



NASFM News

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State Fire Marshal Profile: Mark Wallace, Oregon



Q. When were you appointed State Fire Marshal?

A. I was appointed State Fire Marshal of Oregon on July 1, 2011.

Q. What did you do before you became State Fire Marshal?

A. I spent 42 years as a career, municipal firefighter with the last 10 years as Fire Chief of the McKinney, Texas, Fire Department. Before that I was the fire Chief of the Golden, Colorado, Fire Department; Fire Chief and Chief Building Official and later Public Safety Director in Sheridan, Colorado; prior to that I spent 16 years working through the ranks in Greeley, Colorado; and before that, I was a firefighter in Ft. Collins, Colorado, and served for a time as the Fire Inspector of Colorado State University.

Q. If you could describe your career to this point as a TV show, what would the TV show be, and why?

A. I don't think I would attempt to describe my career as a TV show.

Q. What is the size of your staff (and your budget)?

A. We have a staff of 70 people when all positions are filled and our biennial (2011-2013) budget is about \$20 million. We are an enterprise and not funded by the State General Fund, so if revenues are down, our budget is down.

Q. Brag a little: What program(s) are you most proud of?

A. We have lots to be proud of and numerous great programs throughout our branches and units. We have recognized experts in several areas who teach nationally about their area of expertise and serve on regional or national committees. We are a full service State Fire Marshal's office with the exception of fire training, which has been divided off into a Department of Public Safety Standards and Training Agency. We also sponsor the Hazardous Materials Response Teams (13 teams) in Oregon. We provide structure protection response during wildfires through the State Conflagration Act and direct three Incident Management Teams. We sponsor two Urban Search and Rescue Teams as a state-wide resource.

Q. What are the goals for your office for the coming year?

A. The goals for our office in the coming year are to expand our knowledge base, technology and data analysis capabilities so that future proposals and projections are more data-driven during these tough economic times. We are working to identify our formal and informal mandates and conduct gap analysis of our key performance measures to ensure that they are outcome based. We are "right sizing" our emergency response system by developing response matrix systems. We are a component within the Public Safety Services Branch of the Oregon State Police (OSP), so we are also working to meet the goals of the OSP as they relate to the OSFM. And, we are working to achieve directed process changes that are



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Public Safety Services Branch of the Oregon State Police (OSP), so we are also working to meet the goals of the OSP as they relate to the OSFM. And, we are working to achieve directed process changes that are occurring state-wide in order to ensure that we provide efficient, effective and economical services to meet our strategic goal of providing premier public safety services to the people of Oregon.

Q. What is your biggest frustration as State Fire Marshal?

A. I think my biggest frustrations so far (just a few months into my tenure in Oregon) is the increased time it seems to take to get certain decisions made and actions completed. There are many more complexities working within state government than there were in municipal government.

Q. What would you like to know from your fellow State Fire Marshals?

A. I am not sure what all I would like to know from other State Fire Marshals. I am still developing those questions and the Oregon Legislature has not been in session during my brief tenure at this point. Key performance measures of OSFMs providing similar services would be of interest. I have enjoyed meeting with a few SFMs so far and look forward to building effective relationships with as many as possible.

Q. What benefits would you like to receive from your membership in NASFM?

A. I am also not sure of the benefits of my membership in NASFM at this point, since I am so new and still learning the job other than the networking and information sharing I've seen so far. I tend to delegate the questions or requests I've received so far to those on my staff that are in the best position to provide the best information and response.

2012 NASFM Annual Conference Call for Presentations from State Fire Marshals for Their Peers

Attention State Fire Marshals - We Need You....

To help fulfill one of the missions of the National Association of State Fire Marshals (NASFM) - to improve the efficiency and effectiveness of State Fire Marshals' operations - we are devoting an entire morning of the **2012 NASFM Annual Conference, which will be held July 10th - 12th in Meredith, New Hampshire**, to enable you to give presentations to your peers on your most effective programs, campaigns or activities on any subject that you deal with as State Fire Marshal. Up to four (4) presentations will be chosen by NASFM staff and Board of Directors to highlight in this way at our upcoming annual conference. These sessions were among the most popular of our 2011 Annual Conference.



We invite you to submit a proposal for a 30-minute presentation (with an additional 10 minutes for questions and discussion). We are seeking presentations that meet the following criteria:

- Address an issue or concern that either is common to other State Fire Marshals or represents an emerging issue that other states will need to deal with;
- Present an approach that is unconventional, innovative or otherwise noteworthy, and that could be instructive to your peers;
- Have resulted in a successful outcome or have otherwise been effective in changing behaviors or outcomes in a verifiable way.

Proposals should be no longer than 2 pages maximum (attachments are permitted). Proposals should include these elements:

1. Description of problem/issue addressed by program
2. Program elements:
 - Strategy/approach
 - Resources required - funding, human resources (staff, allies), etc.
 - Milestones/course corrections
 - Outcomes - both short-term and long-term

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3. Lessons learned and recommendations if others were to undertake this approach or if you were to do it again.

(We will assume that you, the State Fire Marshal, will be the presenter of the session you propose. NASFM does not have funding to bring in members of your staff to present.)

Please submit your proposal no later than Friday, February 24, 2012, to Karen Deppa in the NASFM Washington, DC, office at kfernico@aol.com. You will be notified no later than April 13, after NASFM review, of the status of your proposal.

NASFM Past President John Dean to Retire



John C. Dean, Maine's Fire Marshal since 1998, has announced his retirement at the end of January 2012. Dean is a longtime member of the National Association of State Fire Marshals and was elected President of NASFM from 2006-2008. Prior to and since then, he served in a number of leadership roles in the association, including Immediate Past President on the NASFM Board and as NASFM Board liaison to the Science Advisory Committee. He also represented NASFM to numerous outside organizations and served on the Board of the National Fire Protection Association (NFPA).

As State Fire Marshal, Dean oversaw the updating of Maine's fire codes to incorporate current editions of NFPA standards. Dean oversaw the reduction in inspection backlogs by his office of public buildings, daycare centers and nursing homes. He also promoted the enactment of cigarette fire safety legislation and the establishment of Maine's Juvenile Fire Safety Collaborative. His efforts to prohibit the sale of novelty/toylike lighters resulted in Maine's leading the way as the first state to pass such a law, and serving as a model for similar legislation in other states. Currently 15 states have passed laws banning or restricting the sale of toylike lighters, with many more states considering legislation.

Prior to his appointment as State Fire Marshal, Dean served 27 years as a Maine firefighter. He was a member of the Old Town Fire Department from 1971 to 1989, rising to the rank of deputy chief. From 1989 to 1998, he served as fire chief for the town of Wells, Maine. Dean served in Vietnam as an Army medic. He holds a Fire Science Degree from Southern Maine Technical College and is a graduate of the Executive Fire Officer (EFO) Program at the National Fire Academy. He also has an Executive Certificate from the Maine Criminal Justice Academy.

Maine Public Safety Commissioner John Morris praised Dean's four decades of public service. "John Dean has spent his entire adult life making this state a safer place. His leadership as fire marshal coincided with the two safest years in Maine history for fire deaths and his commitment to fire safety has been recognized at the national level," Morris said.

NASFM President Jerry Rosendahl said, "John is a leader among State Fire Marshals, and a leader among fire safety experts in this country. His commitment to life safety cannot be questioned. John Dean leaves a legacy that will be long-remembered and used as a benchmark for others to achieve."

"John has been a huge influence and steady hand with NASFM for many years, and we owe him a great deal of gratitude," added NASFM Executive Director Jim Narva. "The organization will feel his influence for a long time to come. Maine and the nation as a whole are losing a true fire prevention advocate and someone who has really made a difference. NASFM collectively and each of us individually will miss him."

Dean said, "I have belonged to many organizations over the years and I would have to say that NASFM, both the organization and the individual members, provided me with the best professional support of my career." He added, "I certainly hope that I can stay in touch with all of my NASFM friends." Dean and his wife, Carol, plan to continue to live in Winthrop, Maine, and enjoy their children and grandchildren.

Assistant Fire Marshal Joseph Thomas will serve as acting fire marshal until a successor is named to

Assistant Fire Marshal Joseph Thomas will serve as acting fire marshal until a successor is named to replace Dean.

NASFM Urges Adoption of 2012 Life Safety Code by CMS

NASFM recently submitted a comment to the Centers for Medicare & Medicaid Services (CMS) of the U.S. Department of Health and Human Services in response to a proposed rule that would revise the requirements that hospitals and critical access hospitals must meet in order to participate in the Medicare and Medicaid Programs. CMS specifically requested comment on changes associated with 42 CFR § 482.41, which deals with the physical environment of hospitals.



The October 24 *Federal Register* notice published by CMS stated the following:

Currently, hospitals are required to meet the standards of the 2000 edition of the Life Safety Code (LSC), which is not the most recent edition. Many accrediting bodies, as well as state and local jurisdictions, require hospitals to comply with more recent versions, such as the 2003, 2006, or 2009 edition of the LSC. Complying with both the 2000 edition of the LSC, for Federal purposes, and a more recent edition, for accreditation or other purposes, can be challenging for hospitals when there are inconsistencies between the two versions. We expect the 2012 edition of the LSC to be released in Fall 2011. Based on the content of the 2012 edition, we will decide whether it or another more recent edition, is appropriate for incorporation into the regulations for hospitals and other affected providers and suppliers.

NASFM's comment was very direct: Hospitals should be required to meet the provisions of the most recent Life Safety Code (2012 edition) to replace the 2000 edition that is currently in effect. "Doing so would address current inefficiencies, unnecessary frustrations and potential negative impacts on the safety of the facilities that must comply with this rule," said the comment submitted by NASFM President Jerry Rosendahl.

NASFM's comment went on to state, "Many improvements have been made in the codes since the 2000 edition of the LSC was issued, and thus the safety of healthcare facilities regulated by CMS is potentially being compromised by following a code that is nearly 10 years out of date. Most local jurisdictions are adopting the 2012 LSC, thus creating a potential safety discrepancy between hospitals and other occupancies in those jurisdictions. The new LSC acknowledges changes in technology, recent practices and policies, and lessons learned from a decade of events that have impacted life safety. The 2012 edition of the LSC also accounts for some current hospital practices that were not permitted or even anticipated by the 2000 LSC."

NASFM comment also pointed out that, as far back as the 1947 President's Conference on Fire Prevention, commissioned by President Harry S. Truman, the importance of modern, uniform and properly enforced codes has been recognized and stressed. A key action item of the conference was that "Building codes now in effect should be examined and revised, when necessary, to assure that the technical provisions are in conformity with modern fire protection practices."

The CMS proposed rule indicated that any regulatory changes would be addressed through separate notice-and-comment rulemaking. NASFM offered its assistance in helping CMS to effect such a change, "to achieve efficiency, consistency - and, most important, greater safety for the occupants of CMS-regulated facilities."

The Federal Register notice and docket can be viewed at

<http://www.regulations.gov/#!docketDetail;dct=FR%252BPR%252BN%252BO%252BSR;rpp=10;po=0;D=CMS-2011-0160>.

CPSC Announces ANPR for Gel Fuels, Firepots to Address Flash Fire, Burn Hazards



In an effort to prevent further injuries and deaths resulting from the use of gel fuels in firepots, the U.S. Consumer Product Safety Commission has published an advance notice of proposed rulemaking (ANPR) aimed at improving the safety of gel fuels and firepots.

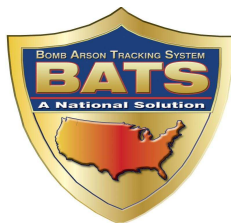
The ANPR was prompted by the number of serious injuries and deaths that have occurred to consumers using these products. CPSC is aware of 65 incidents between April 2010 and September 2011, which have resulted in two deaths and at least 34 victims who were hospitalized with second- and third-degree burns of the face, chest, hands, arms or legs.

The ANPR invites written comments from the public regarding the risks of injury associated with gel fuels and firepots and ways to address these risks. The ANPR also alerts the industry to the possibility of federal standards being introduced for the labeling or performance of a product, or a ban if no adequate standard can be found. The process gives manufacturers a chance to present evidence to show they have set up their own effective industry standards.

Written comments in response to this notice must be received by February 27, 2012. You can access the Federal Register notice and submit electronic comments at this link:

<http://www.regulations.gov/#!documentDetail;D=CPSC-2011-0095-0001>

BATS 5 Phase III Update Now Available



The U.S. Bomb Data Center (USBDC) has announced that Phase III of the new look BATS 5 has been implemented and is now available to all users. This update includes several improvements and bug fixes to include mapping functionality such as street maps, topography, and satellite imagery. This update also includes three new automated "Standard" reports for agency "account managers":

- HDS Bomb Squad Statistical Report
- Fire Marshal Summary Form
- UCR Monthly Arson Reporting Form

USBDC trusts that these new features will further assist users with operational planning, case management, and administrative tracking. "How-to" tutorials are also available in the Video Library section of BATS. In response to your feedback and suggestions, BATS has constantly improved to be an essential tool in the investigation and reporting of explosive and fire related crimes, and an important part of your public safety mission. The USBDC is dedicated to assisting bomb technicians and investigators, fire investigators, and others who strive to keep Americans safe from the crimes involving explosives and fire.

Agencies needing a BATS account can start the application process online @ www.BATS.gov

For more information: U.S. Bomb Data Center, Phone: 1-800-461-8841; E-mail: USBDC@atf.gov; BATS Online: www.BATS.gov.