



F E D O T N E W S L E T T E R

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CONTACTS

FIRE EQUIPMENT DISTRIBUTORS OF TEXAS

P.O. Box 179

Palestine, TX 75802

www.fedot.org

President: Jim Shelton
M. Jacks Fire & Safety Equipment Co.
Phone: 210-344-2361

Fax: 210-344-2616

Vice President: Phil Foster
Beck Industries, Inc.
Phone: 817-284-5193

Fax: 817-284-5212

Secretary: Jim Haase
Safequip, Inc.
Phone: 512-835-7697

Fax: 512-835-8301

Treasurer: David Mattauer
East Texas Fire Protection Ltd.
Phone: (903) 723-4278

Fax: (903) 723-4259

Webmaster
edpapin@miedji.com

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CALICO COVER STORY

An editor's worst nightmare is heading towards a printing deadline without a good cover story. This is the case for your FEDOT Newsletter editor. I have called all of my friends and I have begged everyone I know to either write a story or give me an idea. I have failed in all my attempts. I even called some of my AHJ contacts. Out of all of those calls I write the following. This lead story will be a sort of a calico coat i.e. a story made from a lot of small items.

Everyone seems extremely busy doing UL-300 upgrades. The same people seem to be spending a lot of time dealing with the miss-communication that is in the marketplace. When a fire system will be upgraded is the call of the local AHJ; period. The SFMO has no say in whether a system is upgraded or when this work must be done. All the SFMO says is that a license holder must hang a Red Tag after service; notify (and recommend an upgrade) the property owner; and make the local AHJ aware that a Red Tag has been put on a fire system. I have discussed this at length with the SFMO and one of the continual complaints they get is from the local AHJ complaining

(and sometimes are asking for prosecution) that license holders do not notify them that they have hung a Red Tag.

Another complaint that I hear from the SFMO is that the local AHJ is not happy with the planning and permit process. Many local AHJ's are asking the SFMO to investigate those license holders that fail to get a permit while other local AHJ wants drawings submitted as part of the permit process. Some local AHJ want the SFMO to come down on license holders that fail to meet these requirement(s). As far as enforcement goes the local AHJ has regulatory enforcement over the actual requirement to get a permit while the SFMO has regulatory responsibility to get drawings. See your fire extinguisher Rules (Spring 2006) § 34.517 (b) (1) and NFPA 17A, 2002 Edition. This is the example for kitchen systems but please be advised that this same language is found in all of the Standards for all of the types of fire systems that they regulate. Also note that these common complaints apply to sprinkler and fire alarm contractors as well.

(Continued on page 7)

BREAKING NEW! DuPont Acquires Chemtura Fluorine Chemicals

Metuchen, NJ, February 1, 2008 - DuPont today announced that it has completed its purchase of Chemtura Corporation's fluorine chemicals business. The move is part of DuPont's strategy to expand its fluorochemicals business offerings; enhance its presence in specialty businesses such as the fire extinguishants, pharmaceutical propellants and fluoro-intermediate markets; and leverage the assets and technologies included in the acquisition for the development of more sustainable fluorochemical materials, such as low global warming potential mobile air-conditioning fluids, foam expansion agents and refrigeration technologies.

The acquisition includes all of Chemtura's

fluorine business, along with the fluorine chemicals production unit that is part of Chemtura's manufacturing site in El Dorado, Ark., (previously known as Great Lakes Chemical Co.) which will be fully integrated into DuPont's operations.

DuPont is a science-based products and services company. Founded in 1802, DuPont puts science to work by creating sustainable solutions essential to a better, safer, healthier life for people everywhere. Operating in more than 70 countries, DuPont offers a wide range of innovative products and services for markets including agriculture and food; building and construction; communications; and transportation.

PRESIDENT'S COLUMN

It seems like it has been forever since our last meeting. As you know, the FEDOT meeting scheduled for October 2007 was canceled. Board members received numerous calls with concerns of timing of the meeting. Many members indicated that they were extremely busy just before the end of the year and that they would be unable to attend. The board decided to cancel the meeting.

The board of directors met on January 28, 2008 to discuss and plan this year's activities. The March 15, 2008 meeting was planned which is shaping up to be a meeting full of valuable information. A recommendation was made that the

second meeting this year be held a couple of months earlier than was planned for last year.

Improving FEDOT membership benefits was discussed. One of the ideas discussed was to improve the way the training for the state exams was offered. Some ideas were to offer the training online or to offer the training in strategic locations around the state.

The March 15, 2008 meeting will be FEDOT's annual business meeting and in accordance with our bylaws, the office of president and treasurer will be up for election. Nominations will be accepted for

these two offices during the business meeting. If you are interested or if you know of a FEDOT member interested in serving the association in one of these offices, be prepared to make the nomination at the business meeting.

Thank you

Jim Shelton

LICENSE APPROPRIATE

My wife picked the name for this story. Hope you like it. I do because it conveys the purpose of this story. In the old days we had Type A and B licenses and seemingly everyone understood what work could be done under each license. Today we have PL, K and R type licenses in addition to the old A and B categories. Each license has specific limitations to the type of work that can be performed.

I know that there are technicians with K Type licenses that are certifying (and hanging a fresh service tag) paint booth systems. This is incorrect and is likely the type of an offense that will get you a SFMO fine. A K Type license is limited to Kitchen Fire Suppression System installation and service and portable fire extinguisher work; period.

The second friendly reminder is that several years ago the SFMO implemented an alpha designation on every new or renewed license. If your license number is FEL-98765-B. Your rubber stamp must match your license number. This was done so that local AHJ inspectors could be better informed in the field. Hint; that means there are several eyes looking at service tags, so if your stamp is incorrect you are likely to get caught. And if that tag is mismatched for the type of work performed again you are likely to get caught.

STAINLESS STEEL CYLINDER HYDROSTATIC RETEST INTERVALS

Nearly every fire extinguisher technician that I know would say they are comfortable with their knowledge of hydrostatic retest intervals on the most popular cylinders. And I would include myself in that group. However; my knowledge on this subject was recently challenged and I learned a little something in the process. It is my intent to share what I learned here for those; like me; that had it wrong. I hope the audience is small.

What is the hydrostatic retest interval for water pressurized fire extinguisher (Stainless Steel) Cylinder? The answer is every five years. What is the hydrostatic retest interval for a foam fire extinguisher (Stainless Steel) Cylinder? The answer is every five years. What is the hydrostatic retest interval for a K-Class fire extinguisher (Stainless Steel) Cylinder? The answer is every five years. What is the hydrostatic retest interval for an R-102 (Stainless Steel) cylinder? The answer is every twelve years. Now here is the tricky question... What is the Hydrostatic retest interval for a Non-magnetic FE-36 Ansul Clean Guard fire extinguisher (Stainless Steel Cylinder)? The answer is every twelve years. I was also surprised.

Here is your bonus question...Which cylinder(s); from the above list; must be subjected to Internal Maintenance and why? First; here is a bit of information to

define internal maintenance. According to NFPA 10, 2007 Edition, Table 7.3.1.1.2 there is an Internal Examination Interval that indicates water extinguishers are to be looked into every five years whereas AFFF and FFFP extinguishers are to be looked into every three years. Later in the same NFPA (see 7.3.1.2.1) it states that Six-year Maintenance is required on any stored pressure extinguisher that is subject to twelve year hydrostatic test interval.

As I understand it the only other stainless steel cylinder that requires a twelve year hydrostatic retest interval is an Ansul Cleanguard extinguisher. And because it is on that twelve year hydrostatic retest interval it also must be subjected to internal maintenance (six-year).

Oh by the way, how often is the hydrostatic test interval on an R-102 cylinder? The answer is every twelve years. And how often must it be given an internal visual inspection? The answer is every six months (internal examination). And where does this answer come from? It is the Manufacturer's Design, Installation, Recharge and Maintenance Manual. This would apply to both steel and stainless steel cylinder.

Now you know what I learned the other day. I hope this is beneficial information.

**"Obstacles are those frightful things you see when you take your eyes off your goal."
Henry Ford (founder of Ford Motor Company)**

UL-300, WHAT'S NEW??

I assume everyone is busy, like we are, and you do not really need another article on UL-300 upgrades. However I am aware that there is still some inaccurate information floating around out there and I feel the need to communicate the facts as I understand them.

1. Do not tell anyone that the SFMO says they must upgrade their Kitchen Fire System to be UL-300 Standard compliant. You legally can recommend this but the State Fire Marshal's Office (SFMO) does not have the legal authority to require an upgrade, and neither do you. There is no State Fire Code so there is no legal authority for the SFMO to make such a statement. Only the local authority can make this a requirement because they are the only entity that is enforcing a Fire Code.

2. The local authority has a Fire Code. If that Code has the proper language the local enforcement people can make upgrading a requirement. They are also the legal entity that has the authority to set a time frame to meet their requirements. It would be totally impossible to try to speak for all of the local codes and to know what each will do regarding mandatory upgrading. They are all separate legal entities and can (and do) operate independently from one another. It is completely their call to make. If you want to know their plan, ask them. I would not recommend that you go around to your customers telling them what the local authorities will do though because they may want to have some flexibility when making recommendations. I have a suspicion that they would recommend an upgrade to a fried catfish restaurant before they would a local church hall that does a pancake breakfast once a month.

3. There are two dates that were mentioned in the Licensing Rules. Yellow Tagging of pre-UL-300 systems started on April 1, 2006 and Red Tagging of those same systems started on January 1, 2008. That's it, two dates and two different colored tags, and a statement that says we

can recommend an upgrade. Recommend is the key word, that's all the Rules allow us to do; recommend, recommend and recommend.

4. There seems to be a great misunderstanding regarding dates. It seems that there are several local authorities that think we were supposed to ride around on January 1, 2008 hanging Red Tags on these systems. Nothing could be further from the reality of how we run our businesses. I have adopted the following little story to help everyone understand: Imagine that I serviced a restaurant system on December 31, 2007 (last stop for the year). By Rule I would have hung a Yellow Tag. Back at the office I would route this same customer to come up for his next semi-annual service no later than June 30, 2008. At that service I would by affix a Red Tag. That is the very soonest that I would notify the local authority that there is a UL-300 non-compliant system in his jurisdiction with a Red Tag. So in theory he is six months behind January 1, 2008 and we are operating legally. So do not panic (unless your local AHJ has), and if they have, follow their lead because they are the one with the legal authority to act in any way they desire.

Sorry that I had to write another article but I still worry that there are license holders out there that may be communicating incorrect information on upgrades and may get themselves in trouble with the SFMO. Remember it is illegal (and may be subject to disciplinary action) to say or write something that you credit to the SFMO when they have no purview.

**NAFED Regional Meetings
for 2008**
Mar 6-7, 2008, Las Vegas, NV
Apr 3-4, 2008, Atlantic City, NJ
May 8-9, 2008, Cleveland, OH

THE NAFED CERTIFICATION PROGRAM

I read with great interest two articles in the December 2007 issue of Firewatch Magazine. Firewatch Magazine is the quarterly publication from National Association of Fire Equipment Distributors (NAFED). I hope everyone is a NAFED member.

Article one was written by Norb Makowka, NAFED Executive Director Technical and article two was written by Larry Angle, President of NAFED (and President and General Manager of M.Jacks Fire and Safety Equipment Co. in San Antonio, Texas). Both articles address the same subject. Both articles are a must read for every Texas License holder. Here is a part of what was said:

In 2006, at the direction of the NAFED Board of Directors, NAFED and the International Code Council (ICC) started discussions to see if there was an opportunity to bring the existing NAFED Certification Program to the next level by working together. The final agreement was signed in September 2007 and it merges the NAFED technical expertise with the ICC certification exam preparation expertise into a cooperative effort that will raise the caliber of the program and bring the testing criteria in line with recognized standards.

So why is this information important to every Texas License Holder? Please familiarize yourself what it says in NFPA 10, 2007 Edition.

7.1.2.2* Maintenance, servicing, and recharge shall be performed by trained and certified persons having available the appropriate service manual(s), the proper types of tools, recharge materials, lubricants, and manufacturer's recommended replacement parts or parts specifically listed for use in the fire extinguisher.

7.1.2.3 The certification of service personnel shall be required after February 16, 2008.

Please be advised that currently the SFMO is using NFPA 10, 2002 Edition but there may come a day when they may adopt the 2007 Edition and then this certification may become a Texas reality.

STATE SALES TAX

As everyone is aware the Texas State Comptroller's office recently implemented several changes regarding the collection of Sales Tax. I will not pretend to be expert in this area and I in no way am I intending this to be tax advice. We have done our own research (and I would encourage everyone to do their own independent research) and have made several discoveries that we believe should be shared with the readers of this article. Again this is not intended to be tax advice; you should seek your own tax advice where you believe you will get the most accurate advice. The following is what we discovered:

It has come to our attention that the way things are worded on invoices is very important in determining taxable and non-taxable status. In an effort to avoid litigation and possible deposition during an audit please try to follow this example:

Semi Annual Inspection of Fire Suppression System -Non Taxable.

(Do not call it Service or Maintenance)

Annual Portable Fire Extinguisher Inspections-Non Taxable

(Do not call it Minimum Service Call or Maintenance)

Labor & materials to repipe or repair a Fire System-Taxable

(Do not say Service call to...)

(Service calls are sometimes taxable and sometimes not taxable-to simplify don't word it service call)

Remount Fire Extinguishers-Taxable

(Do not say Service call to...)

(Service calls are sometimes taxable and sometimes not taxable-to simplify don't word it service call)

Recharge Fire Extinguisher (6 year maintenance) -Taxable

(Do not say Six-Year Maintenance of Extinguisher)

Hydrostatic retest Fire Suppression System or Portables (12 year)-Taxable

(Do not say 12-Year Maintenance)

Remember any Hazardous Material Compliance Fee is Non Taxable.

Tax laws are very confusing and one law may seem to contradict the next.

Using the word "Maintenance" will confuse the issue of taxable and non-taxable status. A Service call is sometimes taxable and sometime not-taxable – so we're asking you not to use it.

If you use chemical to refill a tank it is a taxable charge and your wording on the Invoice needs to support charging tax. If there is a labor charge on the Invoice it is taxable. Therefore it is not a service call to recharge or remount-it's labor to recharge or remount.....

Again this is not intended to be tax advise this is a result of what we discovered when we did research and we pass it along here just exactly as that...our research.

DRY CHEMICAL FLOW RATE

Please forgive me for writing an article that probably is of more interest to North Texas Distributors than to companies in other parts of the State. North Texas is experiencing a boom in the natural gas drilling business so this story will be of greater interest to those that are servicing drilling customers.

Several fire extinguisher manufacturers offer products that are specifically designed for end users that are likely to experience pressure fires. This is the type of fire that most drilling operators are likely to experience. Gas utility companies and transmission (pipeline and compressor operators) companies are also likely to experience pressure fires.

Every extinguisher manufacturer will tell the same story regarding what equipment and techniques are best suited for pressure fire fighting...more is better. It takes a high dry chemical flow rate to successfully extinguish a typical pressure fire. Typically an ordinary fire extinguisher

will be designed with a flow rate that achieves the highest UL Rating. A high flow rate will typically not produce a high UL Rating.

Good customers that know this and understand how to successfully extinguish a pressure fire usually do not purchase an extinguisher based on its UL Rating. They know and understand that a high flow rate extinguisher is their best option and use that as their selection criteria. Please note that a high flow rate extinguisher is also a better choice for fighting an obstacle fire (such as a fire in a drum storage area with a punctured drum).

So as a word to the wise; if this is old info you have further confirmation that you have been correct all along. If this is new information; let it now be said that you are better informed on what extinguisher is the best a pressure fire fighting and that is one with a high flow rate. For specific information please review NFPA 10 or consult with any fire extinguisher manufacturer.

I write this article based on what I hear and see every day with gas end users and other fire extinguisher distributors. Not everyone understands this. We always recommend a high flow rate extinguisher over a higher UL Rated extinguisher if our customer has the possibility of having a pressure fire (or obstacle fire).

Articles and information contained herein are accurate to the best of our knowledge. The opinions and interpretations expressed are the responsibility of the individual authors.

Direct comments to

FEDOT NEWSLETTER

FAX: 817-795-2836

(Attn: Peter Frayer)

fireh2ouse@hotmail.com

QUESTIONS FOR CARTER

As a 16 year sales training veteran specializing in the fire protection industry, I've heard it all! I have had hundred and hundreds of questions asked of me at my FIRE IT UP! seminars. Many of these questions are pretty "far out there" and would not make for especially informative copy here. Many of the questions I've fielded, however, have been very good ones. It is a sampling of the good ones that I share with you here in hopes the answers to which will prove helpful to you in your fire protection selling career.

Question: Bruce, there is a particular account in our market area that I (and my boss) would L-O-V-E to have. Presently, it belongs to our competitor. I have been actively trying to get an appointment – just an appointment mind you – with the plant manager of this facility for 18 months now so that I can make a presentation on our company and its services. For 18 months the manager has been rude, crude, foul mouthed... you name it – and won't see me. . Can you offer any suggestions on how to breakthrough and make some headway with this guy?

Signed,
Spinning My Wheels in San Antonio

Answer: Dear Spinning Wheels:

I saw a T-shirt on a sour-faced old lady the other day at the mall. The T-shirt read, I'M NOT GETTING OLDER . . . I'M GETTING BITTER! I know that I too am getting older but (hopefully) not bitter when I say that the account you speak of may simply be one you do not want – at least while Mr. Warmth is in charge. Let me explain.

I believe there are two types of potential customers we encounter out there in the sales field. First, there are PROSPECTS. Prospects typically behave professionally, have a need for our products or services, have the means to pay for them (important!), are honest men and women and are willing to give us their buying decision in a timely manner. These are PROSPECTS. I believe we should go all-out to get the business of legitimate prospects.

On the other hand there are – well, let us call them SUSPECTS. Unlike prospects, SUSPECTS are very un-professional, are rude, believe our services are "just a big racket", have not got the money to pay us, and dance, lie, dodge and hide when it comes time to making a buying decision. Potential customers like these will make your hair turn gray should you choose to pursue them. I say that life is simply too short to deal with such knuckleheads! I am sure your market area has hundreds of other accounts that could be just as lucrative to you but where you would not have to deal with rude, non-professionals in the process.

Part of our learning experience on the road to sales success is developing the savvy to decide as soon in the game as possible as to whether the potential customer is in fact just that – a potential customer and a legitimate prospect – or simply a time waster and a suspect.

My advice is to:

- A. Do a bit of detective work to determine if there might be another person in the desired account that can make a buying decision and who you can deal with, or...
- B. Bide your time and wait for Mr. Warmth to be transferred, quit or be fired, then go back and call on his replacement, or...
- C. Cut bait all together and go on to another account more worthy of your time and effort.

Bruce Carter is a motivational speaker and sales trainer specializing in the fire protection industry.

Bruce is available to work with you and your team!

- SALES AND CUSTOMER SERVICE SEMINARS
- IN-FIELD SALES TRAINING and COACHING CONSULTING

For more information, contact Bruce at
North American Fire Sales at

www.nafiresales.com

or at (513) 772-3778.

MY BROTHER IN LAW SHOULD SELL ALARM BELLS

CaptiveAire; the nationwide hood manufacturer; makes many of their hoods with an end cabinet at one end of the hood. One of the benefits of this configuration is to hide the pre-piped fire system behind an access panel.

Because the fire system is "hidden behind this panel"; one of our local AHJ now requires that an alarm bell be installed to satisfy what is said in Paragraph 5.2.1.8 in NFPA 17A, 2002 Edition. "An audible or visual indicator shall be provided to show that the system has operated, that personnel response is needed, and that the system is in need of recharge".

RED TAG ISSUES

I hear from several local officials and from SFMO that license holders (including Fire Alarm and Sprinkler license holders) are not properly notifying the local AHJ when hanging a Red Tag. I further hear that local AHJ personnel are continually asking SFMO to investigate such claims (and hopefully take disciplinary action) against such violations.

In fact we have been personally threatened by a local AHJ with a \$1000.00 fine for failure to send proper Red Tag notification.

I pass this along as FYI, please be watchful as others are watching.

DONALD J. BEGLEY

Donald J. Begley passed away in early February 18, 2008 at the age of 75. He is most widely known as the owner of Anderson Fire Equipment Co., Inc. in Omaha NE. He served as NAFED President 1987-89. He retired after his business was sold, and has been very active in local community, industry and religious activities.

NFPA
World Safety Conference
and Exposition
June 2-5, 2008
Las Vegas NV
Mandalay Bay
Convention Center

WHAT IS THE NRTL LIST?

Please review §34.508. Approved Testing Laboratories, it states that products that we sell, service or install in Texas must meet the requirements of an approved testing laboratory. It states that there is a list of approved agencies. Have you ever been curious about that list? I did a little research and discovered the Occupational Safety and Health Administration (OSHA), U.S. Department of Labor, has taken the lead and has produced a list of Nationally Recognized Testing Laboratories (NRTL). The last time I reviewed this list there were sixteen agencies listed.

So why is this important today and how will it likely impact our business in the future? First today we get inquiries about equipment that does not bear the UL Listing mark. It may be a residential extinguisher, or one of those foam extinguishers that the big box home center stores sell. We see factory installed systems in Ventless Fryer

Hoods and foreign made equipment. So this is the list you go to today to determine if it is the type of equipment that you can service, sell or install.

And why might this be important tomorrow? We have read various articles regarding the merging of UL and ULC Standards. As I write this article this very thing is happening. Our US Standards and their Canadian counterpart Standards are being merged. I believe what will come out of this will be equipment that has different Listing Marks. We will need to be ready. Obviously our northern states will likely see it first but it will only be a matter of time before we are asked to service some equipment with a ULC Mark. The SFMO is currently in the review process and is not yet ready to adjust what is currently stated in our Rules. So just be ready for some future changes in this area.

THIS NEWSLETTER IS LOOKING

Is everyone as tired as I am with the look of the FEDOT Newsletter? The Newsletter has begun to look the same, issue to issue. We need new blood. We need new authors, we need new perspective. We need to innovate, where is the editorial comment? Is anyone angry and needs to vent?

It could be greatly enhanced with just a few changes if a complete overhaul is out of the question.

It needs to be written by more authors. It needs to have stories that cover a broader range of subjects. It needs more pictures, a cartoon or sketch would give it snap. It needs stories that are more human interest and less product orientation. It needs articles about actually running the business, making a profit, meeting a payroll etc. Where are the success stories that are worth sharing?

The offer still stands, do you want to write an article? We will likely print it. Do you want to editorialize about something? We will likely print it. Do you have a camera? Pictures are always welcome. Got a cartoon or sketch that you want to share?

Send it in. Want to fire the current Newsletter staff? Then volunteer to take over or just create the next issue. The FEDOT Newsletter is for you, and it should be by you. I enjoy writing but I am objective enough to know that after several years the Newsletter has gotten a stale look so I challenge everyone to get involved and help make the Newsletter better or different. Both are good, change is good.

Now if you question your ability to accept the above challenge I am willing to help. Got a story idea and are not the best author, tell me and I will write a story for you. Got a story written but worry that your sentence structure or grammar are not up to the challenge, well pass it along I will tweak it for you. Not sure how to get a picture, cartoon or sketch printed, neither do I but my wife Lana knows how, and she will help. After all who do you think gives the current Newsletter the organized look? That's Lana. She is the computer expert in our family.

This is your publication so let's all help to make it better. Let us hear from you.

AFSA SCHEDULES 2008 SPRINKLER SYSTEM CLASSES

The American Fire Sprinkler Association (AFSA) announced the schedule for its Beginning Fire Sprinkler System Planning School. All nine classes will be offered in Dallas Texas. This course presents a practical, comprehensive approach to preparing fire sprinkler drawings. Students receive two full weeks of instruction with approximately 60% in class time devoted to the study and review of NFPA 13 and 40% in preparation of fire sprinkler system layout, shop drawings and hydraulic calculations. All of the 2007 schools sold out so plan ahead as class size is limited to 18 students. Attendees are not limited to AFSA members. To download a register form, go to www.firesprinkler.org.

2007 OZONE HOLE OVER ANTARCTICA

The Japan Meteorological Agency (JMA) announced in September 13, 2007, that an ozone hole as large as Antarctica appeared directly over Antarctica in mid-August 2007. This hole usually appears in August/September and grows to its largest size in September and October, as noticed in the past by NASA satellite data.

The hole decreases and disappears around November/December.

The amount of ozone depleting substances (ODS) has peaked in the 1990s and remained at high levels, thus causing the Antarctic hole. However, the good news is that the 2007 hole is not growing to the record size that 2006's ozone hole reached. The 2007 hole is right in line with average ozone hole size from the past 10 years.

While dramatic efforts to reduce ODS have been taken throughout the past decade and continue to be vigilantly pursued, the large amount of ODS still in the atmosphere will cause a yearly ozone hole for the next few decades.

For more information on this, please visit the JMA Website.

HOW TO CONFIGURE A FAN INTERLOCK FOR INTERNATIONAL MECHANICAL CODE COMPLIANCE

The International Mechanical Code 2006 Edition states the following:

507.2.1.1 Operation.

Type I hood systems shall be designed and installed to automatically activate the exhaust fan whenever cooking operations occur. The activation of the exhaust fan shall occur through an interlock with the cooking appliances, by means of heat sensors or by means of other approved methods.

I personally view this Code requirement as a commercial ventilation problem and therefore it is theirs to solve and hopefully make profitable. I do however stock thermal electric detectors and I am always looking for yet another application for my product. I have successfully sold a 140 °F Detect-A-Fire with N.O. contact to a hood fabricator.

Apparently they wire it into the appropriate control circuit as another way to switch the exhaust fan to operate when temperature is attained. I described this product as a 140 °F Rate Compensated/Fixed Temperature device. I tell them that if the temperature rises faster than 40 °F per minute or reaches the set temperature, that the D-A-F contacts will close and stay closed until the device cools. When it cools it resets itself and is again ready for the same operational scenario. I have had no complaints so I assume it is functional.

I pass this along just in case any other municipalities are enforcing this part of the International Mechanical Code.

As I researched this Code language when the 2006 Edition first came out I discovered that not all cities were eager to adopt this Code change. In fact it was a rather controversial subject in many cities and in the end many vocal cities refused to adopt this paragraph.

WHAT'S NEW WITH KITCHEN SYSTEMS?

Just when you think you know it all (because you have soldiered on for so many years) some young new guy actually reads the Manual, and he reads it with no preconceived notions (unlike most of us who have read it hundreds of times). He actually reads every word because it is all new information and in the process he finds something that we have glossed over.

The other day we were challenged by some new young local fire inspector regarding shutting off make up air on a commercial kitchen fire system. We installed this system many years ago; we tested it with the local AHJ at the time and the make up air fan worked just fine and shut off when we dry fired the fire system. It has continued to work and shut off; on every semi-annual maintenance since then.

So what happened? Several things happened and they all happened at the same time. First the restaurant changed hands thus requiring a new Certificate of Occupancy, this brought out our new young inspector. Next the new owner employed his own fire equipment maintenance provider (our less than friendly competitor). This competitor "serviced the fire system" and promptly Red Tagged it because the make up air did not shut off as required. In a very friendly way (Ha Ha) he threw us under the bus with the local Inspector claiming that we "improperly certified this system on our last maintenance visit".

Things change. No one will ever know when the make-up air shut off stopped working; all we know is that it worked fine on our last visit so we hung a good tag. A friendlier competitor would likely have called us and we could have worked something out to everyone's satisfaction. In this case he made a big deal of what is said in the Manufacturer's installation manual. In this case the old manual said it is recommended that the make up air shut off and in the current manual it says the make up air shall be shut-off. And he had a young impressionable inspector.

Local inspectors change, the old guy retires and the new young replacement is just

that; the new young guy and can sometimes be played. Our competitor may have whipped this up but who am I to accuse a competitor with being unfriendly. In the end, it is always more difficult to defend one's position when the new young inspector has been put in a position of believing we "somehow cheated" and now we are caught.

Here is the purpose for this story. Things change so be watchful. I actually checked with one of the manufacturers (after I read more clearly what is said in the new manual regarding make-up air shut-off) to get a complete understanding of make up air shut off and UL Listings. This verbiage was changed to "the make-up air shall shut-off" to reflect what is being communicated by various applicable codes. Now you know because now I know.

(Continued from page 1)

Calico Cover Story

I constantly hear complaints about SFMO enforcement. May I remind all of you, twenty years ago the common refrain that I heard from license holders was that there was a lack of enforcement. The common complaint was that we had a licensing law but no one to enforce it. Most of these complaints were regarding their cross town competitor(s). So today the SFMO has more enforcement people and its own legal staff to investigate or prosecute complaints. There is also a system in place to streamline the complaint process. So add up all of this and you will see why fines and enforcement are up and that likely leads to the complaints I referenced. We occasionally reprint the list of fines from the SFMO as a way to remind every license holder that the state is active. An appropriate question is; do you drive the speed limit because that is considered the safe speed or do you drive the speed limit because the police have enforcement power.



FEDOT OBJECTIVES

1. To cooperate with local fire chiefs and other interested governmental officials in order to secure the adoption of uniform standards and ordinances governing fire equipment and uniform interpretations thereof.
2. To recommend to the fire equipment industry such trade policies and practices as will stabilize the industry and protect the public interest, to eliminate any practices which cause injury to the industry and to the public, to gather and disseminate information and ideas which will improve Texans protection against losses from fire, and to increase the professionalism of the Texas fire equipment industry. Each member of FEDOT acknowledges the ongoing responsibility implied in the sale and maintenance of fire protection equipment, and pledges to perform services with a high standard of honesty, skill and integrity that will foster the profession of fire equipment distributors.
3. To further the joint interest of, and build good-will between, distributors, dealers and manufacturers of the fire equipment industry.
4. To gather information, statistics, and data that pertains to the fire equipment industry, and to share such information with members, governmental agencies, and interested persons.
5. To cooperate with insurance companies, governmental officials, manufacturers of fire equipment, and others who may be of assistance in furthering the purposes of FEDOT.
6. To provide a forum for the exchange of business information. (Certain information will be restricted to members)
7. To sponsor research studies and in other ways assist members in the pursuit of increased awareness and utilization of our services.
8. To promote fellowship and cooperation among fire equipment distributors in Texas.

The objectives are also embodied within the FEDOT Code of Ethics. If you have any questions about the objectives and purposes of FEDOT, please contact us.

Next Meeting: Ft. Worth TX March 15, 2008



FIRE
EQUIPMENT
DISTRIBUTORS
OF TEXAS

P O Box 790844 San Antonio, Texas 78279-0844

SPRING 2008 MEETING

March 15, 2008 Meeting

**Location: Billy Bob's Texas
2520 Rodeo Plaza
Fort Worth, Texas 76164**

Hotels in the Billy Bob and immediate area:

- Hilton Garden Inn Fort Worth 817-222-0222 (Discount coupon available at billybobstexas.com)
- Stockyards Hotel 817-625-6427
- Amerisuits Stockyards 817-626-6000
- Holiday Inn Express (Loop 820 & Azle Ave) 817-624-0303
- Motel "6" (I-35 North) 817-625-4359

March 15, 2008 Meeting Agenda:

- 8:00 - 9:30 AM Breakfast and Registration
- 9:30 - 10:30 AM Bill Klingenmaier, Ansul Inc.
- 10:40 - 11:40 AM J.R. Nerat, Badger Fire Protection
- 11:45 - 12:15 PM Service Lloyds Insurance
- 12:15 - 1:30 PM Lunch
- 1:30 - 2:30 PM Mark Redlitz, State Fire Marshal's Office
- 2:30 - Adjournment Business Meeting & Election of Officers

Meeting will be sponsored by Amerex Corporation; Ansul Incorporated;
Badger Fire Protection; Brooks Equipment; Heiser Logistics and Service Lloyds

Cost for Meeting:	Member Companies	FREE
	Non-member Companies	\$5.00 per person per person

Go to billybobstexas.com for
MapQuest directions from your location.

From Downtown Fort Worth
Take Main Street North to the courthouse. Go halfway around the courthouse to North Main Street (Long bridge on North Side of the Courthouse). Going North on North Main Street to Stockyards Blvd. (Second Light Past Exchange Avenue) Take a right turn and Billy Bob's Texas is on the Right.



TREASURER'S REPORT

Starting Checking Balance	\$10,586.48
December Receipts	\$1,700.00
January Receipts	\$9,000.00
February Receipts	<u>\$1,800.00</u>
Total Receipts	\$12,500.00
December Withdrawals	None
January Withdrawals	\$2387.50
February Withdrawals	<u>\$1475.38</u>
Total Withdrawals	\$3862.88
Balance (as of February 12, 2008)	\$19223.60
Starting Savings Balance	\$4751.66
Total FEDOT Assets (as of 2-12-2008)	\$23975.26
Expense Summary	
Insurance	\$2331.00
Misc. Meeting Expense	\$1087.38
Website Hosting	\$388.00
Office Supplies	<u>\$56.50</u>
Total Expenses	\$3862.88

NAFED UPDATE

At the NAFED Fall Board of Directors meeting in September, 2007 the board voted to enter into an agreement between NAFED and the International Code Council (ICC) that combines both organizations talents and resources for the certification of portable fire extinguisher and pre-engineered kitchen systems technicians. The agreement merges the NAFED technical expertise and the ICC certification exam preparation expertise into a cooperative effort that will raise the caliber of the program and bring the testing criteria in line with recognized standards. An important element of the NAFED/ICC program is impartial Exam Development Committees (EDC) that will have responsibility for exam development and review. Currently the EDC are being formed and will hopefully begin the exam development process during the first half of this year. I am pleased to announce that Mr. Mark Redlitz, Director of Licensing with the State Fire Marshal's Office has been appointed the Portable Fire Extinguisher EDC and that I have been appointed to the Pre-Engineered Fire Extinguisher EDC.

NAFED kicks off their 2008 sectional conferences in Las Vegas, NV March 6-7, 2008 followed with Atlantic City, NJ April 3-4, 2008 and finishing with Cleveland, OH May 8-9. For more information about the NAFED conferences and to register online, visit the NAFED webpage at www.nafed.org.
Larry Angle
NAFED President

MINUTES SPRING, 2007

Jim Shelton welcomed everyone to the annual FEDOT meeting and then turned the meeting over to Phil Foster. Phil thanked Ansul, Amerex, Badger, Brooks and Heiser for their sponsorship of the continental breakfast and lunch. Phil asked that all attendees stand and introduce themselves. Phil introduced Craig Voelkert from Amerex who presented a program on fire extinguisher and occupant fire hose training.

Following Craig's presentation, Phil introduced Mark Redlitz, Director of Licensing from the State Fire Marshal's office. Mark led a discussion about unique system hazards that may be outside the limitations of pre-engineered systems. In addition, the subject of NFPA 10 (2007) technician certification was discussed.

The FEDOT annual meeting was called to order by President Jim Shelton.

The first item of business was to review the minutes from the October 14, 2006 meeting. A motion and second was made and unanimously passed to accept the minutes as presented.

A financial report was given by Treasurer Dave Mettaufer. A motion and second was made and unanimously passed to accept the treasurer's report as presented.

Old Business:

Nominations were opened for the office of Secretary. A motion and second was made to nominate Jim Hasse as secretary. A motion and second was made for nominations to cease. There being no other nominations Jim Hasse was elected as Secretary by acclamation.

New Business:

Nominations were opened for the office of Vice President. A motion and second was made to nominate Phil Foster for Vice President. A motion and second was made and unanimously passed for nominations to cease. There being no other nominations Phil Foster was elected as Vice President by acclamation.

A discussion was held about where and when the next FEDOT would be held. The consensus was to hold the next FEDOT meeting in San Antonio on October 13, 2007.

FIRE EXTINGUISHER SELECTION FOR PETRO-CHEMICAL FACILITIES

By Craig Volkert, Amerex Corporation

Petro-Chemical facilities face daunting tasks in preventing and suppressing fires. With a tight energy market and unprecedented consolidation of energy companies, plant protection departments and refinery fire departments have found themselves in a position of doing more with less. At the same time, the world's increasing demand for oil has placed new importance on production, pipeline, manufacturing and marketing facilities for oil companies. The loss of a major facility affects our economy and poses concerns about our national security and independence. Now more than ever, it is necessary to provide prevention techniques along with a strategy of "defense in depth" against the possibilities of fire and explosion in petro-chemical facilities.

Ever vigilant prevention methods continue to be improved upon in these facilities. Hot work permits, lock-out tag-out procedures, outside contractor training, gas detection systems and plant modernization help to prevent fires from happening. Should a fire occur, employee training, new suppression technologies, first responder tactics and mutual aid infrastructures provide layers of "defense -in-depth" response as an incident grows in size and magnitude. At the very first step in these various levels of defense, after prevention, is the mundane and low tech fire extinguisher. Dry chemical extinguishers offer speed, portability and rapid knock down of flammable liquid fires that cannot be matched by most other equipment. Their proper selection, maintenance and training are essential in a successful use of these important fire fighting tools as part of a "defense-in-depth" program.

These elements can be summarized by a concept that has been used by fire equipment distributors in the U.K referred to as the "Triangle of Safety". One side of the triangle is "selection of proper equipment", side two is "proper maintenance program in place" and the third side is "effective staff training program"

Each key element of the triangle is dependant upon the other. With the best selection of equipment and the best maintenance program, without an effective training program, the system fails. With an effective training program and the best equipment available, if maintenance is not performed according to the equipment manufacturer's recommendations, the system fails. An effective training program and proper maintenance will still result in system failure if the proper equipment was not put into service. Each one of these elements will be discussed in this article, but first let's discuss the role of fire extinguishers, their advantages and disadvantages in a petro-chemical setting.

Proper Equipment.**Portability:**

Fire extinguishers have some unique and distinct advantages, particularly as it relates to the first line of defense in a flammable liquid fire situation. One of these advantages is portability. Fire extinguishers, whether hand portable or wheeled, in addition to being placed throughout the hazard areas of a petro-chemical plant, can be carried to nearly any part of the facility including areas where hot work is being performed. Since they are not dependent upon any fixed infrastructure, like hose lines and foam delivery systems, they can be quickly deployed throughout the facility, even in anticipation of a problem. This portability comes with a price - limited agent quantity. Your fire fighting capabilities will be limited by skill, training and the amount of equipment you could carry (or wheel) to the incident.

Speed:

Another advantage that dry chemical extinguishers have in flammable liquid fire situations is speed. Getting fire extinguishing agent onto the fire may be as simple and as quick as Pull Aim Squeeze Sweep (P.A.S.S.) depending on the type and size of the extinguisher being used. Flammable liquid fires grow and intensify very quickly so speed is a large factor in achieving successful extinguishment in the fire's initial stages, or perhaps more importantly, knocking the intensity of the fire down to allow personnel to get to a safe area and gaining time for first responders to arrive. Speed, like portability, comes with a trade-off - discharge time. Depending on the size of the extinguisher, the flow rate and other factors, discharge time may be as little as 15 seconds for a hand portable and up to 60 seconds for a large wheeled extinguisher.

Rapid "Knock-Down" and Flow Rates:

Dry chemical has another advantage over other extinguishing agents when applied to flammable liquid fires - rapid and profound effect on the flame front, commonly referred to as flame "knock-down". The effect of dry chemical application on a flammable liquid fire will be determined by several factors - the type of flammable liquid fire involved - the flow rate of the extinguisher being used as expressed in lbs/sec. - the operator's application of the chemical to the fire. The flow rate of the extinguisher can be a key issue contributing to not only successful extinguishment, but also more rapid extinguishment of incipient flammable liquid fires other than simple spill fires. As another way of expressing dry chemical flow rates, think of the difference between fighting a flammable liquid fire

CONTINUED FIRE EXTINGUISHER SELECTION FOR PETRO-CHEMICAL FACILITIES

By Craig Volkert, Amerex

with a single 60 gpm fog nozzle compared with fighting the same size and type of flammable liquid fire with a 90 gpm fog nozzle, the 90 gpm fog nozzle will have more effect on the fire and accomplish extinguishment more easily and more rapidly than the 45 gpm nozzle.

Flammable liquid fires can be divided into 5 categories: Spill Fire, Flammable liquid in depth (like a pan fire), Gravity -fed (like a punctured drum dripping or flowing onto the floor), Flammable liquid under pressure (like a failed flange or packing) and Flammable gas under pressure (like a broken propane valve or line). All five of types of flammable liquid fires are likely to occur in a petro-chemical setting, however, only one type, flammable liquid in depth, can be used in a testing protocol, since it is most easily duplicated and repeatable with consistent circumstances. For this reason, ANSI/UL 711 uses flammable liquid in depth fires for rating the relative fire fighting capability of dry chemical extinguishers. Below is a chart outlining the UL Class B rating, the corresponding size pan used for the fire test and the minimum discharge time assigned to the extinguisher that bears the UL rating?

XXXX

RATING	MINIMUM DISCHARGE TIME	PAN SIZE
20B	8 Seconds	50 Sq. Ft.
40B	13 Seconds	100 Sq. Ft.
60B	17 Seconds	150 Sq. Ft.
80B	20 Seconds	200 Sq. Ft.
120B	26 Seconds	300 Sq. Ft.

The concept behind the minimum required discharge time for the higher ratings was to allow the novice operator more time to correct any application mistakes that were made. This also increases the time that the extinguisher operator will be exposed to the fire incident, the associated radiant heat and possible spread of the fire. Live fire tests using various flow rates under controlled circumstances conducted by several manufacturers in the 1950's and 1960's proved that a higher flow rate would result in faster extinguishment of most flammable liquid fire situations. Many facilities would prefer to hit the fire with a higher flow rate to increase the "knock down" even though the effective discharge time is decreased because it limits the operators exposure to the fire in its initial stages.

A common rating available for a 20 lb. Extinguisher would be 120B:C, however, it may be more advantageous when choosing extinguishers for a petro-chemical facility to use a 20 lb extinguisher with a lower "B" rating such as 40B:C or even 20B:C because of the increased flow rate. A 40B rated 20 lb extinguisher would have nearly twice the flow rate of the 20 lb extinguisher that has a 120B rating and therefore would have a more profound effect on the fire and more success when dealing with gravity-fed fires and flammable liquids under pressure. 20 lb. and 30 lb. Dry chemical extinguishers with increased flow rates are available from several manufacturers and may be designated "Fast Flow" or "High Flow" models. Regarding flammable gases under pressure - it is not usually suggested that these fires be extinguished since a vapor cloud may form that would compound the problem. The best way to deal with pressure fires is obviously to shut off the source of fuel through the "blocking" of valves - isolating the leak point.

Discharge Ranges.

Another option available from different extinguisher manufacturers is a longer effective discharge range. Longer range may be necessary to reach potential hazards in the facility either in a vertical or horizontal plane. It may also be of benefit to employ long range extinguishers to keep personnel back further from the fire incident for safety and a more effective means of escape. A typical effective range for a "standard" extinguisher may be 12 to 15 feet while a "long-range" extinguisher may be 25 to 30 feet for a hand portable extinguisher and 40 to 50 feet for a wheeled extinguisher. Long range, coupled with a higher flow rate could give the greatest knock down on the fire from the greatest possible distance making the extinguisher more effective and safer to operate.

Corrosion Protection.

Since many petro-chemical facilities are located near oceans, bays estuaries and rivers, corrosion can be a major concern for fire extinguishers. Many manufacturers offer special options on extinguishers to extend the life of the unit in harsh environments. Different components using stainless steel, chrome plated brass or specially anodized aluminum are available in addition to "CR" paint processes to retard the rate of corrosion. Even hot-dipped galvanized extinguisher shells and wheeled unit carriages are available. If corrosion is a problem, these options are available from several different manufacturers and should be considered based upon the environment where the extinguishers will be installed.

CONTINUED FIRE EXTINGUISHER SELECTION FOR PETRO-CHEMICAL FACILITIES

By Craig Volkert, Amerex

Manufacturer's Recommended Maintenance.

Once the proper equipment has been chosen that matches the needs of the facility, including long range and increased agent flow options, it must be maintained properly in order to be effective. NFPA 10 requires inspections of extinguishers at 30 day intervals. These inspections are a "quick check" of the unit to assure reasonable confidence in its operation. NFPA 10 - 2002 Edition has detailed information on how and what to check on the extinguisher during a 30 day inspection. NFPA 10 also requires an annual maintenance to be performed on every extinguisher. Annual maintenance is a thorough examination of the unit and should be performed only by "...trained persons having available the appropriate servicing manual(s), the proper types of tools, recharge materials, lubricants, and manufacturers replacement parts or parts specifically listed for use in the fire extinguisher". If you are currently performing annual maintenance "in house" by using full time employees, you may want to re-evaluate that position. Unless you have employees trained, equipped and solely dedicated to this function, your maintenance program will be inadequate. It may be more advantageous to contract this work out to fire equipment distributors who have professional technicians that are trained, have the appropriate parts, manuals and supplies to do the job properly. In any case, it is imperative that the maintenance be performed in accordance with NFPA 10, local codes and the manufacturer's maintenance manual. Some manufacturers offer warranties up to 12 years in length as long as the equipment has been maintained by one of their authorized distributors and that maintenance has been performed in accordance with their manual. As part of the "Triangle of Safety", even the most expensive equipment and comprehensive training will be wasted if proper maintenance is not performed.

Effective Training.

Fire extinguisher training is necessary for effective, safe extinguisher use and required by OSHA. Live fire training exercises, still considered the most effective method for training employees on using extinguishers to suppress flammable liquid fires, is becoming increasingly difficult perform. Ever stricter air quality standards and employee scheduling make conducting live fire training exercises on site nearly impossible. Some fire extinguisher manufacturers still offer live fire training at off site facilities on a limited basis and there are many industrial fire schools throughout the country. Fire Equipment distributors will often offer specialized or customized extinguisher training that is tailored to a facilities particular needs and schedule.

Every effort should be made to assure that the equipment being used for training is the same as the equipment that is available to the employees in the facility. Many facilities have taken extinguishers out of service, because of age or condition, and relegated them to use as "training units". This is not a sound practice for several reasons. If the extinguishers were no longer considered serviceable, then they should be removed and destroyed - if they are not deemed reliable or safe for in plant service, they are not appropriate for use in training. The older extinguishers may have different flow rates, effective discharge ranges and nozzle discharge patterns than the extinguishers in the plant. Training with one set of performance specifications and then using a piece of equipment that performs differently in the plant during an incident is asking for trouble - use the same extinguishers that you have in the plant for training the employees.

Many options are available today that were unavailable 15 years ago. With the current widespread use of the Internet, www.fireextinguisher.com provides a free training session in the classes of fire, proper extinguisher use and will even issue a certificate upon successful completion. Computer based fire simulators are available and cleaner burning propane fueled mobile training props are also being used.

Whichever form of training that you choose, make sure that it fits your company's policies on emergency response, your employee's needs and your particular hazard or situation. Always, always stress the importance of turning in an alarm immediately on any fire incident and confirming safe evacuation routes. If your plant has purchased the best equipment available and has taken great care to maintain the equipment properly, it will be of no use if the employees that will use the equipment have had little or ineffective training in the proper use of that equipment.

By using the "Triangle of Safety" concept when discussing fire extinguishers for petro-chemical plants, facilities can optimize the effectiveness of their "defense-in depth" strategy toward fire protection. Choose the proper equipment for the particular hazard and situation, establish a quality maintenance program that follows the manufacturers manuals and provide effective training for employees - then the triangle is complete and success will be assured.



Texas Department of Insurance

State Fire Marshal's Office, Mail Code 112-FM
333 Guadalupe • P. O. Box 149221, Austin, Texas 78714-9221
512-305-7900 • 512-305-7910 fax • www.tdi.state.tx.us

TEXAS STATE FIRE MARSHAL OFFICIAL ORDERS ISSUED FISCAL YEAR 2007 - SEPTEMBER 2006 THROUGH AUGUST 2007

American Fire Extinguishers, Inc. of Balch Springs allegedly used unlicensed employees and failed to service a fixed fire system according to adopted standards according to case LC05-037, LC05-075 and LC05-076. After correcting the violations at no cost to the property owner, the State Fire Marshal, under order number FM-1199, dated 8-23-06, permitted the firm to retain its extinguisher Certificate of Registration, ECR-1332, subject to paying an administrative penalty of \$1,000.

Nikki Irvin, d/b/a Integrity Fire Protection, of Mission, acting by and through its employee, Billy Joe Irvin, allegedly violated the fire extinguisher rules by failing to install a kitchen hood fire protection system according to the manufacturer's requirements and adopted standards in that they failed to: correctly locate nozzles in the plenum, provide the correct nozzle to protect cooking appliances, provide the correct size actuation cylinder, provide the correct quantity of detectors, mount a nozzle the correct height above a fryer, and attach an installation label according to case LC05-001, LC05-209, and LC06-052. After correcting the system at no cost to the property owner, the State Fire Marshal, under order number FM-1200, dated 8-25-06, and FM-1204 dated 10-5-06, permitted Integrity Fire Protection to retain its registration, ECR-1642, subject to payment of an administrative penalty of \$1,000 and permitted Billy Joe Irvin to retain his license, FEL-8052-A, subject to payment of \$1,000 administrative penalty.

Bob Haman, of Humble, allegedly failed to maintain a 100 foot distance from where fireworks are sold to where fireworks were ignited and failed to notify the State Fire Marshal's Office within 10 days of an unauthorized incident, according to case LC05-254. After a hearing at the State Office of Administrative Hearings a proposal for decision containing findings of fact and conclusions of law by the Administrative Law Judge resulted in the State Fire Marshal, under order number FM-1201, dated 9-12-06, to assess an administrative penalty of \$2,500 and another \$500 penalty for untimely compliance with the order.

Bobby W. Burnett, d/b/a Burnett Safety Services, of Snyder, acting individually and as a firm, allegedly violated the fire extinguisher laws by engaging in the fire extinguisher business and failing to maintain in force and on file the required general liability insurance coverage according to case LC06-088. The State Fire Marshal, under order number FM-1202, dated 9-26-06, permitted the firm to retain its extinguisher Certificate of Registration, ECR-669, subject to paying an administrative penalty of \$1,825.

Paris Fire Extinguisher, Inc., and Gary Cook, of Paris, acting by and through its employees, allegedly failed to service fire protection equipment according to the adopted standards by not identifying a wrong type nozzle of a kitchen hood fixed system over a cooking appliance and not attaching a collar after performing maintenance on several portable fire extinguishers according to LC04-034. The State Fire Marshal, under order number FM-1203, dated 10-5-06, permitted the firm to retain its extinguisher Certificate of Registration, ECR-756, and Cook to retain his license, FEL-5452, subject to paying an administrative penalty of \$1,000.

Mark Morris, of LaPorte, while employed by and acting for LinMar Services of Texas City, allegedly failed to properly service and install several kitchen hood fire extinguisher systems in that several fire extinguisher agent cylinders were found to be empty and/or contain a substance not appearing to be a listed extinguishing agent at several restaurant locations, according to case LC05-166, LC05-167, and LC05-168. After a hearing at the State Office of Administrative Hearings, the State Fire Marshal, under order number FM-1205, dated 10-20-06, revoked the Fire Extinguisher Technician's license, FEL-9814, held by Mark E. Morris. LinMar Services is no longer registered with the State Fire Marshal's Office.

Traci Drewery, of Nacogdoches, allegedly failed to sell fireworks from a structure in compliance with the adopted standards in the firework rules, in that after previous written warnings, failed to correct the structure which had door latches without panic hardware, improper stair landings and railings and electrical wiring in violation of the electrical code, according to case LC06-076. The State Fire Marshal, under order number FM-1206, dated 10-20-06, permitted Ms. Drewery to retain her firework retail sales permit subject to paying an administrative penalty of \$1,000.

Cory Alan Stevens, employed by and acting for **Buddy's Fire Protection Service, Inc.**, both of Pearland, allegedly violated the fire extinguisher laws by attaching a service tag indicating all work complied with the requirements of law, when in fact he failed to: perform a conductivity test on a Carbon Dioxide Fire Extinguisher, perform hydrostatic tests for portable fire extinguishers, keep records of hydrostatic tests and misrepresented to the Deputy State Fire Marshal that another firm had performed the tests. In addition they failed to replace the fusible detection links and rubber blow-off caps of a kitchen hood fire extinguisher system according to case LC05-128. The State Fire Marshal, under order number FM-1207, dated 10-25-06, and FM-1208 dated 10-25-06, permitted Buddy's Fire Protection Service, Inc., to retain its registration, ECR-381, subject to payment of an administrative penalty of \$1,250 and Cory Alan Stevens, to retain his license, FEL-4124-A, subject to payment of an administrative penalty of \$1,250.

Aaron Huselton, of Waxahachie. The State Fire Marshal, under order number FM-1209, dated 11-8-06, permitted Mr. Huselton to obtain a fire alarm technician license, subject to a two year probation, during which time he may not violate any laws of the State of Texas or be convicted of any further criminal violations, excluding minor traffic offenses or after notice and hearing his license shall be revoked.

Assurance Fire Protection, LLC., of El Paso, allegedly used unlicensed employees to service a fixed fire extinguisher system and through its employees failed to perform the required six year maintenance and hydrostatic test to portable fire extinguishers and by attaching a signed service tag misrepresented the services performed complied with the requirements of law, according to LC06-075. The State Fire Marshal, under order number FM-1210, dated 11-13-06, permitted the firm to retain its extinguisher Certificate of Registration, ECR-1206, subject to paying an administrative penalty of \$2,000.

Gerald Lindsey, Jr., of Port Arthur, allegedly failed to maintain a 10 foot distance from where fireworks are sold to where he was smoking a cigarette according to case LC05-188. The State Fire Marshal, under order number FM-1211, dated 11-20-06, assessed an administrative penalty of \$1,000.

Initial Security Systems, Inc., of Houston, acting by and through its employees, allegedly failed to: use a licensed individual to plan, create, maintain, and deliver plans, provide an installation certificate, and install a fire alarm system according to the adopted technical standards, as described in case LC05-002 to 016 and 019 to 035. The State Fire Marshal, under order number FM-1212, dated 11-20-06, permitted the firm to retain its registration, ACR-1707 subject to payment of an administrative penalty of \$4,000.

Gary Shane Shipman, d/b/a/ Bay Area Fire and Safety, of League City, acting by and through its employees, allegedly failed to install and service a carbon dioxide fixed fire extinguisher system on a paddle boat using individuals not holding the appropriate license according to LC05-222. The State Fire Marshal, under order number FM-1213, dated 1-4-07, permitted the firm to retain its extinguisher Certificate of Registration, ECR-1468, subject to paying an administrative penalty of \$500.

Doug Borie, of Livingston, allegedly failed to sell fireworks from a fireworks retail sales site in compliance with the adopted standards in the firework rules, in that although the exit doors of the structure had panic hardware they also contained dead bolt locks and the facility contained dead end corridors according to case LC06-066. The State Fire Marshal, under order number FM-1214, dated 1-4-07, permitted Mr. Borie to retain his firework retail sales permit subject to paying an administrative penalty of \$500.

10 Needham, Inc., of Conroe, allegedly failed to distribute fireworks as required by the fireworks rules, by failing to return the copies of the fireworks retail permits they issued prior to March 1, of the following year,

according to case LC06-134. The State Fire Marshal, under order number FM-1215, dated 1-5-07, permitted the firm to retain its distributor's license, FWD-0018, subject to paying an administrative penalty of \$1,000.

Sandollar Security Services, LLC, of Rockport, acting by and through its employees, modified a fire alarm system in violation of the adopted standards by allegedly failing to: connect to a dedicated power supply circuit; not marking the disconnect breaker switch; not using insulation, grommets or terminal fittings to prevent damage to wires entering the control panel; not attaching an installation label and not using an appropriately licensed person to plan the system according to case LC05-049. After correcting the violation at no cost to the owner, the State Fire Marshal, under order number FM-1216, dated 1-8-07, permitted the firm to retain its Fire Alarm Certificate of Registration, ACR-1238 subject to payment of an administrative penalty of \$2,500.

Roger D. Wolfe, d/b/a North Texas Fire & Safety, of Celeste, acting individually and as a firm, allegedly failed to perform the required six year maintenance and hydrostatic test to portable fire extinguishers and failed to replace detector links in a kitchen hood fixed fire protection system with a recently dated fusible detector at several locations according to LC06-118 to 123. After correcting the violations at no cost to the property owner, the State Fire Marshal, under order number FM-1219, dated 3-15-07, permitted the firm to retain its extinguisher Certificate of Registration, ECR-863, and Wolfe to retain license FEL-6062 subject to paying an administrative penalty of \$3,000.

ASG Monitoring, LLC d/b/a ASG Security, of Houston, acting by and through its employees, allegedly attached a red label to a fire alarm system at a school and failed to notify the local authority having jurisdiction in writing according to case LC07-002. The State Fire Marshal, under order number FM-1220, dated 3-15-07, permitted the firm to retain its fire alarm Certificate of Registration, ACR-2242, subject to payment of an administrative penalty of \$500.

OTSO, Inc., d/b/a Valley Wide Security, of Brownsville, acting by and through its employees, allegedly monitored a fire alarm system, prior to obtaining a fire alarm certificate of registration through the State Fire Marshal's Office, according to case LC06-059. The State Fire Marshal, under order number FM-1221, dated 3-26-07, after permitting the firm to obtain registration, ACR-2815, assessed an administrative penalty of \$1,500.

W. E. Garrett d/b/a/ Ultimate Security and Service, of Corpus Christi, acting individually and as a firm, allegedly installed a fire alarm system failing to: use an appropriately licensed person to plan the system; provide an installation certificate; report a change of address to the State Fire Marshal's Office and install a smoke alarm in a dwelling too close to an air supply grill, according to case LC05-199. The State Fire Marshal, after notice and opportunity for hearing, under order number FM-1222, dated 3-27-07, revoked the Fire Alarm Certificate of Registration, ACR-2553, issued to Ultimate Security and Service.

TFA Texas Fire Alarm, Inc., of Mesquite, acting by and through its employees, allegedly failed to attach a red tag to a fire sprinkler system that was partially inoperable in a building where the public sleeps, according to case LC05-241. The State Fire Marshal, under order number FM-1223, dated 4-16-07, permitted the firm to retain its registration, SCR-0825, subject to payment of an administrative penalty of \$4,000.

D Square Systems, Inc. of Houston acting by and through its employees, installed a fire alarm system in an apartment complex in violation of the adopted standards by allegedly failing to: locate the alarm control panel in an environment within it listed temperature limits; use the correct listed wire for a wet location; and install lightning suppression devices where required, according to case LC05-288. The State Fire Marshal, under order number FM-1224, dated 4-19-07, permitted the firm to retain its registration, ACR-86267-809 subject to payment of an administrative penalty of \$5,000, identifying and correcting, at no cost to the property owner, all similar situations that they previously installed.

Julio Ceasar Wilson d/b/a C & P Fire and Safety, of McAllen, engaging in the fire extinguisher business, allegedly violated the fire extinguisher laws by failing to maintain in force and on file the required general liability insurance coverage according to case LC06-087. The State Fire Marshal, under order number FM-

1225, dated 4-26-07, permitted the firm to retain its extinguisher Certificate of Registration, ECR-1663, subject to paying an administrative penalty of \$2,125.

Daniel R Alvarez, of Boyd. The State Fire Marshal, under order number FM-1227, dated 5-7-07, permitted Mr. Alvarez to obtain a fire extinguisher technician license, subject to a two year probation, during which time he may not violate any laws of the State of Texas or be convicted of any further criminal violations, excluding minor traffic offenses and provide a quarterly report to the State Fire Marshal's Office or after notice and hearing his license shall be revoked.

Edward Roy Stokes, of San Antonio. The State Fire Marshal, under order number FM-1228, dated 5-8-07, permitted Mr. Stokes to obtain a fire extinguisher technician license, subject to a two year probation, during which time he may not violate any laws of the State of Texas or be convicted of any further criminal violations, excluding minor traffic offenses and provide a quarterly report to the State Fire Marshal's Office or after notice and hearing his license shall be revoked.

Kristi S. Jones-Rupe d/b/a/ J & K Alarm Systems, of Euless, engaging in the fire alarm business, allegedly violated the fire alarm laws by failing to maintain in force and on file the required general liability insurance coverage according to case LC04-164. The State Fire Marshal, under order number FM-1232, dated 6-26-07, after notice of hearing, revoked the fire alarm Certificate of Registration, ACR-1658, held by J & K Alarm Systems.

Daniel Finigan, of Hooks, acting individually and as an employee of **LoVolt, Inc.**, engaged in the fire alarm business by replacing a fire alarm control panel in a hospital before obtaining a Certificate of Registration and without evidence of an approved plan by an appropriately licensed individual according to case LC06-128. After correcting the violations at no cost to the property owner, at an estimated cost of \$7,916.06 in labor and materials, the State Fire Marshal, under order number FM-1234, dated 7-13-07, permitted the firm to obtain its registration, ACR-2857, and permitted Finigan to retain his license, RAS-1164, subject to payment of an administrative penalty of \$3,000.

Puente Fire Extinguishers, Inc., of Olmito, engaging in the fire extinguisher business, allegedly violated the fire extinguisher laws by failing to maintain in force and on file the required general liability insurance coverage according to case LC07-082. The State Fire Marshal, under order number FM-1233, dated 7-13-07, permitted the firm to retain its extinguisher Certificate of Registration, ECR-054, subject to paying an administrative penalty of \$1,500.

Frank Adkins III, of Pearland. The State Fire Marshal, under order number FM-1235, dated 7-13-07, permitted Mr. Adkins to obtain a fire extinguisher technician license, subject to a four year probation, during which time he may not violate any laws of the State of Texas or be convicted of any further criminal violations, excluding minor traffic offenses and provide a quarterly report to the State Fire Marshal's Office or after notice and hearing his license shall be revoked.

Richard C. Ford, of Cypress, allegedly failed to sell fireworks from a structure in compliance with the adopted standards in the firework rules, in that after previous written warnings, failed to correct the structure, which had door latches with panic hardware, but were pinned closed rendering the panic hardware inoperable, according to case LC07-088. The State Fire Marshal, under order number FM-1236, dated 7-16-07, permitted Mr. Ford to retain his firework retail sales permit subject to paying an administrative penalty of \$750.

Fire Safety Protection Services, LP, of Houston, acting by and through its employee, **John Henley**, of Houston, allegedly failed to service a kitchen hood fixed fire extinguisher system according with the adopted standards, by not testing the gas shut-off valve, which was found inoperable, and misrepresented that the services billed and provided met the requirements of law by signing and attaching a service tag according to LC06-089. The State Fire Marshal, under order number FM-1237, dated 7-18-07, permitted the firm to retain its extinguisher Certificate of Registration, ECR-961, subject to paying an administrative penalty of \$3,000 and under order number FM-1229, dated 6-6-07, permitted Henley to retain his fire extinguisher technician license, FEL-366, subject to payment of an administrative penalty of \$1,000.

Texas Panhandle Heritage Foundation, Inc. of Canyon Texas, acting by and through its employees, allegedly failed its primary responsibility to safely discharge a fireworks display by failing to position and secure mortars so that shells are propelled away from spectators, and to bury mortars 2/3 to 3/4 of their length in the ground or otherwise adequately secure them during discharge according to SFMO case LC06-218. The State Fire Marshal, under order number FM-1238, dated 7-30-07, permitted the firm to retain its Public Display Permit No. FMDP-0097, subject to paying an administrative penalty of \$2,000.

Clark Fire Equipment, Inc., of Houston, allegedly violated the fire alarm laws by engaging in the fire alarm business and failing to maintain in force and on file the required general liability insurance coverage according to case LC07-148. The State Fire Marshal, under order number FM-1239, dated 8-13-07, permitted the firm to retain its Extinguisher Certificate of Registration, ECR-681, subject to paying an administrative penalty of \$1,000.

Ralph B. Johnson and Gabriella P. Johnson d/b/a Nu-Con Safety and Sound, of El Paso, acting individually and as a firm, allegedly violated the fire alarm laws by engaging in the fire alarm business and failing to maintain in force and on file the required general liability insurance coverage according to case LC06-224. The State Fire Marshal, under order number FM-1241, dated 8-15-07, permitted the firm to retain its Fire Alarm Certificate of Registration, ACR-1059, subject to paying an administrative penalty of \$750.

Jeremy Shawn Phillips, of Gunter, acting individually and with other accomplices, allegedly violated the fire extinguisher laws by failing to obtain a fire extinguisher Certificate of Registration before engaging in the business of installing a fixed fire extinguisher system according to case LC07-064. The State Fire Marshal, under order number FM-1242, dated 8-22-07, permitted Phillips to retain his license, FEL-9654, subject to payment of an administrative penalty of \$1,000.

Armor Alarms, Inc., of Houston, acting by and through its employees, installed a fire alarm system and allegedly failed to have the system planned by an individual holding an alarm planning superintendent's license issued through the State Fire Marshal's Office or a Texas registered professional engineer according to case LC07-004. The State Fire Marshal, under order number FM-1243, dated 8-28-07, permitted the firm to retain its registration, ACR-2471, subject to payment of an administrative penalty of \$2,000.