

No.	LAC RECOMMENDATION	AS OF NOVEMBER 18, 2011
1	<p><i>The Office of State Fire Marshal (OSFM) should ensure that its policies and practices are consistent with fire codes and state law.</i></p>	<p>Recommendation: Completed</p> <p>A. Six new policies (attached) have been posted on the OSFM website. They were developed with input and reviewed by fire service members and other stakeholders outside our office.</p> <p>B. Recommendations for updating state laws and regulations have been forwarded to LLR’s Office of General Counsel for review and consideration for the 2012 legislative session.</p> <p>C. In an effort to improve consistency in code enforcement, the August and November quarterly (in-service resident Fire Marshal) training focused specifically on common inspection/enforcement issues. In addition, several other steps are being taken. These include the use of more standardized and validated curricula and testing.</p> <p>D. Our office is also training and certifying fire marshals to codes South Carolina adopts.</p>
2	<p><i>The Office of State Fire Marshal should allow fire extinguishing equipment to remain in service until vendors cannot properly service the equipment, consistent with national and international fire codes.</i></p>	<p>Recommendation: Completed</p> <p>Our office reviewed all codes and regulations and developed policy that provides clarification and guidance which authorized fire equipment in question to remain in service. Since posting the new Policy No. 11-004 (attached) pertaining to “Servicing Rules and Regulations Portable Fire Extinguishers,” the OSFM has not received any complaints or comments.</p>
3	<p><i>The Office of State Fire Marshal should document major fire code policy decisions in the future and document the basis of the decision. This information should be available for reference for interested parties, to increase transparency of government operations, and to maintain an adequate audit trail.</i></p>	<p>Recommendation: Completed</p> <p>To ensure no major conflicting fire code policies exist, the OSFM will continue to develop policies and guidelines, as necessary with the appropriate section.</p> <p>The newly created Listserv is a successful tool used to notify OSFM customers. In fact, Google Analytics reveals that once an email notice is submitted via Listserv, as a result, visits to the OSFM website dramatically increase (more than 2500 percent).</p> <p>OSFM maintains, as required by law, all files. These are available to the public.</p>
4	<p><i>The Office of State Fire Marshal should establish procedures to protect division files from loss or theft.</i></p>	<p>Recommendation: Completed</p> <p>The OSFM has reviewed our internal process to ensure personnel understand the importance of record management and that all records are appropriately managed and stored. OSFM continues to comply with the state record retention schedule specific to the division and through training periodically reinforces the schedule to staff members.</p>

5	<p><i>The Office of State Fire Marshal should promulgate regulations that clearly communicate the circumstances under which independent South Carolina organizations are required to meet UL 300 fire extinguishing equipment standards.</i></p> <p>[OSFM Note: Regulation 71-8300.2. Codes and Standards]</p>	<p>Recommendation: Completed</p> <p>There are several codes and regulations addressing the UL300 fire extinguishing equipment standards issue. As a result, a policy was created to clarify and clearly communicate the circumstances under which S.C. organizations (churches, schools) and businesses are required to meet UL 300 fire extinguishing equipment standards.</p> <p>After seeking input from all interested stakeholders, Policy No. 11-005 (attached) was implemented May 31, 2011. This policy pertains to “Underwriters Laboratories Inc. (UL) 300 Pre-Engineered Fixed Extinguishing Systems” and provides for a better understanding of these requirements.</p> <p>The OSFM has also provided a pro-active approach to further clarify and provide additional guidance, as needed.</p>
6	<p><i>The Office of State Fire Marshal should only require that the service manuals be available to service technicians, consistent with the relevant fire codes.</i></p>	<p>Recommendation: Completed</p> <p>The OSFM reviewed the service manual requirements and developed a policy that provides guidance and flexibility for a service technician to more easily comply.</p> <p>After seeking input from all interested stakeholders, Policy No. 11-001 (attached) was implemented May 9, 2011. This policy pertains to “Service and Maintenance Manuals for Pre-Engineered Suppression Systems and Portable Fire Extinguisher Manufacturers.”</p> <p>Since posting, the OSFM has not received any complaints or comments regarding this issue.</p>
7	<p><i>The Office of State Fire Marshal should update its website by:</i></p> <ul style="list-style-type: none"> A. <i>Creating a link on the home page to the current, free, read-only editions of the International Fire Code and the National Fire Protection Association standards.</i> B. <i>Implementing a policy to update its website to notify all fire marshals and fire equipment vendors of new policies, new fire codes, corrections to fire codes, interpretations of fire codes, and fire safety issues of public interest.</i> C. <i>Creating a listserv with a link on the main webpage for resident fire marshals, fire equipment vendors, and regulated organizations to join in order to facilitate notification of fire safety policies and information.</i> D. <i>Removing the division’s rescinded policy memorandums.</i> 	<p>Recommendations: Completed</p> <ul style="list-style-type: none"> A. The IFC and NFPA web-links have been added to the OSFM website and allows free access to read-only editions of the codes S.C. adopts. B. Internal direction has been provided to staff members regarding sharing notices/major changes to all affected members. Any new policy is shared with OSFM customers via Listserv. This type of communication is a successful tool used to notify OSFM customers. In fact, Google Analytics reveals that once an email notice is submitted via Listserv, as a result, visits to the OSFM website dramatically increase (more than 2500 percent). C. To date, ListServ has more than 1745 members. Informative emails continue to be distributed - especially for major changes or new policies which impact our customers. D. Rescinded policy memos have been removed from the website. In addition, current policies include a date and disclaimer language that states, “All current

		<p>memorandums are located on the State Fire Marshal's website." This language was included to ensure our members are utilizing the current policy.</p>
8	<p>The Office of State Fire Marshal should require that all OSFM, resident fire marshals', and fire equipment vendors' inspection forms be updated to include the following:</p> <ul style="list-style-type: none"> A. Information informing the general public that resident fire marshals' inspections can be appealed to the OSFM, and including the contact information for the OSFM. B. Provide the Internet address for the free, current editions of the IFC and NFPA fire codes available on the OSFM website. C. The specific law, regulation, or fire code regarding the infraction. 	<p>Recommendations: Completed</p> <p>The following has been accomplished:</p> <ul style="list-style-type: none"> A. Inspection appeal language is included on each inspection form. B. A link to free and current codes is posted on the OSFM website. External links provide instructions regarding how to gain free access for certain codes (i.e. sign up for mailing list). C. The infraction/ code violations are included on OSFM forms. We also encourage others (local authorities having jurisdiction) to include the specific infraction and code language/text on their forms. This will be reinforced during fire marshal training sessions. <p>We are also in the process of providing SAMPLE inspection checklists on our website for all types of inspections that would include this language.</p> <p>Note: The OSFM does not have the authority to <u>mandate</u> use of a specific form for the local Resident State Fire Marshal.</p>
9	<p>The General Assembly should amend S.C. Code §23-9-70 to increase to 30 days the time period for regulated organizations to appeal a resident fire marshal's inspection to the OSFM when no imminent danger is present.</p>	<p>Recommendation: Completed</p> <p>S. 693 was sponsored by Senators Bryant and Bright. It was signed by Governor Sanford with an effective date of June 7, 2011. As a result, the appeals period was increased to 30 days.</p> <p>Policy No. 11-003 pertains to "Inspection Forms: Recommended Appeal and Complaint Text for Resident Fire Marshals" (attached). It was implemented May 31, 2011 to recommend that appeal and complaint text be included on all inspection forms.</p>
10	<p>The General Assembly should amend S.C. Code §23-9-70 to increase to 30 days the time period for regulated organizations to appeal an OSFM decision to an administrative law judge when no imminent danger is present.</p>	<p>Recommendation: Completed</p> <p>S. 693 was sponsored by Senators Bryant and Bright. It was signed by Governor Sanford with an effective date of June 7, 2011. As a result, the appeals period to an administrative law judge was increased to 30 days.</p> <p>In addition, Policy No. 11-003 pertains to "Inspection Forms: Recommended Appeal and Complaint Text for Resident Fire Marshals" (attached). It was implemented May 31, 2011 to recommend that appeal and complaint text be included on all inspection forms.</p>

<p>11</p>	<p><i>The General Assembly should amend S.C. Code §23-9-30 to authorize the Office of State Fire Marshal to revoke a resident fire marshal's certification for cause.</i></p>	<p>Recommendation: PENDING</p> <p>The OSFM is supportive of amending 23-9-30 to allow the revocation of a resident fire marshal's certification for cause and will be submitting legislation language to authorize the Office of the State Fire Marshal to do so.</p> <p>Multiple items have been implemented that will enhance our ability to address statewide code enforcement issues:</p> <ul style="list-style-type: none"> A. A new training coordinator was hired and is revamping our Fire Marshal training program. B. The Fire Marshal Certification Process has changed to include the currently adopted codes and standards. This certification testing is a <u>validated</u> process (ICC). C. The certification and training programs are undergoing an extensive revision that includes input from stakeholders. Steps are being taken to ensure that both training and testing continue to be as well-vetted and validated as possible. D. Our office has initiated an effort to adopt codes in-sync with other state organizations (same code edition and reference standards). E. A current option for decertification is available through the ICC and NFPA. Should a Resident State Fire Marshal be certified through these agencies, we can utilize their disciplinary/revocation process.
<p>12</p>	<p><i>The Office of State Fire Marshal should implement a quality review process to ensure that a sample of resident fire marshals' inspections is conducted consistently.</i></p>	<p>Recommendation: Completed</p> <p>To ensure that a sample of resident fire marshals' inspections is conducted consistently, the OSFM has:</p> <ul style="list-style-type: none"> A. Implemented a standardized training program for our personnel. Enhanced communication and more joint training are being offered to our members. B. Developed a checklist for all inspections by our Deputy State Fire Marshal to ensure more consistent and comprehensive inspections are conducted. C. Implemented a nationally certification program for our Fire Marshals with a validated testing process certifying to the codes South Carolina adopts. D. Implemented a revised training program for our resident fire marshal that provides more current and relevant training programs to the codes South Carolina adopts. E. Revised education and training to address complaints and issues as they arise for our inspectors.

13	<p><i>The Office of State Fire Marshal should require fire protection equipment vendors' inspection forms to include a statement directing regulated organizations to contact the resident or state fire marshal with questions about the inspection.</i></p>	<p>Recommendation: Completed</p> <p>A policy (No. 11-002 attached) was developed pertaining to "Inspection Forms for Licensees Recommended Appeal and Complaint Text for Fire Equipment Dealers and Installers."</p> <p>Since posting, the OSFM has not received any complaints or comments.</p> <p>Secondly, our personnel are working to resolve code complaint issues in a timely, professional, and fair manner by working closely with the affected customer.</p>
14	<p><i>The Office of State Fire Marshal should implement a process to check fire protection equipment vendors' inspections for unnecessary upgrades. If it is determined that unnecessary upgrades have occurred the OSFM should impose fines or other disciplinary measures.</i></p>	<p>Recommendation: Completed</p> <p>A policy (No. 11-002 attached) was developed pertaining to "Inspection Forms for Licensees Recommended Appeal and Complaint Text for Fire Equipment Dealers and Installers." Since posting, the OSFM has not received any complaints or comments.</p> <p>Our customers and vendors have been notified of this process via Listserv and during public meetings.</p> <p>Secondly, our personnel are working to resolve code complaint issues in a timely, professional, and fair manner by working closely with the affected customer.</p>