



HOWARD COUNTY DEPARTMENT OF FIRE AND RESCUE SERVICES

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JOHN S. BUTLER, FIRE CHIEF • ALLAN H. KITTLEMAN, COUNTY EXECUTIVE

TO: Lonnie R. Robbins, Chief Administrative Officer

FROM: John S. Butler, Fire Chief

SUBJECT: Testimony on Council Bill No. 1-2017

DATE: December 19, 2016

Earlier this year, the Howard County Council heard, and ultimately approved, the proposed local amendments to NFPA 1, which had undergone numerous updates and significant changes since the edition that *was* being used (2006 edition) had been adopted. These amendments, outlined in Title 17, Section 104 which serves as the 'Howard County Fire Prevention Code' provide the framework that enables the Office of the Fire Marshal (OFM) to maintain the safe environment and quality of life we have grown to expect for our community.

In an effort to remain a leader and model for public service organizations on a national level, the locally adopted amendments to the Fire Prevention Code included several new programs. One of these initiatives was the Hazardous Materials Permitting Program outlined in subsection 60.1.

The Department of Fire and Rescue Services (DFRS) recognizes its role to respond to, as well as safely and efficiently mitigate emergencies at any and all occupancies, to include those that utilize and store hazardous materials. While these substances are typically responsibly used and stored, such materials have the propensity to complicate response and increase hazards to responders, the occupancy itself, and the surrounding community, under emergency circumstances. Having a comprehensive knowledge of what specific hazards exist at various locations equips DFRS with the tools necessary to effect the best possible disposition of such emergencies.

Furthermore, in an effort to remain commensurate with the inherent intent of a Fire *Prevention* Code, this new program sets out to work hand in hand with our business partners throughout the county for incident preparation *prior* to occurrence. These permits enable business owners to walk their facility with hazardous materials trained professionals from OFM in order to collectively ensure proper storage, enhance employee safety, and ultimately enrich emergency response capabilities.

Over the past several months, a tremendous amount of work to implement this new program has taken place. Through this work, refinements to the initial language has been identified that we feel will maintain the integrity of the program while actually lessening the burden the current language places on many of our business partners.



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The first four permit classes (Types I-IV) are based on a list of 355 Extremely Hazardous Substances that the Environmental Protection Agency has identified as key hazards. While a Type I permit mirrors the federal and state requirements currently in place for these substances, Types II-IV are intended to capture information on the same chemicals, but at quantities that do not reach the federally mandated minimums.

Out of the 355 substances, thirty-two (32) of them have reportable quantity minimums of only ten pounds or less. These substances present hazards significant enough that such a small amount, in some cases not much more than an equivalent size gallon jug of water, would require state level reporting. Our intent was to have thresholds set at the intermediate permit levels such that small amounts of these substances were still identified.

Having said this, we do not feel it is prudent to place the same encumbrance on our business partners that utilize or store small quantities of the other 323 substances as the language currently does. The aim of this revision is to refine the smaller details of the program so as to narrow the focus on the most hazardous substances, in turn relieving many in our business community from falling under the same requirements for substances that do not present the same level of risk.

This revision successfully preserves the intended level of preparation and safety that this program intended. It also demonstrates a steadfast commitment to our valued business partners that this undertaking is truly meant to be a cooperative effort.