the purpose of providing courses of study limited to not more than two years full-time attendance and designed to meet the needs of a geographical area by providing educational services, including but not limited to vocational or technical education programs or lower division collegiate programs.
- (6) "Company Officer" means a fire officer who supervises a company of fire fighters assigned to an emergency response apparatus.
- (7) "Content Level Course" is a course that includes an identifiable block of learning objectives or outcomes that are required for certification at one or more levels.
- (8) "Department" means the Department of Public Safety Standards and Training.
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including instructional aids and evaluation instruments; adapt lesson plans to the unique requirements of the students and authority having jurisdiction; organize the learning environment so that learning is maximized; and meet the record-keeping requirements of authority having jurisdiction.

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~~(36)~~ **(38)** "Staff" are those employees occupying full-time, part-time, and/or temporary positions with the Department.

~~(37)~~ **(39)** "Task Performance" means to be able to demonstrate the ability to perform the tasks, of a certification level, in a controlled environment while being evaluated.

~~(38)~~ **(40)** "The Act" refers to the Public Safety Standards and Training Act (ORS 181.610 to 181.705).

~~(39)~~ **(41)** "Topical Level Course" is a course that does not include an identifiable block of learning objectives or outcomes that are required for certification at one or more levels.

~~(40)~~ **(42)** "Track" means a field of study required for certification.

~~(41)~~ **(43)** "Waiver" means to refrain from pressing or enforcing a rule.

Action Item I: Determine whether to recommend filing the proposed language for OAR 259-009-0005 with the Secretary of State as proposed rule.

Action Item II: Determine whether to recommend filing the proposed language for OAR 259-009-0005 with the Secretary of State as permanent rule if no comments are received and no hearing is held.

Action Item III: Pursuant to HB 3238, determine whether there is a significant fiscal impact on small businesses (See House Bill 3238). *No fiscal impact by consensus.*

Randy Simpson moved to recommend to the Board to file the proposed language for OAR 259-009-0005, with the removal of “Section 28 - NFPA Fire Marshal Definition,” with the Secretary of State as proposed rule and as permanent rule if no comments are received. John Klum seconded the motion. The motion carried in a unanimous vote.

5. Proposed Administrative Rules – NFPA Fire Investigator, NFPA Fire Inspector and NFPA Fire Marshal OAR 259-009-0062

Julie Olsen-Fink discussed that the BPSST/DPSST NFPA Fire Investigator, NFPA Fire Inspector and NFPA Fire Marshal Task Force originally met on January 21, 2009 and concluded their work on March 25, 2009. The Task Force members reviewed three levels of certification as one group; this decision was made by staff due to the standards being closely interconnected. NFPA Fire Investigator and NFPA Fire Inspector were reviewed to determine whether or not the state should adopt the current 2009 standards. NFPA Fire Marshal 2007 standard would be a new standard of adoption for the Oregon fire service.

Each standard will be broken into subsections to highlight each NFPA level of certification and its requirements/recommendations and will require individual action items. Staff is also recommending some housekeeping changes to this rule, to delete obsolete transition language.

❖ NFPA 1033 Fire Investigator, Edition 2009 - Recommendation:

The Task Force is recommending the Fire Policy Committee (FPC) adopt NFPA 1033 Fire Investigator, Edition 2009. The Task Force noted there are no substitutive changes between the currently adopted 1998 standard, and the 2009 standard. The Task Force believes it is in the best interest of the Oregon fire service to remain current with NFPA standards.

Requirements: The Task Force also recommends that DPSST continue to offer the Fire Investigator exam to candidates as a testing option. The candidate must achieve at least a score of 70% for successful application for certification. The DPSST exam is an option for those who do not hold the International Association of Arson Investigators (IAAI) Fire Investigation certification, National Association of Fire Investigators (NAFI), Certified Fire Explosion Investigators (CFEI) certification. The candidate must also successfully complete the task book prior to applying for certification.

Proposed Changes:

259-009-0062

Fire Service Personnel Certification

(f) The provisions of the NFPA Standard No. 1033, Edition of 1998-(2009), entitled "Professional Qualifications for Fire Investigator" are adopted subject to the following definitions and ~~modifications~~-(**requirements**):

(A) Transition Phase:

(i) ~~Beginning November 1, 2000, all new certifications will be based on NFPA 1033.~~

(ii) ~~November 1, 2000, anyone certified as an Oregon Fire Investigator II will be certified as an NFPA Fire Investigator and will continue to be recognized as an Oregon Fire Investigator II. No new Oregon Fire Investigator II certificates will be issued after January 1, 2005.~~

(iii) ~~November 1, 2000, anyone certified as an Oregon Fire Investigator III will be certified as an NFPA Fire Investigator and will continue to be recognized as an Oregon Fire Investigator III. No new Oregon Fire Investigator III certificates will be issued after January 1, 2005.~~

(iv) ~~An individual who has been working toward certification using Fire Prevention/Investigation Officer (SFM-P-7 10/88) may complete certification based on that standard until January 1, 2005.~~

(B) All ~~An~~ applicants **individual** for certification as a Fire Investigator shall **must** successfully complete a Department approved Task Book **before the Department will administer a written examination for the Fire Investigator certification level.** prior to passing a written certification exam administered by the Department. Exception: Anyone holding a valid IAAI Fire Investigator Certification, **National Association of Fire Investigators (NAFI) certification, or Certified Fire Explosion Investigators (CFEI) certification** is exempt from taking the Department's Fire Investigator written exam.

~~(C)~~ **(B) A Department approved Field Training Officer must monitor the completion of a** Task ~~Book,s~~ shall be monitored by a **The** Field Training Officer approved by the Department. The Field Training Officer shall **must** be certified at or above the level being monitored and have at least **five (5)** years fire investigation experience. **Exception:** The Department may approve ~~other~~ **a** Field Training Officers with equivalent training, education and experience as ~~determined by designated~~ Department Staff.

Action Item I: Determine whether to recommend filing the proposed language for OAR 259-009-0062 with the Secretary of State as proposed rule.

Action Item II: Determine whether to recommend filing the proposed language for OAR 259-009-0062 with the Secretary of State as permanent rule if no comments are received and no hearing is held.

Action Item III: Pursuant to HB 3238, determine whether there is a significant fiscal impact on small businesses (See House Bill 3238). *No fiscal impact by consensus.*

Randy Simpson moved to recommend to the Board to file the proposed language for OAR 259-009-0062 with the Secretary of State as proposed rule and as permanent rule if no comments are received. Larry Goff seconded the motion. The motion carried in a unanimous vote.

❖ **NFPA 1031 Fire Inspector, Edition 2009 - Recommendation:**

The Task Force is recommending the FPC adopt NFPA 1031 Fire Inspector, Edition 2009. The Task Force noted that there are no substantive changes between the currently adopted 1998 standard, and the 2009 standard. The Task Force believes it is in the best interest of the Oregon fire service to remain current with NFPA standards.

Requirements: The candidate must successfully complete NFPA 472 Hazardous Materials and Weapons of Mass Destruction, the “Awareness” component, the DPSST NFPA Fire Inspector task book(s), and the International Code Council (ICC) Fire Inspector written examination for Fire Inspector I and II. No further courses are required for NFPA Fire Inspector III, but the candidate must successfully complete the task book.

Proposed Changes:

259-009-0062

Fire Service Personnel Certification

(e) The provisions of the NFPA Standard No. 1031, Edition of ~~1998~~ **(2009)**, entitled "Professional Qualifications for Fire Inspector and Plan Examiner" are adopted, subject to the following definitions and modifications:

~~(A) Transition Phase:~~

~~(i) November 1, 2000, all new certifications will be based on NFPA 1031.~~

~~(ii) November 1, 2000, through January 1, 2005, any certified Fire Prevention/Investigation Officer I may become certified at NFPA Fire Inspector I.~~

~~(iii) November 1, 2000, anyone certified as an Oregon Fire Prevention Officer II will be certified as an NFPA Fire Inspector II.~~

~~(iv) November 1, 2000, anyone certified as an Oregon Fire Prevention Officer III will be certified as an NFPA Fire Inspector III.~~

~~(v) An individual who has been working toward certification using Fire Prevention/Investigation Officer (SFM P-7 10/88) may complete certification based on that standard until January 1, 2005.~~

~~(B)~~ **(A)** All applicants for certification as an NFPA Fire Inspector I shall **must:**

- (i) Successfully complete a Department approved Task Book; and
- (ii) Furnish proof that they have passed an exam demonstrating proficiency in the model fire code adopted by the State of Oregon or an equivalent.

~~(C)~~ **(B)** All applicants for certification as an NFPA Fire Inspector II shall **must**:

- (i) Hold a certification as a Fire Inspector I; and
- (ii) Successfully complete a Department approved Task Book.

~~(D)~~ **(C)** All applicants for certification as an NFPA Fire Inspector III shall **must**:

- (i) Hold a certification as a Fire Inspector II; and
- (ii) Successfully complete a Department approved Task Book.

~~(E)~~ **(D)** Task books shall **must** be monitored by a Field Training Officer approved by the Department. The Field Training Officer shall **must** be certified at or above the level being monitored and have at least **five (5)** years inspection experience. The Department may approve other Field Training Officers with equivalent training, education and experience as determined by designated Department ~~S~~staff.

A Field Training Officer approved by the Department must ~~monitor~~ **monitor** Task Books.

Action Item I: Determine whether to recommend filing the proposed language for OAR 259-009-0062 with the Secretary of State as proposed rule.

Action Item II: Determine whether to recommend filing the proposed language for OAR 259-009-0062 with the Secretary of State as permanent rule if no comments are received and no hearing is held.

Action Item III: Pursuant to HB 3238, determine whether there is a significant fiscal impact on small businesses (See House Bill 3238). *No fiscal impact by consensus.*

John Klum moved to recommend to the Board to file the proposed language for OAR 259-009-0062 with the Secretary of State as proposed rule and as permanent rule if no comments are received. Michelle Stevens seconded the motion. The motion carried in a unanimous vote.

❖ **NFPA 1037 Fire Marshal, Edition 2007 - Recommendation:**

The Task Force is recommending the FPC adopt NFPA 1037 Fire Marshal, Edition 2009. If approved and adopted, this would be a new standard of certification for the Oregon fire service. This was not a unanimous decision from the Task Force, however agreed it should be moved forward for discussion and reviewed by the FPC. The following is a breakdown of the course requirements:

Requirements:

- Administrative Duties
- Risk Management
- Community Relations
- Professional Development
- Regulatory Programs
- Fire and Life Safety Education
- Investigations

The candidate would also need to successfully complete a task book in order to apply for certification.

The Task Force was uncertain whether there was curriculum for all the course requirements. Staff indicated several of the courses, but not all of them, could be covered through the NFPA Fire Officer curriculum. For example:

- Administrative Duties
- Community Relations
- Fire and Life Safety
- Investigation

The following courses do not, to our knowledge, have curriculum that is currently developed to meet the requirements. A sub-committee has been created to assess the curriculum needs for these areas:

- Risk Management
- Regulatory Programs

If the FPC decides to move forward with the adoption of this standard, the Task Force will be responsible for assisting in the development of the curriculum to complete the standards for certification. The Oregon Administrative Rules will also need to include the following information:

Proposed Changes:

259-009-0062

Fire Service Personnel Certification

The following language includes recommended additions (**bold and underlined text**) and deletions (~~strikethrough text~~):

The provisions of the NFPA Standard No. 1037, Edition of 2007, entitled "Professional Qualifications for Fire Marshal" are adopted with the following provisions.

(A) All applicants for certification as an NFPA Fire Marshal must:

(i) Successfully complete a Department approved Task Book; and

(ii) Furnish proof that they have passed all course requirements demonstrating proficiency or equivalency. in the model fire code adopted by the State of Oregon or an equivalent.

- *Comments were made by Ted Megert from OSFM.*

Action Item I: Determine whether to recommend filing the proposed language for OAR 259-009-0062 with the Secretary of State as proposed rule.

Action Item II: Determine whether to recommend filing the proposed language for OAR 259-009-0062 with the Secretary of State as permanent rule if no comments are received and no hearing is held.

Action Item III: Pursuant to HB 3238, determine whether there is a significant fiscal impact on small businesses (See House Bill 3238). *No fiscal impact by consensus.*

Randy Simpson moved to allow Julie Olsen-Fink to reconvene with members of the Task Force that were interested in the development of curriculum and report an update at the next Fire Policy Committee meeting. Bill Klein seconded the motion.

6. Public Comment Received - OAR 259-009-0062, NFPA 1001 Fire Fighter

The Fire Policy Committee and Board on Public Safety Standards and Training previously reviewed and approved filing a proposed permanent rule with the Secretary of State's office to amend the rules relating to national Fire Protection Association (NFPA) Standard 1001 Fire Fighter Professional Qualifications. The proposed rules were filed with the Secretary of State's Office and opened for public comment.

A total of one (1) comment was received during the open comment period.

Staff Response:

The Fire Policy Committee previously recommended the revised standard NFPA 1001 be approved and filed with the Secretary of State. Julie Olsen-Fink attempted to contact the constituent who submitted the public comment and was unsuccessful in reaching him for further clarification.

Finding of Fact:

1. On January 30, 2009, a Notice of Rulemaking was filed with the Secretary of State's office.
2. On March 1, 2009, the Notice of Proposed Rulemaking was published in the Secretary of State monthly publication.

3. During the month of March 2009, the Notice of Proposed Rulemaking was posted on the Department of Public Safety Standards and Training's website.
4. On March 24, 2009 the public comment period closed.

Conclusion:

The Department previously presented proposed rule amendment to OAR 259-009-0062 to the Fire Policy Committee. It was reviewed and discussed by the committee members and the Department received approval from the committee to forward the recommendation to approve the proposed language for 259-009-0062 to the Board.

The Department presented the proposed rule amendment to OAR 259-009-0062 to the Board. It was reviewed by the Board members and the Department received approval to file the proposed amendment with the Secretary of State's office as a proposed rule.

The Department provided notice of a proposed rulemaking hearing to:

- a) The Secretary of State's office;
- b) Legislative Counsel
- c) The agency interested parties' list; and
- d) The Department's website;

The Department received one public comment during the public comment period indicating that it NFPA 1710 is not a training or qualification standard and has no place in this OAR.

Staff Recommendation: Adopt the proposed rule language previously submitted to the Fire Policy Committee, amending OAR 259-009-0062, as permanent rule.

Randy Simpson moved to adopt the proposed rule language previously submitted to the Fire Policy Committee, amending OAR 259-009-0062, as permanent rule. Rod Smith seconded the motion. The motion carried in a unanimous vote.

7. Fallen Fire Fighters Memorial Wall Nomination

Eriks Gabliks reviewed the nomination for the Fallen Fire Fighters Memorial Wall:

Firefighters from Taff-Nelscott-DeLake, now known as North Lincoln Fire & Rescue District #1, were summoned to a structure fire at the Nelscott Sea Food Market on the evening of March 22, 1954.

R.E. "Bob" Olivier, age 38, collapsed on the scene while fighting a commercial kitchen fire. Firefighters on the scene immediately began resuscitation efforts. They were aided by a passing physician from Oregon City. Firefighter Olivier was transported to North Lincoln Hospital in Wecoma but efforts at revival were unsuccessful. Firefighter Olivier was survived by his wife, Lorraine; and a son Jerry.

The death meets the criteria for the Oregon Fallen Fire Fighters Memorial.

Staff recommends the FPC determines whether Firefighter Bob Oliver's name will be included on the Fallen Fire Fighters Memorial Wall to be included in the September 17, 2009 ceremony.

Mark Prince made a motion to put onto the memorial wall the name submitted for inclusion from DPSST staff. Randy Simpson seconded the motion. The motion carried in a unanimous vote.

8. Round Table

Eriks Gabliks updated the group on state budget, legislative and academy information.

The next FPC meeting is scheduled for 8/21/09.

Meeting adjourned at 10:48 a.m.