





Fire Code & Unified Program Coordination
Presented by
Danielle Stefani
22nd Annual California CUPA Training Conference
February 3 - 6, 2020
South San Francisco




www.calcupa.org

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Class Overview

- History 
- Fire Code Overview
- Authority
- Opportunities for Coordination



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History



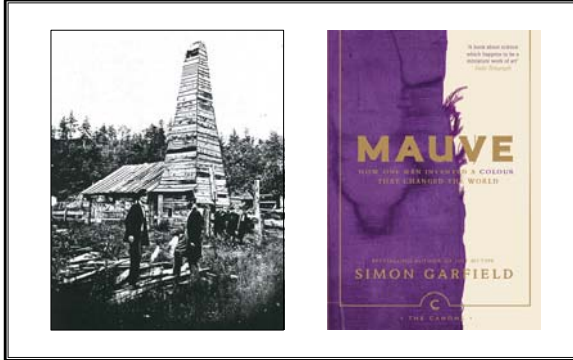
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National Fire Protection Association

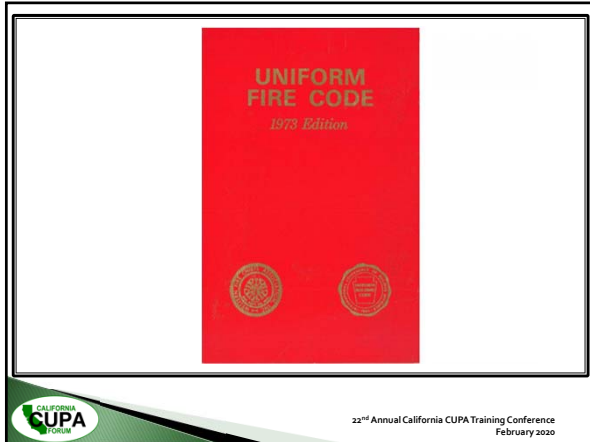


- 1907 – Refrigeration
- 1907 – Hot Compresses
- 1911 – Compressibles
- 1913 – Gases, Gasoline and Other Hazardous Liquids
- 1917 – Gases
- 1917 – Flammable Liquids
- 1917 – Hazardous Chemicals

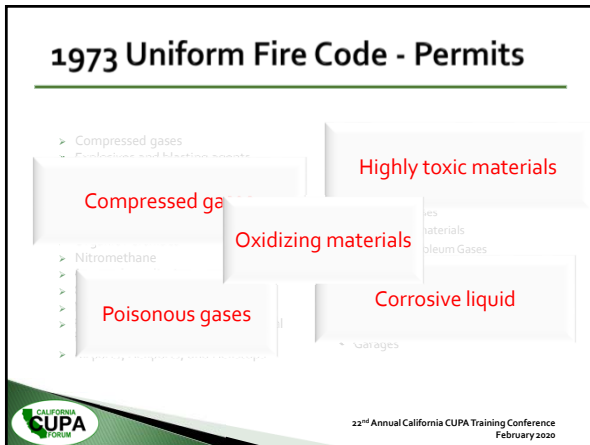
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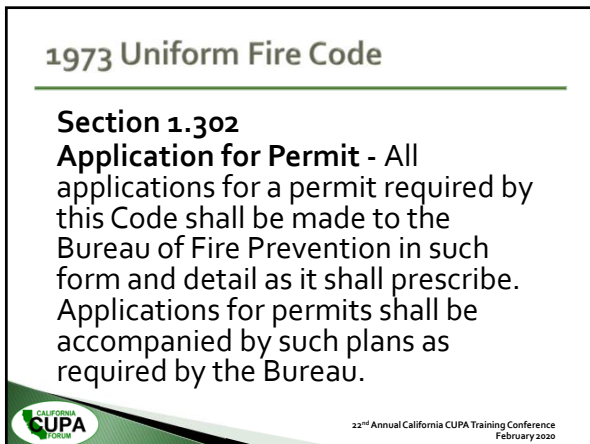
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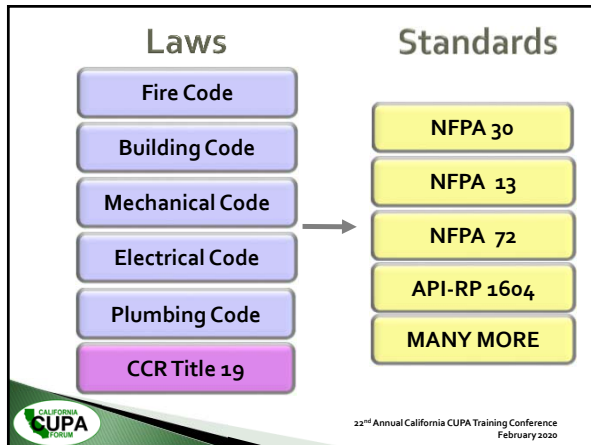
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1988 Fire Code Chapters

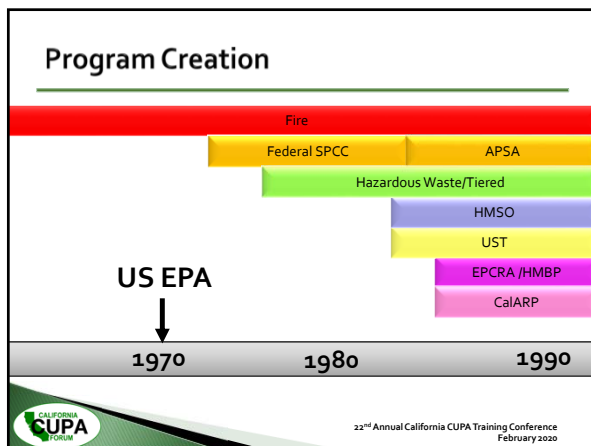
<ul style="list-style-type: none"> 1 – Title, Intent and Scope 2 – Organization, Authority, Duties and Procedures 9 – Definitions and Abbreviations 10 – Fire Protection 11 – General Precautions Against Fire 12 – Maintenance of Exits and Occupant Load Control 24 – Airports, Heliports and Helistops 25 – Places of Assembly 32 – Tents, Canopies and Temporary Membrane Structures 33 – Cellulose Nitrate Motion Picture Film 	<ul style="list-style-type: none"> 34 – Automobile Wrecking Yards, Junk or Waste materials Handling Plants 35 – Covered Mall Buildings 36 – Dry Cleaning with Noncombustible Solvents 45 – Application of Flammable Finishes 46 – Fruit –ripening Processes 47 – Fumigation and Thermal Insecticidal Fogging 48 – Magnesium 49 – Welding and Cutting Using Calcium Carbide and Acetylene 50 – Manufacture of Organic Coatings 51 – Semiconductor Fabrication Facilities Using Hazardous Production Materials 61 – Oil-Burning Equipment 	<ul style="list-style-type: none"> 62 – Industrial Baking and Drying Ovens 63 – Mechanical Refrigeration 74 – Compressed Gases 75 – Cryogenic Fluids 76 – Prevention of Dust Explosions 77 – Explosives and Blasting Agents 78 – Fireworks 79 – Flammable Liquids 80 – Hazardous Materials 81 – High-piled Combustible Stock 82 – Liquefied Petroleum Gases 83 – Matches 84 – Motion Picture Projection 85 – Electrical 86 – Pesticides – Storage 87 – Fire Safety During Construction, Alteration, or Demolition of a Building
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Creation of the Unified Program



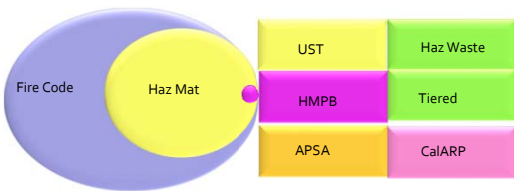
SB 1082

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HMIS and HMMP



Fire Code

Haz Mat

UST

Haz Waste

HMPB

Tiered

APSA


CalARP

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CUPA Demographics



56 County
23 City
2 State


53 Health
21 Fire
2 DTSC
5 Other Local

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Fire Code




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“Hazardous Material”

- Defined term
- Evolution of the term in Fire Code
- Not a “Hazardous Material” but still regulated

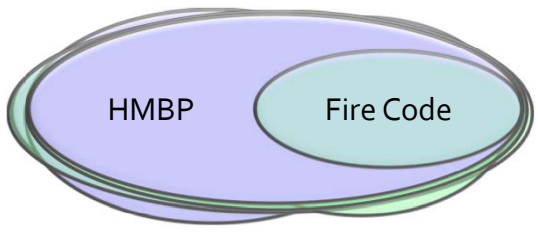

Physical Hazards		Health Hazards
Combustible Liquid	Oxidizer (S/L)	Toxic
Cryogenic Liquid	Oxidizing gas	Highly Toxic
Explosive	Pyrophoric (S/L/G)	Corrosive
Flammable (S/L/G)	Unstable (S/L/G)	
Organic Peroxide (S/L)	Water Reactive (S/L)	



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Haz Mat Definition Comparison





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Fire Code Strategy


- Prevent the event
- Get people out
- Limit the spread
- Rapid intervention
- Responder effectiveness & safety




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Occupancy Class




M - Mercantile




A - Public Assembly



S - Storage



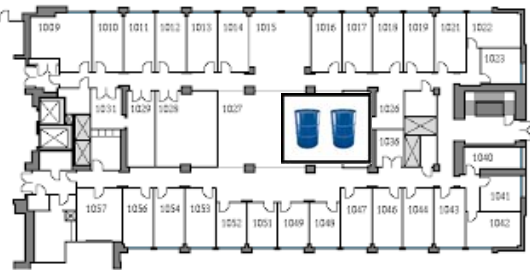

H - Hazardous



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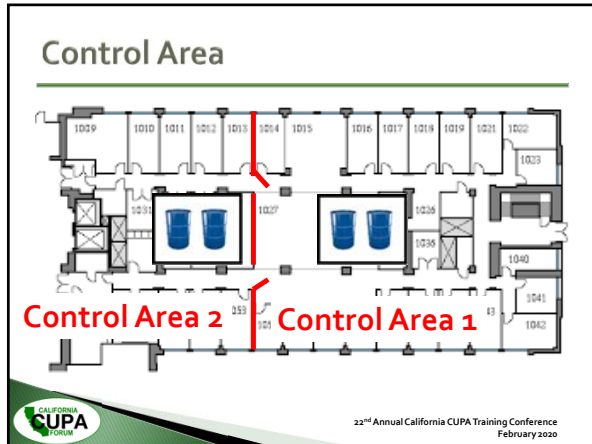
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Maximum Allowable Quantity

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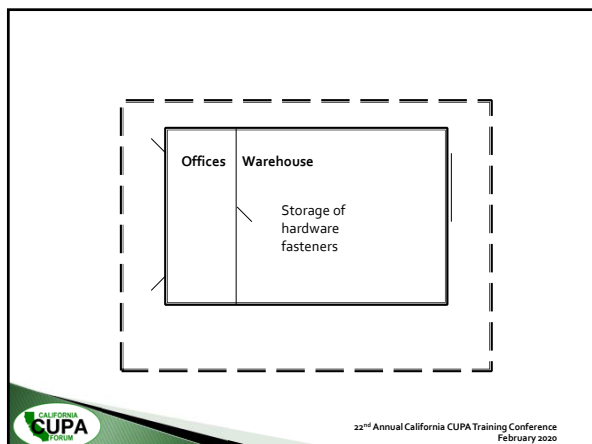
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Manufacturing – Craft Paint

Type		Storage & Use-Closed	Use-Open	TOTAL
Flam Liquid IB	MAQ	120 gal	30 gal	120 gal
	Have	110 gal	5 gal	110 gal

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Manufacturing – Craft Paint

Type		Storage & Use-Closed	Use-Open	TOTAL
Flam Liquid IB	MAQ	120 gal	30 gal	120 gal
	Have	220 gal	5 gal	220 gal

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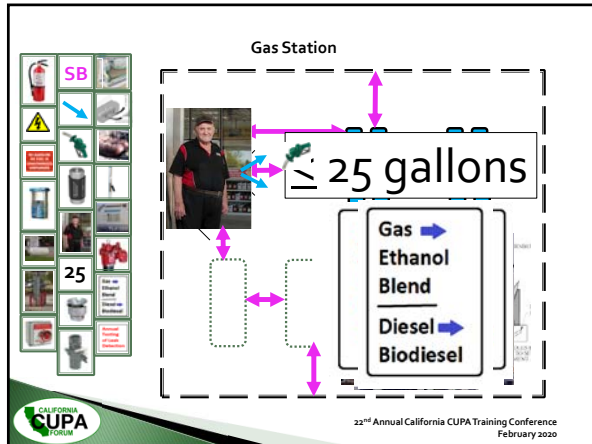
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Manufacturing – Craft Paint

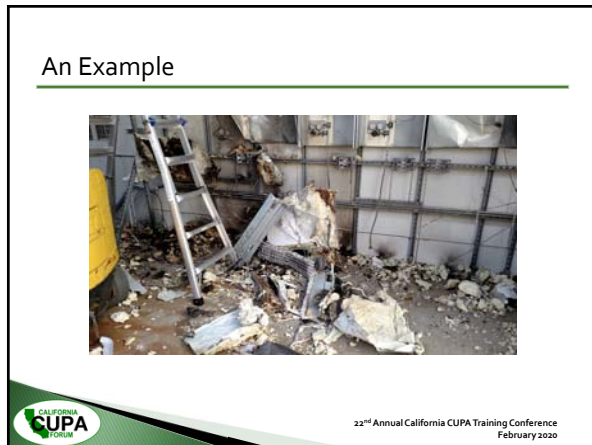
Type		Storage & Use-Closed	Use-Open	TOTAL
Flam Liquid IB	MAQ	120 gal	30 gal	120 gal
	Need	600 gal	250 gal	850 gal

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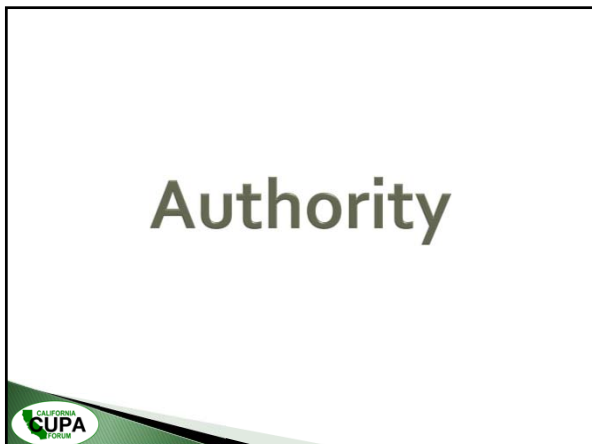
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Unified Program

**Certified Unified Program Agency
(City, County, or other Local Agency)**

Participating Agencies




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Fire Code

State law directs SFM to adopt regulations, including for hazardous materials. Enforcement:

- Single family homes: Fire or Building
- State owned/occupied: SFM or Campus FM
- All other: Local Fire Agency
- To greatest extent practicable regular, full time fire department employees
- Cities cannot use GC 34004 for SFM regulations (Fire Code and Title 19)



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Special Situation: All Volunteer

Request one of the following:

- The State Fire Marshal
- Another fire agency

H&SC 13146.6



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Special Situation: Fire District

City/County can choose:

- The Fire District
- The Building Department

H&SC 13869.7

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Summary

Unified Program Statute


- Does not specify department/agency type
- Allows delegation via PAs

Fire Statutes


- Must be fire agency (except 2 situations)
- No allowance for delegation

H&SC 13869.7


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Unified Program Facility Permit 

- Includes UST permitting requirements
- Includes local haz mat ordinances or regulations
- Excludes local Fire &/or Building ordinances



H&SC 25404(a)(6) & H&SC 25404.2(a)

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Opportunities For Coordination



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California

California very diverse – many different and unique situations



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Opportunity for Coordination

Value the benefits of Coordination



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HMBP

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Program Element Statutes

The enforcement HMBP by UPAs and the Fire Code by Fire Departments shall be coordinated.

H&SC 25504(d)
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HMBP ?

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HMBP vs. HMMP & HMIS ?

- Purpose
- Materials
- Thresholds
- When Required
- Data in Common
- Additional Data
- Authority to Evaluate and Enforce

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Site Map - Icons ?

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Volume/Amount Inconsistency ?

For compressed gases:

- determine if threshold quantities exceeded at STP
- report in the physical state at which it is stored. (EHS in pounds)

H&SC 25507(a) 1 & 2

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Change is the only Constant 



**Hazardous Materials
Business Plan**



This guidance is not intended to provide legal advice. This guidance is intended to only provide a brief summary of the business plan submittal requirements that are in place as a result of Assembly Bill (AB) 1429.

AB 1429

Changes in Business Plan Submittal Requirements

In July 2019, Governor Newsom signed AB 1429, which goes into effect January 1, 2020. AB 1429 changes the required reporting frequency for hazardous materials handlers not required to submit Tier II information pursuant to the federal Emergency Planning and Community Right to Know Act (EPCRA) and not subject to the requirements of the Aboveground Petroleum Storage Act (APSA).



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Opportunity for Coordination

Awareness of Differing Goals and Strategies



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Hazardous Waste



Be Prepared Awareness



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Opportunity for Coordination

Relationships and Communication



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APSA



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Opportunity for Coordination

Leverage Each Others' Strengths



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Tiered Permitting



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Opportunity for Coordination

Partner on Projects


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UST

Regulation of the same features by Fire and UPA:

- Inconsistent
- Duplicative



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CalARP



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Opportunity for Coordination

- Value the benefits of Coordination
- Awareness of Differing Goals and Strategies
- Relationships and Communication
- Leverage Each Others' Strengths
- Partner on Projects



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Questions

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