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Maine Fire Marshal News, March 2006

Maine Office of State Fire Marshal

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WELCOME!

We hope you’ll take the time to read this first issue of the Maine Fire Marshal News. This publication is being produced on behalf of the Maine Fire Service and all its stakeholders. By providing an interesting and informative newsletter it is hoped that more individuals and organizations in Maine will come to see themselves as having an interest in Maine’s fire suppression, mitigation, and prevention capacity. The fire service provides a public good that benefits Maine citizens.

A NOTE FROM THE FIRE MARSHAL

Welcome to the first edition of our newsletter. I hope you find it to be informative. Perhaps it will even prompt you to pose questions we can address in future editions.

Our office is involved in many issues within the State as well as at the national and even international level. I will attempt to keep you informed on these issues and maybe devote space in each newsletter for a more in-depth view of a specific topic.

For this edition I will give you a brief example of issues that range from the local to the international.

In Maine we have supported attempts to enact so-called “fire safe cigarette” legislation. With a cost of just pennies, a few adjustments in the cigarette design can be made that will prevent the loss of an estimated 800 lives annually. While we have not been successful in Maine, other states are making great progress. New York, California and Vermont have low-ignition strength regulations for cigarettes to reduce the number of fatal fires caused by cigarettes. Massachusetts is moving closer to passage of its legislation, with the Joint (House-Senate) Committee on Public Safety and Homeland Security approving its legislation (SB 1345 and HB 1914) in late October. Legislation has passed in the New Hampshire house and be heard in the Senate in March. Alaska and Georgia have introduced bills and Alabama, Arkansas, Colorado, Maryland, Massachusetts, Minnesota, New Jersey and Rhode Island are considering the regulations, too.

After just one year, New York has already seen a decrease in fire deaths attributable to cigarettes.

As the vice president of the National Association of State Fire Marshals (NASFM) I have been involved in discussions with federal regulators and manufacturers to
Fire Marshal’s note cont’d from p. 1

improve the standards for candles, upholstered furniture and mattresses. Progress is being made and the CPSC has recently issued the new standards for mattresses that will go into effect in 2007.

Through NASFM I have been involved in the International Consortium for Fire Safety, Health, and the Environment. This organization brings together experts in all of these fields from around the world to address issues that are global in scope.

Please feel free to contact me if you are interested in more specific information on these or other fire related topics I have not mentioned but are of interest to you.

Sincerely,
John C. Dean, Fire Marshal

THE IMPORTANCE OF MEFIRS IN UNDERSTANDING MAINE’S FIRE BURDEN
by Joseph Thomas, Deputy Fire Marshal & Richard Taylor, Planning and Research Analyst

The National Fire Protection Association collects data from fire departments nationwide to assess the national fire burden. Likewise, the State Fire Marshal’s Office and local departments can use the Maine Fire Incident Reporting System (MEFIRS) to assess the state and local fire burden. In addition to the analysis of fire burden, MEFIRS provides local departments with a number of practical tools essential to an efficient cost effective operation.

Today, the number of departments using MEFIRS makes it difficult to document all of the ways that the data is being used. Many departments rely heavily on MEFIRS to report basic operational statistics. This would include data on the number and origin of calls to the fire department, and the types of calls made. This information might be used to determine the best location for a fire station. Data acquired can also provide justification of fire department budgets to the city or town council. With this data fire departments can compare their own productivity and effectiveness with the State average. They can also seek out statistics on fire departments in communities that have a similar demographic and geographical composition to their own and conduct comparisons. The system will allow the fire department to count, for example, the number of brush fires to which it has responded, identify whether the trend is upward or downward, and then make an assessment as to whether the department has enough brush fire resources available to meet the demands for service. There is little doubt that MEFIRS has stimulated many local fire departments to use hard data for their fire protection management, decision-making and to improve local fire service delivery.

In addition to operational statistics MEFIRS, as the name implies, opens the door to data on the composition of fire incidents in terms of both the physical and behavioral environment. This data would include firefighter/civilian injury or fatality numbers along with structure type and basic origin and cause. All of this information can then be joined with U.S. Census data to answer key program questions addressing fire prevention and safety. What type of intervention will work to diminish injury or property losses in any community depends greatly on details you can find within the MEFIRS database. As the MEFIRS database grows so too will the availability of baseline data needed to accurately evaluate program efforts for both cost effectiveness and cost benefits.

During 2004, usable MEFIRS data was received by 175 fire departments. This
data provided a total of 74,117 incidents. Of this total, the breakdown of this data consisted of 3,792 fire related incidents, 29,718 EMS incidents, and 17,244 non-Fire & non-EMS incidents. It should be noted that these counts exclude “No Activity” incidents.

This cumulative data provides the State Fire Marshal’s Office with data it needs to assess the State’s fire burden. For instance, we know based on the reporting received last year that the total of both property and contents lost was approximately $31,000,000. Subtracting this dollar loss from the pre-incident value of the property gives us an estimate as to how much the Maine Fire Service saved in the way of dollars lost. The $83,000,000 saved is something the fire service should be proud of and policy makers should become aware of it. These are just a few of the many uses MEFIRS provides the fire service with. It is hoped that with time and additional information flowing through MEFIRS to the State Fire Marshal’s Office and Maine’s Fire Service, we can develop a better understanding of Maine’s unique fire burden and take a more strategic approach to reducing that burden.

History of the Maine Chapter of the International Association of Arson Investigators

by Dan Roy, Jr., IAAI-CFI, Past President, ME Chapter IAAI

The Maine Chapter of the International Association of Arson Investigators was established on September 24, 1992 during its first regular meeting, which was held at the Gray Fire Station. There were twenty-three members present for the meeting. Sr. Fire Investigator Richard Shepard, from the State of Maine Fire Marshal’s Office, was the first president of the organization. Richard was instrumental in the creation of the organization and to this date, he is still very active with the Maine Chapter. Auburn Fire Department Fire Prevention Officer Gary Simard is the current president.

The association has grown over the last decade to 152 members, who consist of fire investigators, firefighters, law enforcement officers, insurance investigators and other professionals. You do not need to be a fire investigator to belong to the organization. Annual dues are $20.00 and an application for membership can be obtained through the Maine Chapter’s website at http://www.iaaimaine.com/.

The Maine Chapter was primarily formed to provide fire investigators with localized training. Since its inception, the organization has not only provided excellent training seminars, but it has provided members with great networking opportunities with other professionals and
organizations in the field of fire investigations. The Maine Chapter offers five training seminars, which are held throughout the State of Maine. Most of the seminar topics are related to fire investigations and they range from basic fire investigation techniques to more technical aspects of investigations. Past seminar topics included Interview Techniques, Search Warrants, Evidence Techniques, Legal Aspects of Fire Investigations and Spoliation Issues, to just name a few. From time to time, we also provide seminars with hands-on practical fire investigation exercises.

There are five newsletters each year, which are mailed out to members. The newsletters contain informative articles in reference to fire investigations. They also contain updated information on the Maine Chapter, fire prevention tips, fire related consumer product recalls, fire investigation news and other miscellaneous articles. Some of the newsletter’s articles are also posted on the Maine Chapter’s website, which was just created two years ago.

There are two upcoming seminars: the first seminar will be held on April 5, 2006 at the State Fire Marshal’s Office in Augusta. The topic of that seminar is the “Daubert Decision,” which is in reference to expert testimony. Attorney Guy “Sandy” Burnette, from Florida, will be the guest speaker. The second upcoming seminar will be Maine Chapter’s annual 2-day seminar, which will be held on June 1st & 2nd, 2006 in the Town of Wells. The topic will be “Back to Basics,” which will cover basic fire investigation techniques and will be instructed by Ken Fix, who is an instructor with the National Fire Academy. For more information on these seminars or questions about the Maine Chapter IAAI, visit our website or contact me by e-mail at daniel.v.roy@maine.gov.

USFA Releases Fire and the Older Adult Report: But What does it Mean to Maine’s Fire Service and other Organizations Focused on Injury Prevention?
by Richard E. Taylor, Planning and Research Analyst

WASHINGTON, D.C. – Citizens 65 and older are 2.5 times more likely to die in fires than the overall population according to a new report issued in January by the Department of Homeland Security’s U.S. Fire Administration (USFA).

The report, Fire and the Older Adult (FA-300/January 2006), was issued by the National Fire Data Center and is based upon data from the National Fire Incidents Reporting System (NFIRS), National Health Statistics (NCHS), U.S. Census Bureau, the Federal Interagency Forum on Aging-Related Statistics, and the Department of Health and Human Services Administration on Aging.

The report identifies fire risk factors associated with aging and explains why fire risk increases with age. In addition, and of particular interest to Maine’s Fire Service and injury prevention organizations, the report contains information regarding risk to our aging population in traditional long-term care facilities in contrast to assisted living and home health and hospice care facilities. The report points out that “In home health care settings, factors such as smoking, the level of home safety measures in effect, the presence and education of health staffers, and socioeconomic factors can have an adverse effect on the risk of fire.”

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Fire and the Older Adult, FA-300, USFA 2005
USFA report cont’d from p. 4

and education of health staffers, and socioeconomic factors can have an adverse effect on the risk of fire.”

Focusing on Maine specifically, the following studies are cause for concern. A study released recently by the American Association of Retired Persons, Public Policy Institute, *State Profiles: Reforming the Health Care System*, (Flowers, Gross, Kuo & Sinclair, 2005) indicated that Maine’s population of 50 – 64 year-olds increased 55.5% between 1995 and 2005. During the same period Mainer’s 65+ increased 11.4%. The same study also indicated that Maine has a higher than national percentage of 65 year-old adults who smoke. In addition, Maine’s distribution of senior citizens living at or below poverty ties the national distribution at 9.8%. Another analysis published by AARP in 2002, *Across the States: Profiles of Long-Term Care* (Gregory & Gibson, AARP Public Policy Institute, 2002) found that nationally, older persons often live in older homes; 45.3 percent of persons age 65 and older lived in homes that were at least 40 years old. The same study indicated that Maine ranked 3rd in the percentage of 65+ year-olds living alone and 2nd in the percentage of the same age group living in a rural area.

The USFA report is based on national data and may or may not be statistically representative of what is happening in Maine. For example, preliminary research being done at the Fire Marshal’s Office on fire fatality between 1983 and 1992 indicates that the distribution of fire fatalities by age in Maine differs significantly from that reported in the same time-frame by the NFPA. In Maine, the experience of young and old Maine citizens with fire fatality was different than that at the national level.

The USFA report is still a valuable wake-up call to Maine’s fire service and injury prevention community as well as policy makers. Given Maine’s changing demography, the push toward increased use of home care for the elderly, the data on smoking and the geographic distribution of our senior citizens it might be wise for Maine to consider a statewide strategy to preempt the worst of outcomes.


THE FIRE MARSHAL HAS A NEW DOMAIN

by Richard E. Taylor, Planning and Research Analyst

You can go to the Fire Marshal’s web page at [MaineFiremarshal.com](http://MaineFiremarshal.com). The new site contains information on plans review, inspections and investigations activities underway at the SFMO. This newsletter can be downloaded and the site contains other information of interest to the fire service and many other stakeholders.

People seeking information on licenses, permits and general requirements can obtain it by way of this web site. Applications can be downloaded, filled out and sent to the SFMO for processing. Sprinkler license applications can be filled out and paid for all online. In addition, the rules and laws of the fire service are now available on the web eliminating the need and cost of producing and reproducing booklets each time a statute changes.

Finally, you can find recent research, notices from the CPSC when issued as well and links to Maine’s Fire Service and the
Fire Protection Services Commission. If you can’t find what you’re looking for on the site, you can always find a contact to call.

RULES UPDATE

Currently the following rules of the Fire Marshal are being reviewed for provisional adoption. The rules were proposed in the fall of 2005 and a hearing was held on December 11th with the comment period concluding December 17th. The rules being reviewed for adoption follow along with a summary explanation of the changes:

Chapter 1: Fee Schedules for Plans Examination

Explanation: The change to this rule is simply to encourage those submitting plans for review to continue submitting the final copy in electronic version to save space and facilitate strategic use of the plans in the event they are needed for tactical emergency planning purposes.

Chapter 4: Sprinkler Systems


Chapter 6: Fire Extinguishing Systems


Chapter 7: Dry Cleaning Plants


Chapter 16: Storage and Handling of Liquefied Petroleum Gases


Chapter 19: Vapor Removal from Cooking Equipment


Chapter 25: Rules for the Display of Fireworks

Explanation: Technical changes were made to the rule for clarification purposes and to ensure consistency with statute.

Chapter 34: Rules and Regulations for the Flammable and Combustible Liquids

Explanation: This rule was reorganized so that gasoline-dispensing methods were grouped and the NFPA standards pertinent to each identified. The rule was also amended to provide the Fire Marshal’s Office and business community with guidelines needed to operate unattended retail gas stations.

2006 – 07 RULEMAKING PLANNING

The docket for the 2006-07 rulemaking agenda is being considered now. The Fire Marshal will be reviewing
data on Maine’s fire burden, rules previously adopted, and the latest editions of previously incorporated NFPA standards. Planning is beginning at this time.

The following SFMO rule chapters and incorporated NFPA standards or codes are being proposed to adopt the latest edition:

**SFMO Chapter 3, FIRE PREVENTION CODE**  
NFPA # 1, *Fire Prevention Code*

**SFMO Chapter 4, SPRINKLER SYSTEMS**  

**SFMO Chapter 6, FIRE EXTINGUISHING SYSTEMS**  
Amended NFPA # 11, *Standard for Low, Medium and High Expansion Foam Systems*, 2005 edition (NFPA #11A has been incorporated into #11); NFPA 12, *Standard on Carbon Dioxide Extinguishing Systems*, 2005 edition

**SFMO Chapter 11, BULK OXYGEN SYSTEMS AND HYDROGEN SYSTEMS**  

**SFMO Chapter 14, NATIONAL FUEL GAS CODE**  
NFPA # 54, *National Fuel Gas Code*

**SFMO Chapter 15, MEDICAL FACILITIES AND EQUIPMENT**  

**SFMO Chapter 20, LIFE SAFETY CODE**  

**SFMO Chapter 26, PYROTECHNICS BEFORE A PROXIMATE AUDIENCE**  

**REPEAL(S)**

Fire Marshal’s Chapter 12, Hydrogen Systems will be repealed. NFPA Standards 50A and 50B have been incorporated into NFPA 55. This brings Bulk Oxygen Systems together with Hydrogen Systems.

Fire Marshal’s Chapter 32, Standard for the Protection of Storage will be repealed. NFPA Standard 230 has ben incorporated into NFPA Standards 1 & 13 and are addressed in SFMO Chapter’s 3 & 4.

**NEW AMUSEMENT PARK RIDE RULES**

**SFMO Chapter 27, RULES GOVERNING OPERATION OF AMUSEMENT DEVICES AND MIDWAYS**

The new rules will incorporate the ASTM for amusement park rides into SFMO Chapter 27

Chimneys, Fireplaces, Vents and Solid Fuel Burning Appliances.  
NFPA # 211, *Standard for Chimneys, Fireplaces, Vents and Solid Fuel Burning Appliances*, 2003 edition will be reviewed and provisions pertaining to maintenance and inspections will undergo a substantive rule making process (pending emergency legislation). The remaining portions of the
standard will also be reviewed by the public and open for comment.

NEW CHAPTER

A chapter on Maine Firefighter Safety will likely be established.

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This is the beginning of the rulemaking planning process in compliance with the Administrative Procedures Act, 5 MRSA sec. 8001 through 11008. Should you like to know more or be placed on the hearings mailing list, don’t hesitate to contact:

Richard E. Taylor, MA
Planning and Research Analyst
State Fire Marshal’s Office
52 State House Station
Augusta, Maine 04333
Phone: 207-626-3873
e-mail: richard.e.taylor@maine.gov
Additional information on the laws and rules of the Fire Service can be obtained at www.mainefiremarshal.com

2006 FIRE FATALITIES

by Richard E. Taylor, Planning and Research Analyst

The seven fire fatalities in Maine this year is fewer than some anticipated.

A milder than expected winter may have played a role though three of the deaths have been heating related.

So far 2006 reflects a long term polarity in Maine’s fire fatality trend that being the very old and young are most vulnerable. Three elderly Maine citizens and two young children have been lost.

For twenty years the number of fire fatalities in Maine, though declining, has ranged between 20 and 30 deaths per year. The graph below illustrates this point. The mean & median for this period was 24 deaths per year.

In coming editions of the Fire Marshal News we’ll be examining Maine’s Fire Burden focusing particularly fatalities but then examining injuries, property loss, overall incidence, and value of property saved.

RESEARCH NEWS

by Richard E. Taylor, Planning and Research Analyst

The SFMO is formulating a research agenda and all interested are welcome to provide advice or comments. The agenda

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![Graph showing Maine Fire Fatality 1983 - 2003](attachment:maine_fire_fatality_graph.png)

**Maine Fire Fatality 1983 - 2003**

- CDC WISQUARS & SFMO INVESTIGATOR FILES (1983 – 92)
will be driven primarily by what is found in MEFIRS data, SFMO inspections, plans review and investigations divisions in addition to requests from the Maine Fire Service and Maine public at large. The desired outcome of this research effort is to augment public safety through cost efficient and effective rules, public awareness programs, direct intervention and other innovative programming approaches.

The research provides the data essential to making the programmatic choices that best fit Maine’s fire burden by carefully seeking to understand both the physical and behavioral environment in which fires occur.

ROLE OF THE SFMO & FIRE SPRINKLER INDUSTRY
By Eric J. Ellis, Fire Protection Engineer

The State Fire Marshal’s Office was approached in the late 1980s by the fire sprinkler industry to take on the responsibility of regulation of that industry. The Fire Sprinkler Law ensued, and since its implementation began in 1990, our office has been serious about that task.

Our basic philosophy continues to be that our ability to regulate is limited by our capacity to serve. In other words, we can expect compliance to a high standard of design, installation and inspection of fire sprinkler systems because the industry can expect quick and helpful service with the problems that they encounter in trying to hold to that standard. They pay the fees for licensing and permitting, but they expect that every plan review be timely, fair, and consistent in its professional standard. This translates into holding the industry to a level bidding-field, which was their primary motive for putting the law in place. No matter who the low bidder is on a job, they will have to obtain a permit from our office before they can begin installation, and the obtaining of that permit requires the same professional standard of design, code compliance and installation. Those who choose to not play by the rules then lose their privilege to do that work in Maine. Only about 3 bad apples have had to be removed from the barrel since the law’s inception.

Now there are about 250 active fire sprinkler licenses, with the issuing of over 600 permits per year, both about double what it was 15 years ago. The office maintains an electronic database of the entire 6,500 plus records of jobs that have been submitted for plan review. We have inspected many hundreds of those jobs, and have provided training, research & guidance as well. Our website lists all current licensees, plus the last year’s worth of jobs submitted for permits with their status. We respond to about 50 phone calls and over 60 emails per week. We keep the industry informed by way of a weekly mass emailing. Plans are now submitted online and paid for electronically. Permits & licenses are issued electronically as well. Older blueprints are scanned and stored in electronic format for ease of storage & quick retrieval. We also have established the ability for office computer availability from a remote location. These are just some of the services that our office now provides to the fire sprinkler industry.

Under the leadership of Chief Dean, our office has risen to the challenge of the technological growth and engineering complexity of both the codes and designs with his long-term professional vision. He has paved the way for the services now available to the fire sprinkler industry, and the resulting efficiency with which we work to regulate them. I am especially honored with the efforts of our office to help me obtain my Professional Engineer license, so that our office now has me on staff as a Fire
Protection Engineer. We are at the razor’s edge of this trend throughout the country for State Fire Marshals to have a fire protection engineer on staff. It is one of the many things that we have done that has won us the respect and cooperation of the fire sprinkler industry.

TRAGEDY IN LEWISTON
by Richard E. Taylor, Planning and Research Analyst

Having reviewed nearly 300 Maine fire fatality files and conducted a considerable literature search on fire incidence, injury, and fatality, I know that what happened in Lewiston is tragically not a first. However, it is still hard to read about a child lost in a fire.

This incident in particular illustrates how complex and how interconnected the physical and behavioral environment of fire can be. In addition to the real problem of juvenile fire setting in the pre-ignition phase, we see how a multi-family dwelling with numerous residents at home played a critical role in the post-ignition phase and outcome of the fire. The boy’s mom in an admirable effort to save others became distracted long enough to lose track of the boy. Children running back into fires for the very reason this child in Lewiston did, has actually taken place in Maine previously with the same tragic outcome.

With that said the Fire Marshal’s Office wishes to extend its sympathies to the family members of the little boy lost and work harder to reduce the frequency with which such events occur in Maine.

Finally, the Lewiston Fire Department and other first responders are to be commended for their good work. From the photo (left) one can easily understand that more lives could have been lost absent their efforts.

LIMESTONE’S DEADLY FIRE
by Richard E. Taylor, Planning and Research Analyst

Fire Marshals say the fire in Limestone that killed three started near the woodstove, which had been installed this winter in the kitchen. An older potbelly stove without the proper clearance may
Limestones Deadly Fire cont’d from p. 10

have caused the fire. A couple in their 30’s and a 10 year old boy died in this, the deadliest fire in Maine since 2000.

UPCOMING EVENTS

play safe! be safe!®
September 20, 2006

Safe this Date! The State Fire Marshal will host a videoconference workshop of play safe! be safe!® from Florian Hall in Augusta to Portland, Bangor, and Presque Isle, locations TBA.

This workshop will provide a fascinating and entertaining look into the preschool child’s perception of fire, the surprising frequency of children’s misuse of fire, practical approaches to teach young children fire safety, and introduction to the award winning play safe! be safe!® kit. This event is co-sponsored by the Office of the State Fire Marshal, MRDC, Inc., WCSH 6 TV, Head Start, Maine Fire Training & Education, and Maine Injury Prevention (MECDC).

There will be a morning session 9:30 – 12:30 for teachers and other direct care providers and an afternoon session, 1:30 – 3:00, for trainers (who must also attend the 9:30 sessions).

The fee to attend will be $10.00 and will include the kit (a $60.00 value). For more information regarding registration contact:

Richard E. Taylor, R&P Analyst
Office of the State Fire Marshal

52 SHS
Augusta, Maine  04333-0052
207-626-3873

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Keeping Maine Safe for Kids: Covering Everything from Cradles and Car Seats to the Internet and Inhalants

May 1, 2006  8:00 – 3:30 PM

This Conference will be held in Florian Hall, Central Maine Commerce Center, 45 Commerce Drive, Augusta, Maine. This Conference is being sponsored by Maine Injury Prevention Program, Maine State Fire Marshal’s Office, Maine Early Childhood Initiative, Maine Transportation Safety Coalition, Home Safety Council, and Kiwanis Club of Augusta. For additional information contact:

Christina Mitchell
Maine Injury Prevention Program
11 SHS
286 Water Street
Augusta, Maine  04333
207-287-9968
Christina.m.Mitchell@maine.gov

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Residential Sprinkler Workshop
Thursday, March 30, 2006
729 Broadway
South Portland, Maine

The workshop will begin with a supper during which video clips will be shown. Following the supper FPE Eric Ellis of the Fire Marshal’s Office and Fire Marshal John Dean will speak on the issue of sprinklers and fire safety. Following the supper there will be a panel composed of those interested in the fire sprinkler industry.

Registration for the workshop must be done by contacting Paul Conley at 207-
National Standardized Child Passenger Safety Training Program

May 11 – 16, 2006
Central Maine Commerce Center
Augusta, Maine

Sponsored by the Maine Injury Prevention Program and the Bureau of Highway Safety. Participants are eligible for MCJA and EMS credits and National Safe Kids Certification. For additional information, call Christina Mitchell at 287-9968.

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Maine Fire Marshal News
Department of Public Safety
52 State House Station
Augusta, Maine 04333
www.maine火火州قدمarshall.com

Phone: 207-626-3870
E-Mail: Richard.e.taylor@maine.gov

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