

Minutes from TIESB Meeting
9:00 AM, Friday, April 25th, 2014
SFFMA – Austin Office
707 W FM 1626
Austin, Texas 78748

I. Call to Order

Chairman Deel called the meeting to order at 9:15 a.m.

II. Roll Call

16 Members present: Rick Deel; Brett Steed; Keith Russell; Terry Boyett; Todd Johnson; Chuck Richardson; Gerald Sherman; Paul Hanneman; Rodney Kovalcik; J. D. Lowe; Michael Barley; Jeff Hoffstadt; Kent Delaney; Robert Moore; David Cave; Lee Ray Kaderli;

2 Members absent: James Purcell; Steve Pollock

SFFMA Staff present: Kevin Creamer, Industrial Coordinator

Guests: David Wade – Executive Board Liaison; Gordon Lohmeyer – TEEX

III. Committee Members Review YTS Reports

The committees began reviewing the **13** submitted reports prior to the meeting at 9:00 a.m.

IV. Approval of Minutes from October 7, 2013.

On motion by Gerald Sherman and seconded by Lee Ray Kaderli, the minutes were approved with one change notated by Paul Hanneman.

V. Action Items

A. February '10 Meeting Status

1. Verify with Trey Blocker if it would be better to insert in the Vehicle Criteria document to reference DSHS criteria with appropriate TIESB exceptions as warranted or leave alone. (Chuck Richardson – EMS Committee) **In Progress**

Mr. Creamer noted that Trey was at a meeting in the next room and would join the meeting shortly. Mr. Richardson reiterated that one of the issues was that that Vernon's Civil Statutes could not be found any longer. TIESB references the chapter 773.004 as regulating industrial ambulances, and the definition is still there, but cannot find where it establishes TIESB as the regulatory body, which has been raised at the last few meetings. Mr. Richardson has approached the Texas Department of State Health Services trying to get clarification, and they said "we regulate your ambulances". This would be a nightmare, but we're not able to find where statute now says that TIESB is the regulatory agency over industrial ambulances. More than likely there was a change in the legislation and the wording was dropped.

Mr. Deel noted that the board would also need to discuss the liability issue with Mr. Blocker. Mr. Wade noted that there were about 80-90 member facilities, and would bet there were more industrial apparatus on the road than what were actually registered. He further questioned how we would get the information out to facilities that they would have to register the vehicles. Mr. Richardson noted that due to the quicker pace of turnover in facilities, it's hard to keep the correct people educated on the requirements. Mr. Wade suggested that the Texas Chemical Council might be a good avenue for disseminating the information. Mr. Deel agreed and said he would bring it up at the next Occupational Safety Committee meeting. Mr. Hanneman suggested that one concern would be that Legislators might ask "how many vehicles are out there?" and we wouldn't be able to answer that question.

Mr. Deel asked Mr. Richardson, Mr. Wade and Mr. Russell to work to get the different pieces of legislation from everywhere together for Mr. Blocker so he has a better idea of what was needed.

B. October '10 Meeting status

1. Set up meeting with TEEX to discuss development of industrial class for municipal firefighters (Paul Hannemann) **Closed**

Gordon Lohmeyer noted that the course is complete and being delivered and is called Industrial Emergencies for Municipal Based Responders (IEMBR – pronounced "ember"). There was discussion of whether this would be helpful for pipeline training. Mr. Lohmeyer noted that the class takes an all-hazards approach, with Phase II being customizable to the specific needs.

C. April '13 Meeting status

1. Draft letter to send to new members upon appointment (Robert Moore) **OPEN**
2. Update YTS letter to better explain need regarding ESD ad valorem tax exemption (Kevin Creamer) **OPEN**
3. Review vehicle registration signage & pin-striping requirements (Gerald Sherman) **In Progress**
Mr. Sherman was not in attendance.

D. June '13 Meeting status

1. Review 2013 YTS reports to determine how many are NIMS compliant (Kevin Creamer) **OPEN**
Mr. Creamer updated the year from 2012 to 2013 and said he would have a report by the next meeting.
2. Create a position paper on certification standards (Lee Ray Kaderli) **Closed**
There was general discussion of what the actual item was, and Chairman Deel closed the item to be reopened if necessary.

E. January '14 Meeting status

1. Review payment wording on invoices (Kevin Creamer)
2. Add wording to invoice regarding vehicles (Kevin Creamer)
3. Verify Valero refineries are listed in the correct areas (Kevin Creamer) **Closed**

F. April '14 Meeting status

1. Discuss Limits of Liability with Dave Womack from TCC (Rick Deel / Trey Blocker)
2. Create proposal regarding signage on vehicle renewals (Gerald Sherman / Kent Delaney / Kevin Creamer)
3. Create a list of cell phone numbers for internal TIESB use (Kevin Creamer)
4. Provide a list of expiring Industrial Board members to Rusty Kattner for conference (Kevin Creamer)
5. Send e-mail to determine whether October 24th or 31st is preferred for the fall meeting (Kevin Creamer)

VI. Communications

A. Committee Reports

1-4. Area Committees

- a. Area 1 – Area Chair Brett Steed: 0 YTS pending for Area 1
- b. Area 2 – Area Chair Kent Delaney: 8 YTS for Area 2 were approved
 - i. Exxon Baytown – Advanced Exterior/Interior, Rescue, EMS, HazMat
 - ii. Sun Products Pasadena – Advanced Exterior/Interior, Rescue, EMS, HazMat
 - iii. Lyondell Sheldon Rd – Advanced Exterior/Interior, Rescue, EMS, HazMat
 - iv. Exxon Sheldon Rd – Advanced Exterior/Interior, Rescue, EMS, HazMat
 - v. Texas Eastman Texas City – Advanced Exterior/Interior, Rescue, EMS, HazMat
 - vi. Shell Deer Park – Advanced Exterior/Interior, Rescue, EMS, HazMat
 - vii. GB Biosciences – Advanced Exterior/Interior, Rescue, EMS, HazMat
 - viii. Total – Advanced Exterior/Interior, Rescue, EMS, HazMat
- c. Area 3 – Area Chair David Cave: 1 YTS pending for Area 3
 - i. INEOS Nitriles – Pending registrations of their vehicles
- d. Area 4 – Area Chair Keith Russell: 1 YTS for Area 4 was approved
 - i. Luminant Big Brown – Advanced Exterior/Interior

B. Executive Director's Report – Chris Barron

(Due to Mr. Barron and Mr. Blocker being free from the other meeting, they addressed the Board at this time.)
Mr. Barron welcomed the Board to the new SFFMA building and introduced Trey Blocker to address any legislative concerns.

Mr. Barron noted that Don Smith, Assistant or Battalion Chief at Austin FD and also Fire Chief at Travis County ESD #4 is also doing consulting work with some of the Eagle Ford projects. They met the day before and discussed some of the industrial incidents that local fire departments are being called out on, but do not have the resources or training, and Mr. Barron thought this would be a good time for him to come in and discuss what could be done from the TIESB standpoint to help some of the departments to locate some of the resources. Mr. Deel noted that they had just spent some time discussing the matter because it is a concern for industry, but will probably go back to the topic.

A. Committee Reports (continued)

5. Codes, Standards & Legislation Committee – Robert Moore

Mr. Moore was not in attendance so Mr. Deel asked if Mr. Lohmeyer had anything to report in his place. Mr. Lohmeyer said there had been some discussion of 1081 and 1001 at the last NFPA committee meetings he had attended. Other standards being worked on are 1072, 472, and 1002. 1081 was released last year, and 1006 is to be revised this calendar year.

Mr. Deel noted there were a couple of areas of legislation TIESB would like to look at. One is the oversight of industrial ambulance. Mr. Richardson recapped the previous conversation regarding the wording not being able to be located as Vernon's Civil Statutes is no longer used. Mr. Blocker noted that when the statutes were transitioned from Vernon's to Code, it may have been left out. Mr. Wade read the current legislation wording which does not reference TIESB oversight of industrial ambulances. Mr. Blocker asked if it would be sufficient to drop the reference to the Board into the statute 773.004, and Mr. Wade and Mr. Deel agreed that it would be. Mr. Wade noted that it should use the same verbiage as in the Transportation Code saying "must be certified by the Texas Industrial Emergency Services Board of the State Firemen's and Fire Marshals' Association of Texas."

Mr. Richardson reminded everyone that the Board had also expressed an interest in having the statute rewritten to state that industrial ambulances "must have at least an ECA" in place of "must have an ECA", so that those facilities with EMT-B personnel could clearly meet statute.

Mr. Deel asked Mr. Richardson, Mr. Wade and Mr. Russell to work to get the different pieces of legislation from everywhere together for Mr. Blocker so he has a better idea of what was needed.

Mr. Deel also brought up the topic of limits of liability for first responders looking at levelling the playing field so that industry doesn't have more exposure than the rest of the responders. He believed that the Texas Forest Service had looked at the issue regarding use of bulldozers, etc., but would like some more defined terminology on scope in statute. Working through TIESB and SFFMA on this would also be a good benefit to show industry. He asked Mr. Blocker if there would be a way to work up something, and Mr. Blocker asked if Senator Nichols' bill from last session was sufficient. Mr. Deel said that the initial idea was good, but the final version had been significantly diluted. Mr. Hanneman noted that the bill was sufficient if someone were working as a contractor with TFS, but wouldn't fully clear industrial employees.

Mr. Deel and Mr. Blocker each said they would discuss the issue with Dave Womack from the Texas Chemical Council about the issue. Mr. Deel asked for any suggestions be provided to him and Mr. Blocker soon in order to get have things in place prior to the next session.

Mr. Deel added that in the previous week or so he had met with some of the different mutual aid organizations along the gulf coast and discussed how to help each other in different ways as well as industrial fire of state significance. He'd like to see it arranged so that there could be mutual aid without having to have the agreements in place ahead of time, so that they could set up a system to send people. Mr. Hanneman added that through TIFMAS there is a 2-page aid claim set up as a process. There was general discussion of some recent situations where there were mutual aid responses where commanders also discussed putting together a system, as well as the length of time that certain mutual aid organizations had been in existence. Mr. Deel stated that an advisory group would be formed through the Harris County Fire Marshals' to help identify locations/plants that are not covered by mutual aid organizations.

Don Smith addressed the board stating that his organization (_____) was looking to provide training to first responders in the Eagleford area to identify the type of hazards that first responders might encounter in the field, including well sites, fracking trucks, and condensate pools. He suggested that industry resources would help significantly. There was a general discussion of the threat from Mexican cartels in the South Texas/Border areas. Mr. Smith noted that there was a significant increase in the foot traffic in the ranches in that area, and the signage might not clearly indicate the serious danger.

6. Board Membership – Robert Moore

In Mr. Moore's absence, Mr. Deel announced Corky McCool had retired, so there are currently 3 openings – Slots 6, 14 and 15. Mr. Deel reminded the board that would very much like to have a member from the Beaumont area and may go visit some people in the area. He further noted that there are quite a few potential members from the Houston area that should be considered even if no one from the Beaumont area joins.

7. TEEX Advisory Board – Keith Russell
Mr. Russell did not have a report as there was not another meeting scheduled until May 8th.
8. Texas Chemical Council – Rick Deel
Mr. Deel was not able to attend the last meeting, and their next will be in June.

Training Committees

9. EMS – Chuck Richardson
Mr. Richardson reported that there would be an EMS track at the SFFMA Conference in June on one day of the conference, and an industrial track as well.
10. HazMat – Lee Ray Kaderli
Mr. Kaderli reiterated the previous discussion about NFPA 475 and ProQual standards being moved. Mr. Lohmeyer noted that TEEX is revising their curriculum to meet 1072, as well as the stuff that stays in 472, probably after the April schools.

Mr. Deel reminded the board that HotZone would be in October, and that the CIMA Training Symposium had been cancelled.
11. Marine Firefighting – Rodney Kovalcik
Mr. Kovalcik noted that NFPA 1005, 2014 ed. has been added as a prerequisite for 1081. Mr. Lohmeyer added that the committees for the two standards had been worked together.
12. Firefighting – J. D. Lowe
No report.
13. Organizational Membership – David Cave
Mr. Cave noted that there were industrial facilities in the southern part of the state that were not showing any interest in joining. He would continue to go back to the sites as there had been quite a bit of turnover, and would have to educate the new people on the TIESB. Mr. Deel suggested that the mutual aid organizations would be a good source of “peer pressure”.
14. Texas A&M Forest Service and State Incident Management Team – Paul Hanneman
Mr. Hanneman reported that the fire department directory had been set up with an industrial site to know where those fire brigades are. There are public and private sides of the directory allowing different levels of access to the information. The intent was to be able to say how many firefighters there were available. Annex F is complete and online, with industrial falling under Appendix I and TIFMAS is Appendix II.

He added that there was a conference coming up in Robstown for Texas IMT people, DPS captains, and intended to review hurricane preparedness and IMTs.
15. Certification Committee – Lee Ray Kaderli
Mr. Kaderli reported that there were a lot more people going through certification at TEEX, including training in Spanish. Mr. Lohmeyer added that TEEX dropped out of the top 2 after the State of Virginia instituted a mandatory certification program for all firefighters. They've got their people through that program, so Texas should be back up just behind Maryland this year, and TEEX has issued about 9,000 certificates.
16. Industrial Fire School – Lee Ray Kaderli
Mr. Russell reported that preregistrations are up this year, helped in part by a new course that started last year. A new prop has been added this year - #33. Mr. Lohmeyer added the new prop replaced Advanced Exterior Level 3, and would be offered heavily in the Galveston area. He further described the updates made to the Galveston facility. There was discussion of TEEX beginning EOC training, and Mr. Kaderli explained that it was planned for the near term.

17. Vehicle Registration – Gerald Sherman

Mr. Creamer reported there were currently 290 vehicles registered, and went over the new registration renewal process. At the beginning of each month, the next two months of renewal notices go out, so that each vehicle will get two reminders if not renewed.

There was discussion about industrial facilities asking their fire teams to remove the signage, and whether the registration required signage. Mr. Wade added that he believed there was wording in the transportation code that emergency vehicles had to have signage with the exception of law enforcement. It was verified that the TIESB requirements don't list signage, but the application asks for it. Mr. Creamer noted that he uses the vehicle side photos as verification that they sent the correct photos. Mr. Deel suggested that Gerald Sherman, Kent Delaney, and Kevin Creamer work together to report at the next meeting for a vote.

There was discussion of interior mounted lights and whether they would meet the requirements of "as high and as wide as possible."

B. Executive Director's Report – Chris Barron

There was no report.

C. Industrial Coordinator Update – Kevin Creamer

Mr. Creamer stated that 2014 membership stood at 64 with 37 he is working to renew. 2nd notices went out in March, with attempts at direct contacts in the following months.

VII. Old Business

A. Limits on Liability and TCFP – Rick Deel

Previously discussed and Mr. Hanneman e-mailed out the text of the bills during the meeting. Mr. Wade added that the current relationship with SFFMA and TCFP is good and credited the new TCFP leadership.

B. TFS/TIESB Annual Meeting with Industrial Mutual Aid Groups – Rick Deel

Mr. Deel stated the meeting was established to create annual dialogue, probably in January or February of each year – perhaps not all of the people involved, but the officers and interested parties. One outcome would be to re-establish contact information, and to make sure everyone is aware of changes in personnel.

He further suggested that TIESB should be contacting facilities in areas that have needed to request mutual aid should be approached for membership.

C. Industry involvement with TIFMAS – Paul Hanneman

Previously discussed

VIII. New Business

A. There was discussion of compiling a cell phone list for everyone. Mr. Creamer was tasked with compiling a list and disseminating to the Board.

IX. Announcements

A. Ex-Officio Members

None.

B. Review of new Action Items

See Above

C. Roundtable Discussion

There was discussion of the boom in construction in Baytown and Mont Belvieu, and Enterprise has a couple of new buildings there. There was discussion of having a meeting in Corpus Christi or Houston in October.

David Wade welcomed everyone to the new building and thanked them for coming. He further discussed the expansion project for the firefighter memorial at the State Capitol. Mr. Barron added SFFMA would need to raise about \$150,000 for the project to be completed by March 2015 just before the legislative session.

Mr. Wade and Mr. Barron notified the board of sponsorship opportunities or the 2014 conference in June. Mr. Barron further invited board members to attend the legislative day at TEEX.

D. Next Meeting

1. Friday, June 6th, 8am – Overton Hotel, Lubbock
2. Friday, October 24th or 31st

X. Adjourn

Motion made and seconded to adjourn. Motion passed.