

TEXAS COMMISSION ON FIRE PROTECTION
January 29, 2015, 10:00 a.m.
1701 N. Congress Ave., William B. Travis Building, Room 1-104, Austin, Texas

- 1. Roll call – 10:00 a.m. (including consideration of whether to excuse absences) and introduction of newest commission member Tivy Whitlock.**
- 2. Adoption of the commission meeting minutes of October 16, 2014.**
- 3. The Budget and Strategic Plan subcommittees may meet separately or together on January 29, 2015 during the commission meeting and provide reports for discussion and possible action relating to any recommendations developed by the subcommittees, including but not limited to, modifications to the agency operating budget and strategic plan.**
- 4. Reports from fire service interest groups and agencies on matters relating to organizational purposes, functions, and objectives, including, but not limited to, the Texas Fire Chiefs Association, the Texas State Association of Fire Fighters, the State Firemen’s and Fire Marshals’ Association of Texas, the Texas Association of Fire Educators, the Texas A&M Forest Service, the National Fire Protection Association, Texas State Association of Fire and Emergency Districts, and the State Fire Marshal’s Office.**
- 5. Discussion and possible action concerning reports by the commission representative to the Texas Fire School Advisory Board and by representatives of the Texas Engineering Extension Service (TEEX) regarding fire protection training provided by TEEX through its Emergency Services Training Institute (ESTI).**
- 6. Discussion and possible action regarding report from commission representative to the Homeland Security Council.**
- 7. New matters from the commission, staff, or public which may be discussed in future commission meetings.**
- 8. Discussion and possible action on future meeting dates.**
- 9. Discussion and possible action regarding report from Structure/Proximity protective clothing work group.**
- 10. Discussion and possible action on report from the Executive Director regarding status of commission study on the administrative attachment of the commission to another state agency.**
- 11. Matters referred from the Fire Fighter Advisory Committee (FFAC), including, but not limited to:**
 - A. Discussion and possible final adoption on proposed amendments, new sections, and repeals as follows:**
 - 1. Discussion and possible action regarding proposed rule changes to title 37, TAC, Chapter 401, Practice and Procedure.**
 - 2. Discussion and possible action regarding proposed rule changes to title 37, TAC, Chapter 445, Administrative Inspections and Penalties.**
 - 3. Discussion and possible action regarding proposed rule changes to title 37, TAC, Chapter 449, Head of a Fire Department.**

- B. Report from the Curriculum and Testing Committee with discussion and possible action on recommendations regarding possible changes to the Certification Curriculum Manual, including but not limited to the Curriculum, Curriculum Outline and Reference Lists for:
 - a. Hazardous Materials Awareness**
 - b. Hazardous Materials Operations**
 - c. Hazardous Materials Operations – Mission Specific Competencies**
 - d. Hazardous Materials Technician**
 - e. Hazardous Materials Incident Commander****
- 12. Report from Ad Hoc committee regarding 37, TAC, Chapter 403, Criminal Convictions and Eligibility for Certification.**
- 13. Discussion and possible action on matters from the Executive Director.
 - A. Decisions of the Executive Director in contested cases and consent orders.**
 - B. Status of division functions.**
 - C. Report regarding discussion with Texas Department of Insurance on transfer of fire protection personnel injury information between the Commission and the Texas Department of Insurance.****
- 14. Executive session pursuant to Section 551.074, Texas Government Code for the discussion of personnel matters: the appointment, employment, compensation, evaluation, reassignment, duties, discipline, or dismissal of the Executive Director, and the appointment, employment, reassignment, or duties of personnel acting on an Interim basis in this position.**
- 15. Open session for further discussion and possible action regarding preceding agenda item.**
- 16. Adjourn meeting.**

The Texas Commission on Fire Protection may go into executive session on any agenda item if authorized by the Open Meetings Act, Texas Government Code Chapter 551.

- 1. Roll call - 10:00 a.m. (including consideration of whether to excuse absences) and introduction of newest commission member Tivy Whitlock.**

2. **Adoption of the commission meeting minutes of October 16, 2014.**

TEXAS COMMISSION ON FIRE PROTECTION

Presiding Officer, Steve Tull, at 10:00 a.m. called the October 16, 2014 meeting of the Texas Commission on Fire Protection to order at 1701 N. Congress Avenue, Room 1-104, Austin, Texas.

Attending	Elroy Carson Joseph Gonzalez Ronald Poynter*	Pat Ekiss John Green* Steve Tull	Yusuf Farran John McMakin	Carl Giles Robert Moore*	John Gillette Leonardo Perez*
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*absent entire meeting
**absent part of meeting

Staff	Tim Rutland Joyce Guinn	Deborah Cowan Andrew Lutostanski, Assistant Attorney General	Paul Maldonado	Lisa Gonzalez	Sylvia Miller
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Guests	Cary Roccaforte Mike Hunt Scott Thompson Jessie Gentry Levi Clements George McAteer	Wally Cox Randy Richards Jim Reidy Randy Safer Thomas Miller	Wayne Twiner Brent Parker Ronald Krusleski Thomas Prevost Michael Neujghr	Lynn Bizzell Richard Priest Leonard Chan Robert Green Mitchell Randles	Ed Wellman Matthew Dear Brian Riley Betty Wilkes Chris Barron
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1. Roll call John Gillette, Secretary called roll and a quorum was present.
2. Adoption of Minutes A motion to approve the minutes of the August 7, 2014 commission meeting was made by Carl Giles and seconded by Pat Ekiss. The motion carried.
3. Budget and Strategic Plan Subcommittee Meeting Reports The subcommittees met together to review the agency's budget and performance measures. No action necessary.
4. Reports from Fire Service Brief reports were given by the Texas State Association of Fire Fighters, Texas Fire Chiefs Association, State Firemen's and Fire Marshals' Association, the National Fire Protection Association, and the Texas Fire Marshals Association.
5. Report from Fire Service School Advisory Board & TEEX Commission representative Michael Hunt gave a brief update on the committee's actions since the last commission meeting.
6. Report on Homeland Security Council Commission Representative, Joseph Gonzalez, informed commissioners the committee met on September 23, 2014 with discussion on the Homeland Security Strategic Plan and the next generation 911 system.
7. New Matters None identified

8. Future meeting dates The commission scheduled its next meeting for January 29, 2015 beginning at 10:00 a.m.
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9. Report Regarding attachment Tim Rutland, Executive Director informed commissioners the committee will be meeting on commission study October 28, 2014 to review information received from the questionnaires that were sent out. He also stated the committee's goal is to complete its final report and recommendations before the start of the legislative session in January 2015.
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10. Matters from Fire Fighter Advisory Committee
- A. 1. A motion to approve for final adoption the proposed amendments to 37 TAC, Chapter 441, §§441.7, 441.11, 441.13, 441.15, 441.17, 441.19 and 441.21 as discussed was made by John Gillette and seconded by Elroy Carson. The motion carried.
2. A motion to send 37 TAC, Chapter 449, back to the fire fighter advisory committee and Head of Department Ad-Hoc committee for further review and discussion of all comments received both written and from public testimony at the commission meeting was made by John Gillette and seconded by Joseph Gonzalez. The motion carried. (6 for, 2 against)
3. A motion to approve for final adoption the proposed amendments to 37 TAC, Chapter 457, §457.3 as discussed was made by Carl Giles and seconded by Elroy Carson. The motion carried.
- B. 1. A motion to propose for publication proposed amendments to 37 TAC, Chapter 401, §§401.1, 401.3, 401.21, 401.23, 401.31, 401.41, 401.43, 401.45, 401.47, 401.49, 401.51, 401.53, 401.55, 401.57, 401.59, 401.61, 401.63, 401.65, 401.101, 401.103, 101.105, 401.121, 401.127, 401.129, and 401.131 as discussed was made by Elroy Carson and seconded by Carl Giles. The motion carried.
2. A motion to propose for publication proposed amendments to 37 TAC, Chapter 445, §§445.7, 445.9, 445.11, 445.13, 445.15, as discussed was made by Pat Ekiss and seconded by John McMakin. The motion carried.
- C. A motion to approve the recommended changes to the reference lists for Fire Officer I, Fire Officer II, Fire Officer III, and Fire Officer IV as discussed was made by John Gillette and seconded by Carl Giles. The motion carried.
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11. 37 TAC, Chapter 403 Commissioner Gillette advised other commission members the previous scheduled meeting had to be cancelled and the ad-hoc committee would be meeting after the commission meeting to discuss Chapter 403. The Ad-hoc committee will provide an update at the January 2015 commission meeting.
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12. Matters from Executive Director
- a. Tim Rutland, Executive Director reported no informal conferences had occurred since the last commission meeting.
- b. Mr. Rutland reminded commissioners of the grandfathering issue made by the International Fire Service Accreditation Congress (IFSAC) committee. He stated staff would be reviewing the issue for possible discussion at the next fire fighter advisory committee meeting in December 2014.

- c. After discussion, the commissioners directed the executive director to meet with the Texas Department of Insurance (TDI) to gather information on the issue and report back to the commissioners at its January 2015 meeting.

13. Executive
Session

Presiding Officer, Steve Tull called for the Executive Session at 2:16 p.m.

14. Open
Session

Presiding Officer, Steve Tull called for open session at 2:26 p.m. No action taken.

15. Adjournment

Presiding Officer, Steve Tull adjourned the meeting.

Steve Tull, Presiding Officer

- 3. The Budget and Strategic Plan subcommittees may meet separately or together on January 29, 2015 during the commission meeting and provide reports for discussion and possible action relating to any recommendations developed by the subcommittees, including but not limited to, modifications to the agency operating budget and strategic plan.**

Key	Division	FY15 1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	FY15 YTD Sum	FY15 Target	% Target ytd/tar	Measures/Explanation
Output		<i>A quantifiable indicator of the number of goods or services an agency produces</i>							
	<input type="checkbox"/>	Lib	01-01-01:01	85		85	300	28%	Number of requests for agency library resources.
						Cumulative			
	<input checked="" type="checkbox"/>	Lib	01-01-01:02	29		29	270	11%	Number of research requests for agency information resource center.
						Cumulative			
	<input checked="" type="checkbox"/>	Std	02-01-01:01	230		230	1,175	20%	Number of inspections of regulated entities.
						Cumulative			
	<input type="checkbox"/>	Std	02-01-01:02	2,118		2,118	10,500	20%	Number of new certifications issued to individuals.
						Cumulative			
	<input type="checkbox"/>	Std	02-01-01:03	29,655		29,655	31,200	95%	Number of certifications renewed (individuals).
						Cumulative			
	<input checked="" type="checkbox"/>	Std	02-01-01:04	1,776		1,776	9,560	19%	Number of examinations administered.
						Cumulative			
	<input type="checkbox"/>	Adm	04-01-01:01			\$0	\$13,000	0%	Dollar value of HUB contracts awarded. From semi-annual Comptroller report
						Cumulative			
Explanatory		<i>(Annual) An indicator of factors, agency resources, or requests received that affect a state entity's performance.</i>							
	<input checked="" type="checkbox"/>	Std	02-01-01:01	89.02%		89.02%	91%	98%	Pass Rate (Percent)
						Non-Cumulative			
	<input checked="" type="checkbox"/>	Std	02-01-01:02	30,137		30,137	31,500	96%	Number of individuals certified by the Commission.
						Non-Cumulative			
	<input checked="" type="checkbox"/>	Std	02-01-01:03	252		252	275	92%	Number of training providers certified by the Commission.
						Non-Cumulative			

Cumulative Measure: A measure for which one quarter's performance can be added to a previous quarter's performance to obtain year-to-date performance; otherwise, a measure is non-cumulative.

Non-Cumulative Measure: A measure which, in order to determine year-to-date performance, must be calculated for the entire reporting period and not on the basis of adding together the performance

Key	Division	FY15 1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	FY15 YTD Sum	FY15 Target	% Target ytd/tar	Measures/Explanation
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from separate reporting periods

Efficiency *A quantifiable indicator of productivity expressed in unit costs, units of time, or other ratio-based units*

Std 02-01-01:01 \$435 \$435 \$400 109% **Average cost per inspection of regulated facilities.**

Non-Cumulative

Outcome (Annual) *A quantifiable indicator of the public and customer benefits from an agency's actions*

Std 02-01:01 45 45 175 26% **Number of inspected entities with uncorrected violations.**

Cumulative

Fin 04-01:01 #DIV/0! 10% #DIV/0! **Percent of total dollar value of purchasing contracts awarded to HUBs. From semi-annual Comptroller report**

Non-Cumulative

Note: Explanations are provided for measures that are 5% or more off target.

Texas Commission on Fire Protection

Fiscal Year 2015 - Operating Budget

Thru: December 31, 2014

Summary

Goals:	FY15 Budget	FY15 Expended	Balance	%
Education, Information and Assistance	88,457.66	29,763.60	58,694.06	
Fire Department Standards	824,733.53	258,029.98	566,703.55	
Indirect Administration	709,480.02	192,218.38	517,261.64	
1001 - Salaries & Wages:	1,622,671.21	480,011.96	1,142,659.25	70%
Education, Information and Assistance	1,928.37	208.80	1,719.57	
Fire Department Standards	22,039.08	11,862.98	10,176.10	
Indirect Administration	35,233.96	16,520.82	18,713.14	
1002 - Other Personnel Costs	59,201.41	28,592.60	30,608.81	52%
Education, Information and Assistance	100.00	-	100.00	
Fire Department Standards	3,000.00	-	3,000.00	
Indirect Administration	16,900.00	16,769.80	130.20	
2001 - Professional Fees and Services:	20,000.00	16,769.80	3,230.20	16%
Education, Information and Assistance	1,205.00	975.64	229.36	
Fire Department Standards	10,100.00	1,627.62	8,472.38	
Indirect Administration	4,071.40	499.60	3,571.80	
2003 - Consumable Supplies:	15,376.40	3,102.86	12,273.54	80%
Education, Information and Assistance	-	-	-	
Fire Department Standards	12,300.00	2,628.52	9,671.48	
Indirect Administration	-	-	-	
2004 - Utilities:	12,300.00	2,628.52	9,671.48	79%
Education, Information and Assistance	1,500.00	-	1,500.00	
Fire Department Standards	70,800.00	19,305.59	51,494.41	
Indirect Administration	29,300.00	4,792.10	24,507.90	
2005 - Travel:	101,600.00	24,097.69	77,502.31	76%
Education, Information and Assistance	180.00	2.59	177.41	
Fire Department Standards	200.00	21.93	178.07	
Indirect Administration	2,000.00	135.48	1,864.52	
2006 - Rent - Building (storage):	2,380.00	160.00	2,220.00	93%
Education, Information and Assistance	1,117.23	321.91	795.32	
Fire Department Standards	10,353.93	2,736.36	7,617.57	
Indirect Administration	6,000.00	1,931.51	4,068.49	
2007 - Rent - Machine and Other:	17,471.16	4,989.78	12,481.38	71%
Education, Information and Assistance	17,368.50	984.08	16,384.42	
Fire Department Standards	76,493.12	27,495.14	48,997.98	
Indirect Administration	32,383.91	8,064.03	24,319.88	
2009 - Other Operating Expense:	126,245.54	36,543.25	89,702.29	71%
Education, Information and Assistance	-	-	-	
Fire Department Standards	17,500.00	2,236.61	15,263.39	
Indirect Administration	-	-	-	
4000 - Grants:	17,500.00	2,236.61	15,263.39	87%
Education, Information and Assistance	-	-	-	
Fire Department Standards	-	-	-	

Texas Commission on Fire Protection

Fiscal Year 2015 - Operating Budget

Thru: December 31, 2014

Summary

Goals:	FY15	FY15	Balance	%
	Budget	Expended		
Indirect Administration	-	-	-	
5000 - Capital Expenditures:	-	-	-	0%
TOTAL - ALL EXPENDITURES	1,994,745.72	599,133.07	1,395,612.65	70%

Texas Commission on Fire Protection

Fiscal Year 2015 - Operating Budget

Thru: December 31, 2014

Goal A: Education, Info and Assistance

	Library	IT	Grants	Total	%	
	Budget:	88,457.66	0.00	0.00	88,457.66	0
	Expended:	29,763.60	0.00	0.00	29,763.60	
1001 - Balance Salaries & Wages:	58,694.06	0.00	0.00	58,694.06	66%	
Other Personnel Costs:						
7040- ERS-Retirement Contribution	148.80	0.00		148.80		
	Budget:	1,928.37	0.00	0.00	1,928.37	0
	Expended:	208.80	0.00	0.00	208.80	
1002 - Balance Other Personnel Costs	1,719.57	0.00	0.00	1,719.57	89%	
Professional Fees and Services:						
	Budget:	100.00	0.00	0.00	100.00	0
	Expended:	0.00	0.00	0.00	0.00	
2001 - Balance Professional Fees and Services:	100.00	0.00	0.00	100.00	100%	
	Budget:	555.00	650.00	0.00	1,205.00	0
	Expended:	100.68	874.96	0.00	975.64	
2003 - (7300) Balance Consumable Supplies:	454.32	-224.96	0.00	229.36	19%	
Utilities:						
	Budget:	0.00	0.00	0.00	0.00	0
	Expended:	0.00	0.00	0.00	0.00	
2004 - Balance Utilities:	0.00	0.00	0.00	0.00	0%	
Travel:						
	Budget:	1,500.00	0.00	0.00	1,500.00	0
	Expended:	0.00	0.00	0.00	0.00	
2005 - Balance Travel:	1,500.00	0.00	0.00	1,500.00	100%	
	Budget:	180.00	0.00	0.00	180.00	0
	Expended:	2.59	0.00	0.00	2.59	
2006 - (7470) Balance Rent - Building (storage):	177.41	0.00	0.00	177.41	99%	
Rent - Machine and Other:						
7411- Rental - Computer Equipment	106.75	0.00		106.75		
	Budget:	1,117.23	0.00	0.00	1,117.23	0
	Expended:	321.91	0.00	0.00	321.91	
2007 - Balance Rent - Machine and Other:	795.32	0.00	0.00	795.32	71%	
Other Operating Expense:						
7042- ERS Insurance Payment	297.64	0.00		297.64		
7201- Membership Dues	10.00	0.00		10.00		
7291- Postage & Postal Services	288.09	0.00		288.09		
7377- Computer Equipment - Expensed	4.96	0.00		4.96		
	Budget:	17,368.50	0.00	0.00	17,368.50	0
	Expended:	984.08	0.00	0.00	984.08	
2009 - Balance Other Operating Expense:	16,384.42	0.00	0.00	16,384.42	94%	
Grants:						
	Budget:	0.00	0.00	0.00	0.00	0
	Expended:	0.00	0.00	0.00	0.00	
4000 - Balance Grants:	0.00	0.00	0.00	0.00	0%	

Texas Commission on Fire Protection

Fiscal Year 2015 - Operating Budget

Thru: December 31, 2014

Goal A: Education, Info and Assistance

	Library	IT	Grants	Total	%
Capital Expenditures:					
Budget:	0.00	0.00	0.00	0.00	0
Expended:	0.00	0.00	0.00	0.00	
5000 - Balance Capital Expenditures:	0.00	0.00	0.00	0.00	0%
Budget:	111,206.76	650.00	0.00	111,856.76	
Expended:	31,381.66	874.96	0.00	32,256.62	
TOTAL BALANCE	79,825.10	(224.96)	0.00	79,600.14	71%

Texas Commission on Fire Protection

Fiscal Year 2015 - Operating Budget

Thru: December 31, 2014

Goal B: Fire Department Standards

	Mgmt	Complnc	Cert	Testing	Curr Dev	Total	%
Budget:	0.00	364,731.88	197,542.47	215,568.00	46,891.18	824,733.53	0.00
Expended:	0.00	114,177.67	65,706.16	60,810.15	17,336.00	258,029.98	
1001 - Balance Salaries & Wages:	0.00	250,554.21	131,836.31	154,757.85	29,555.18	566,703.55	69%
Other Personnel Costs:							
7017- One-Time Merit	0.00	0.00	5,000.00	0.00	0.00	5,000.00	
7022- Longevity Pay	0.00	1,760.00	2,000.00	1,600.00	240.00	5,600.00	
7023- Lump Sum Termination	0.00	0.00	0.00	0.00	0.00	0.00	
7033- Employee Retirement - Other expenses	0.00	0.00	0.00	0.00	0.00	0.00	
7040- ERS Retirement Contribution	0.00	570.88	328.52	276.90	86.68	1,262.98	
7984- Unemployment/TWC	0.00	0.00	0.00	0.00	0.00	0.00	
Budget:	0.00	8,276.28	4,642.15	8,193.47	927.18	22,039.08	0
Expended:	0.00	2,330.88	7,328.52	1,876.90	326.68	11,862.98	
1002 - Balance Other Personnel Costs	0.00	5,945.40	2,686.37	6,316.57	600.50	10,176.10	46%
Professional Fees and Services:							
Budget:	3,000.00	0.00	0.00	0.00	0.00	3,000.00	0.00
Expended:	0.00	0.00	0.00	0.00	0.00	0.00	
2001 - Balance Professional Fees and Serv	3,000.00	0.00	0.00	0.00	0.00	3,000.00	100%
Budget:	3,016.00	700.00	3,984.00	2,300.00	100.00	10,100.00	0.00
Expended:	418.96	404.46	105.00	699.20	0.00	1,627.62	
2003 - (7300) Balance Consumable Supplies	2,597.04	295.54	3,879.00	1,600.80	100.00	8,472.38	84%
Utilities:							
Budget:	0.00	12,300.00	0.00	0.00	0.00	12,300.00	0.00
Expended:	0.00	2,628.52	0.00	0.00	0.00	2,628.52	
2004 - Balance Utilities:	0.00	9,671.48	0.00	0.00	0.00	9,671.48	79%
Travel:							
7101- Travel I/S - Public Transportation Fares	0.00	5,338.79	160.47	226.47	0.00	5,725.73	
7102- Mileage	0.00	3,154.29	0.00	140.49	0.00	3,294.78	
7106- Travel I/S - Meals & Lodging	0.00	6,877.98	226.32	0.00	0.00	7,104.30	
Budget:	0.00	41,117.33	1,700.00	27,182.67	800.00	70,800.00	0.00
Expended:	0.00	18,263.54	507.20	534.85	0.00	19,305.59	
2005 - Balance Travel:	0.00	22,853.79	1,192.80	26,647.82	800.00	51,494.41	73%
Budget:	100.00	0.00	100.00	0.00	0.00	200.00	0
Expended:	21.93	0.00	0.00	0.00	0.00	21.93	
2006 - Balance Rent - Building :	78.07	0.00	100.00	0.00	0.00	178.07	89%
Rent - Machine and Other:							
7411- Rental - Computer Equipment	907.50	0.00	0.00	0.00	0.00	907.50	
Budget:	10,353.93	0.00	0.00	0.00	0.00	10,353.93	0.00
Expended:	2,736.36	0.00	0.00	0.00	0.00	2,736.36	
2007 - Balance Rent - Machine and Other:	7,617.57	0.00	0.00	0.00	0.00	7,617.57	74%

Texas Commission on Fire Protection

Fiscal Year 2015 - Operating Budget

Thru: December 31, 2014

Goal B: Fire Department Standards

	Mgmt	Complnc	Cert	Testing	Curr Dev	Total	%
Other Operating Expense:							
7042- ERS Insurance Payment	0.00	1,125.68	657.04	538.60	173.36	2,494.68	
7204- Insurance Premiums and Deductibles	0.00	78.00	0.00	0.00	0.00	78.00	
7219 Fees for Receiving Electronic Payments	0.00	0.00	13,482.38	0.00	0.00	13,482.38	
7273- Reproduction & Printing	134.46	12.50	0.00	1,143.65	0.00	1,290.61	
7276- Communication Services (T-1 Line)	1,096.78	396.36	0.00	0.00	0.00	1,493.14	
7286- Freight & Delivery Services	0.00	0.00	0.00	2,325.96	0.00	2,325.96	
7291- Postage & Postal Services	2,448.70	0.00	0.00	0.00	0.00	2,448.70	
7299- Purchased Contracted Services	57.57	0.00	0.00	0.00	0.00	57.57	
7334- Furnishings & Equipment -Expensed	265.54	461.67	0.00	0.00	0.00	727.21	
7335- Parts -Computer Equipment - Expensed	30.71	0.00	0.00	0.00	0.00	30.71	
7367- Personal Property - Maint & Repair	0.00	0.00	0.00	1,037.00	0.00	1,037.00	
7377- Computer Equipment - Expensed	42.23	89.94	222.00	0.00	0.00	354.17	
7806- Interest on Delayed Payment	0.14	0.23	0.00	1.00	0.00	1.37	
7961- STS Transfers-Telecommunications (TexA	436.71	0.00	0.00	0.00	0.00	436.71	
7962- STS transfer to GR (CCTS)	1,236.93	0.00	0.00	0.00	0.00	1,236.93	
Budget:	26,000.00	7,400.00	19,593.12	22,900.00	600.00	76,493.12	0.00
Expended:	5,749.77	2,164.38	14,361.42	5,046.21	173.36	27,495.14	
2009 - Balance Other Operating Expense:	20,250.23	5,235.62	5,231.70	17,853.79	426.64	48,997.98	64%
Grants:							
Budget:	0.00	0.00	17,500.00	0.00	0.00	17,500.00	0.00
Expended:	0.00	0.00	2,236.61	0.00	0.00	2,236.61	
4000 - Balance Grants:	0.00	0.00	15,263.39	0.00	0.00	15,263.39	87%
Capital Expenditures:							
Budget:	0.00	0.00	0.00	0.00	0.00	0.00	0
Expended:	0.00	0.00	0.00	0.00	0.00	0.00	
5000 - Balance Capital Expenditures:	0.00	0.00	0.00	0.00	0.00	0.00	0%
Budget:	42,469.93	434,525.49	245,061.74	276,144.14	49,318.36	1,047,519.67	0.00
Expended:	8,927.02	139,969.45	90,244.91	68,967.31	17,836.04	325,944.73	
TOTAL BALANCE	33,542.91	294,556.04	154,816.83	207,176.83	31,482.32	721,574.94	69%
		434,525.49	227,561.74	276,144.14	49,318.36		

Current Costs for Performance Measures: salaries, other personnel costs, consumables, travel:

	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	After FY	Total
4006 - Certification	56,131.01	17,515.87				73,646.88
4005 - Compliance	100,233.94	34,942.61				135,176.55
4007 - Testing	46,992.21	16,928.89				63,921.10

Texas Commission on Fire Protection

Fiscal Year 2015 - Operating Budget

Thru: December 31, 2014

Goal C: Indirect Administration

	Exec Office	Fin Svcs	Commis	Total	%	
	Budget:	520,101.26	189,378.76	0.00	709,480.02	0.00
	Expended:	141,331.16	50,887.22	0.00	192,218.38	
1001 - Balance Salaries & Wages:	378,770.10	138,491.54	0.00	517,261.64	73%	
Other Personnel Costs:						
7022- Longevity Pay	1,900.00	320.00	0.00	2,220.00		
7033- Employee Retirement - Other expenses	0.00	475.06	0.00	475.06		
7040- ERS Retirement Contribution	595.08	230.68	0.00	825.76		
	Budget:	16,078.30	19,155.66	0.00	35,233.96	0.00
	Expended:	10,495.08	6,025.74	0.00	16,520.82	
1002 - Balance Other Personnel Costs	5,583.22	13,129.92	0.00	18,713.14	53%	
Professional Fees and Services:						
7274- Temporary Employment Agencies	13,456.80	0.00	0.00	13,456.80		
	Budget:	8,900.00	8,000.00	0.00	16,900.00	0.00
	Expended:	13,456.80	3,313.00	0.00	16,769.80	
2001 - Balance Professional Fees and Services:	(4,556.80)	4,687.00	0.00	130.20	1%	
	Budget:	1,549.40	2,522.00	0.00	4,071.40	0.00
	Expended:	99.69	399.91	0.00	499.60	
2003 - (7300) Balance Consumable Supplies:	1,449.71	2,122.09	0.00	3,571.80	88%	
Utilities:						
	Budget:	0.00	0.00	0.00	0.00	0.00
	Expended:	0.00	0.00	0.00	0.00	
2004 - Balance Utilities:	0.00	0.00	0.00	0.00	#DIV/0!	
Travel:						
7101- Travel I/S - Public Transportation Fares	153.96	0.00	1,056.51	1,210.47		
	Budget:	2,500.00	3,800.00	23,000.00	29,300.00	0.00
	Expended:	354.72	1,118.93	3,318.45	4,792.10	
2005 - Balance Travel:	2,145.28	2,681.07	19,681.55	24,507.90	84%	
Rent:						
7462- Rent office space - building	0.00	0.00	0.00	0.00		
7470- Rent Space - storage	120.00	15.48	0.00	135.48		
	Budget:	240.00	1,760.00	0.00	2,000.00	0
	Expended:	120.00	15.48	0.00	135.48	
2006 - (7470) Balance Rent - Building (storage):	120.00	1,744.52	0.00	1,864.52	93%	
Rent - Machine and Other:						
7406- Rental - Furnishings & Equipment (copier)	0.00	1,290.96	0.00	1,290.96		
7411- Rental - Computer Equipment	0.00	640.55	0.00	640.55		
	Budget:	0.00	6,000.00	0.00	6,000.00	0.00
	Expended:	0.00	1,931.51	0.00	1,931.51	
2007 - Balance Rent - Machine and Other:	0.00	4,068.49	0.00	4,068.49	68%	

Texas Commission on Fire Protection

Fiscal Year 2015 - Operating Budget

Thru: December 31, 2014

Goal C: Indirect Administration

	Exec Office	Fin Svcs	Commis	Total	%
Other Operating Expense:					
7042- ERS Insurance Payment	1,250.15	429.71	0.00	1,679.86	
7201- Membership Dues	75.00	0.00	0.00	75.00	
7291- Postage & Postal Services	0.00	1,728.51	0.00	1,728.51	
7299- Purchased Contracted Services	0.00	40.65	0.00	40.65	
7334- Furnishings & Equipment -Expensed	0.00	187.44	0.00	187.44	
7335- Parts -Computer Equipment - Expensed	0.00	21.68	0.00	21.68	
7377- Computer Equipment - Expensed	49.99	94.81	0.00	144.80	
7806- Interest on Delayed Payment	0.00	0.10	0.00	0.10	
7947- Workers Compensation Transfer (SORM)	0.00	1,584.97	0.00	1,584.97	
7961- STS Transfers-Telecommunications (TexAn)	0.00	308.26	0.00	308.26	
7962- STS transfer to GR (CCTS)	0.00	873.12	0.00	873.12	
Budget:	12,409.59	19,974.32	0.00	32,383.91	0.00
Expended:	1,412.64	6,616.39	35.00	8,064.03	
2009 - Balance Other Operating Expense:	10,996.95	13,357.93	(35.00)	24,319.88	75%
Capital Expenditures:					
Budget:	561,778.55	250,590.74	23,000.00	835,369.29	0.00
Expended:	167,270.09	70,308.18	3,353.45	240,931.72	
TOTAL - BALANCE	394,508.46	180,282.56	19,646.55	594,437.57	71%

- 4. Reports from fire service interest groups and agencies on matters relating to organizational purposes, functions, and objectives, including, but not limited to, the Texas Fire Chiefs Association, the Texas State Association of Fire Fighters, the State Firemen's and Fire Marshals' Association of Texas, the Texas Association of Fire Educators, the Texas A&M Texas Forest Service, the National Fire Protection Association, Texas State Association of Fire and Emergency Districts, and the State Fire Marshal's Office.**

5. **Discussion and possible action concerning reports by the commission representative to the Texas Fire School Advisory Board and by representatives of the Texas Engineering Extension Service (TEEX) regarding fire protection training provided by TEEX through its Emergency Services Training Institute (ESTI).**

6. Discussion and possible action regarding report from commission representative to the Homeland Security Council.

- 7. New matters from the commission, staff, or public which may be discussed in future commission meetings.**

8. Discussion and possible action on future meeting dates.

9. Discussion and possible action regarding report from Structure/Proximity protective clothing work group.

10. Discussion and possible action on report from the Executive Director regarding status of commission study on the administrative attachment of the commission to another state agency.

11. Matters referred from the Fire Fighter Advisory Committee (FFAC), including but not limited to:

A. Discussion and possible final adoption on proposed amendments, new sections, and repeals as follows:

- 1. Discussion and possible action regarding proposed rule changes to title 37 TAC, Chapter 401, Practice and Procedure.**



Texas Commission on Fire Protection

Agenda Item Summary

MEETING: Commission

DATE: 1/29/2015

Agenda Item: 11.A.1
Agenda Title: Rule changes, 37, TAC, Chapter 401, Practice and Procedure
Action to be taken: Discussion, possible final adoption
Origin of Item: Legal counsel, staff

INTRODUCTION/PURPOSE

Update language in Chapter 401 regarding administrative practice and procedure

DESCRIPTION/ JUSTIFICATION

The recommended changes would update rule language so as to be in accordance with current statewide practices and procedures, and procedures of State Office of Administrative Hearings (SOAH).

BUDGET IMPACT

No budget impact anticipated

TIMELINE CONSIDERATIONS

If adopted, becomes effective 20 days following receipt by Texas Register.

RECOMMENDATION

Adoption recommended by advisory committee. No public comments received.

****SPECIAL NOTE**:** Additional recommendation by staff regarding reinstatement of deleted language in Subchapter G, §401.105

REFERENCES

37 TAC, Section 13, Chapter 401

CHAPTER 401

ADMINISTRATIVE PRACTICE AND PROCEDURE

SUBCHAPTER A

GENERAL PROVISIONS AND DEFINITIONS

§401.1 Purpose and Scope.

- (a) Purpose. The purpose of this chapter is to provide a system of procedures for practice before the **commission** [~~Texas Commission on Fire Protection~~] that will promote the just and efficient disposition of proceedings and public participation in the decision-making process. The provisions of this chapter shall be given a fair and impartial construction to attain these objectives.
- (b) Scope.
- (1) This chapter shall govern the initiation, conduct, and determination of proceedings required or permitted by law in matters regulated by the commission, whether instituted by order of the commission or by the filing of an application, complaint, petition, or any other pleading.
 - (2) This chapter shall not be construed so as to enlarge, diminish, modify, or otherwise alter the jurisdiction, powers, or authority of the commission, its staff, or the substantive rights of any person.
 - (3) This chapter shall not apply to matters related solely to the internal personnel rules and practices of this agency.
 - (4) To the extent that any provision of this chapter is in conflict with any statute or substantive rule of the commission, the statute or substantive rule shall control.
 - (5) In matters referred to the State Office of Administrative Hearings (SOAH), hearings or other proceedings are governed by 1 TAC Chapter 155 (relating to Rules of Procedures) adopted by SOAH [~~effective January 2, 1998~~]. To the extent that any provision of this chapter is in conflict with SOAH Rules of Procedures, the SOAH rules shall control.

§401.3 Definitions.

The following terms, when used in this chapter, shall have the following meanings, unless the context or specific language of a section clearly indicates otherwise:

- (1) Advisory Committee--An advisory committee that is required to assist the commission in its rule-making function and whose members are appointed by the commission pursuant to Government Code, §419.008, or other law.
- (2) Agency--Includes the commission, the executive director, and all divisions, departments, and employees thereof.
- (3) APA--Government Code, Chapter 2001, The Administrative Procedure Act, as it may be amended from time to time.
- (4) Applicant--A person, including the commission staff, who seeks action from the commission by written application, petition, complaint, notice of intent, appeal, or other pleading that initiates a proceeding.
- (5) Application--A written request seeking a license from the commission, petition, complaint, notice of intent, appeal, or other pleading that initiates a proceeding.

- (6) Authorized Representative--A person who enters an appearance on behalf of a party, or on behalf of a person seeking to be a party or otherwise to participate in a commission proceeding.
- (7) Chairman--The commissioner who serves as presiding officer of the commission pursuant to Government Code, §419.007.
- (8) Commission--The Texas Commission on Fire Protection.
- (9) Commissioner--One of the appointed members of the decision-making body defined as the commission.
- (10) Complainant--Any person, including the commission's legal staff, who files a signed written complaint intended to initiate a proceeding with the commission regarding any act or omission by a person subject to the commission's jurisdiction.
- (11) Contested Case--A proceeding, including but not restricted to, the issuance of certificates, licenses, registrations, permits, etc., in which the legal rights, duties, or privileges of a party are to be determined by the agency after an opportunity for adjudicative hearing.
- (12) Days--Calendar days, not working days, unless otherwise specified in this chapter or in the commission's substantive rules.
- (13) Division--An administrative unit for regulation of specific activities within the commission's jurisdiction.
- (14) Executive Director--The executive director appointed by the commission pursuant to Government Code, §419.009.
- (15) Hearings Officer--An administrative law judge on the staff of the State Office of Administrative Hearings assigned to conduct a hearing and to issue a proposal for decision, including findings of fact and conclusions of law, in a contested case pursuant to Government Code, Chapter 2003.
- (16) License--Includes the whole or part of any agency permit, certificate, approval, registration, license, or similar form of permission required or permitted by law.
- (17) Licensee--A person who holds an agency permit, certificate, approval, registration, license, or similar form of permission required or permitted by law.
- (18) Licensing--Includes the agency process respecting the granting, denial, renewal, revocation, suspension, annulment, withdrawal, or amendment of a license.
- (19) Party--Each person or agency named or admitted as a party in a contested case.
- (20) Person--Any individual, partnership, corporation, association, governmental subdivision, or public or private organization of any character other than the commission.
- (21) Pleading--A written document submitted by a party, or a person seeking to participate in a proceeding, setting forth allegations of fact, claims, requests for relief, legal argument, and/or other matters relating to a commission proceeding.
- (22) Preliminary Staff Conference -- A conference with commission staff for the purpose of showing compliance with all requirements of law, or to discuss informal disposition of any complaint or contested case.**
- (23)**~~(22)~~ Presiding Officer--The chairman, the acting chairman, the executive director, or a duly authorized hearings officer.

~~(24)~~²³) Proceeding--Any hearing, investigation, inquiry, or other fact-finding or decision-making procedure, including the denial of relief or the dismissal of a complaint.

~~(25)~~²⁴) Respondent--A person under the commission's jurisdiction against whom any complaint or appeal has been filed or who is under formal investigation by the commission.

(26) SOAH – State Office of Administrative Hearings.

§401.5 Delegation of Authority.

All decisions to suspend, revoke, or deny an application for any certificate or approval, to reprimand or place on probation the holder of such certificate or approval, or to impose an order for restitution, remedial action, or administrative penalties pursuant to Government Code, Chapter 419, shall be made by the executive director or designee.

§401.7 Construction.

- (a) A provision of a rule referring to the commission, the executive director, or a provision referring to the presiding officer, is construed to apply to the commission or chairman if the matter is within the jurisdiction of the commission, to the executive director if the matter is within the jurisdiction of the executive director.
- (b) Unless otherwise provided by law, any duty imposed on the commission, the chairman, or the executive director may be delegated to a duly authorized representative. In such case, the provisions of any rule referring to the commission, the chairman, or the executive director, shall be construed to also apply to the duly authorized representative of the commission, the chairman, or the executive director.

§401.9 Records of Official Action.

All official acts of the commission or the executive director shall be evidenced by a recorded or written record. Official action of the commission or the executive director shall not be bound or prejudiced by any informal statement or opinion made by any member of the commission, the executive director, or the employees of the agency.

§401.11 Conduct of Commission and Advisory Meetings.

- (a) Statements concerning items which are part of the commission's posted agenda. Persons who desire to make presentations to the commission concerning matters on the agenda for a scheduled commission or fire fighter advisory committee meeting shall complete registration cards which shall be made available at the entry to the place where the scheduled meeting is to be held. The registration cards shall include blanks in which all of the following information must be disclosed:
 - (1) name of the person making a presentation;
 - (2) a statement as to whether the person is being reimbursed for the presentation; and if so, the name of the person or entity on whose behalf the presentation is made;
 - (3) a statement as to whether the presenter has registered as a lobbyist in relationship to the matter in question;
 - (4) a reference to the agenda item which the person wishes to discuss before the commission;
 - (5) an indication as to whether the presenter wishes to speak for or against the proposed agenda item; and
 - (6) a statement verifying that all factual information to be presented shall be true and correct to the best of the knowledge of the speaker.

- (b) Discretion of the presiding officer. The presiding officer of the commission or the advisory committee, as the case may be, shall have discretion to employ any generally recognized system of parliamentary procedures, including, but not limited to Robert's Rules of Order for the conduct of commission or committee meetings, to the extent that such parliamentary procedures are consistent with the Texas Open Meetings Act or other applicable law and these rules. The presiding officer shall also have discretion in setting reasonable limits on the time to be allocated for each matter on the agenda of a scheduled commission meeting or advisory committee meeting and for each presentation on a particular agenda item. If several persons wish to address the commission or advisory committee on the same agenda item, it shall be within the discretion of the chair to request that persons who wish to address the same side of the issue coordinate their comments, or limit their comments to an expression in favor of views previously articulated by persons speaking on the same side of an issue.
- (c) Requests for issues to be placed on an agenda for discussion. Persons who wish to bring issues before the commission shall first address their request in writing to the Executive Director. Such requests should be submitted at least 15 days in advance of commission or fire fighter advisory committee meetings. The decision whether to place a matter on an agenda for discussion before the full commission, or alternatively before the fire fighter advisory committee, or with designated staff members, shall be within the discretion of the appropriate presiding officer.

§401.13 Computation of Time.

- (a) Computing Time. In computing any period of time prescribed or allowed by these rules, by order of the Agency, or by any applicable statute, the period shall begin on the day after the act, event, or default in controversy and conclude on the last day of such computed period, unless it be a Saturday, Sunday, or a legal holiday, in which event, the period runs until the end of the next day which is neither a Saturday, Sunday, nor a legal holiday. A party or attorney of record notified under §401.61 of this title (relating to Record) is deemed to have been notified on the date which notice is sent.
- (b) Extensions. Unless otherwise provided by statute, the time for filing any pleading, except a notice of protest, may be extended by order of the executive director or designee, upon the following conditions:
- (1) A written motion must be duly filed with the executive director or designee prior to the expiration of the applicable period of time allowed for such filings.
 - (2) The written motion must show good cause for such extension and that the need is not caused by the neglect, indifference, or lack of diligence on the part of the movant.
 - (3) A copy of any such motion shall be served upon all other parties of record to the proceeding contemporaneously with the filing thereof.

§401.15 Agreements To Be in Writing.

- (a) Unless precluded by law, informal disposition may be made of any contested case by stipulation, agreed settlement, consent order, or default.
- (b) No stipulation or agreement between the parties, their attorneys or representatives, with regard to any matter involved in any proceeding before the Agency, shall be enforced unless it shall have been reduced to writing and signed by the parties or their authorized representatives, or unless it shall have been dictated into the record by them during the course of a hearing, or incorporated in an order bearing their written approval. This rule does not limit a party's ability to waive, modify, or stipulate any right or privilege afforded by these rules, unless precluded by law.

SUBCHAPTER B

RULEMAKING PROCEEDINGS

§401.17 Requirements.

Except for the requirements of mandatory rule development by the fire fighter advisory committee provided for by law, the procedure for rulemaking is governed by Subchapter B of the Administrative Procedure Act (APA).

§401.19 Petition for Adoption of Rules.

- (a) Any person may petition the commission requesting the adoption of a new rule or an amendment to an existing rule as authorized by the APA, §2001.021.
- (b) Petitions shall be sent to the executive director. Petitions shall be deemed sufficient if they contain:
 - (1) the name and address of the person or entity on whose behalf the application is filed;
 - (2) specific reference to the existing rule which is proposed to be changed, amended, or repealed;
 - (3) the exact wording of the new, changed, or amended proposed rule with new language underlined and deleted language dashed out;
 - (4) the proposed effective date; and
 - (5) a justification for the proposed action set out in narrative form with sufficient particularity to inform the commission and any other interested person of the reasons and arguments on which the petitioner is relying.
- (c) The executive director shall direct that the petition for adoption of rules be placed on the next agenda for discussion by the commission or the fire fighter advisory committee with subject matter jurisdiction in accordance with §401.11 of this title (relating to Conduct of Commission and Advisory Meetings).
- (d) A request for clarification of a rule shall be treated as a petition for a rule change. The commission staff may request submission of additional information from the applicant to comply with the requirements of subsection (b) of this section.

SUBCHAPTER C

EXAMINATION APPEALS PROCESS

§401.21 Examination Challenge.

- (a) An examinee who seeks to challenge the failure of an examination must submit a written request **to the executive director or his designee** ~~[for an informal conference to the Fire Service Standards and Certification division director-]~~ to discuss informal disposition of the complaint(s).
- (b) An examination may be challenged only on the basis of examination content, failure to comply with commission rules by a certified training facility, or problems in the administration of the examination.
- (c) The written request must identify the examinee, the specific examination taken, the date of the examination, and the basis of the appeal.
- (d) An examinee who challenges the content of an examination must identify the subject matter of the question(s) challenged and is not entitled to review the examination due to the necessity of preserving test security.
- (e) The request must be submitted within 30 days from the date the grade report is posted on the website.
- (f) Commission staff shall schedule a **preliminary staff** conference with the applicant in accordance with §401.41 of this title (relating to Preliminary Staff Conference) to discuss the challenge within 30 days of the request or as soon as practical. The examinee may accept or reject the settlement recommendations of the commission staff. If the examinee rejects the proposed agreement, the examinee must request **in writing** a formal administrative hearing as described in Subchapter F of this chapter (relating to Contested Cases) within 30 days of the action complained of.

§401.23 Examination Waiver Request.

- (a) An individual who is required to take a commission examination may petition the commission for a waiver of the examination if the person's certificate or eligibility expired because of a good faith clerical error on the part of the individual or an employing entity.
- (b) The waiver request must include a sworn statement together with any supporting documentation that evidences the applicant's good faith efforts to comply with commission requirements and that failure to comply was due to circumstances beyond the control of the certificate holder or applicant.
- (c) Commission staff shall schedule a **preliminary staff** conference with the applicant in accordance with §401.41 of this title (relating to Preliminary Staff Conference) to discuss the waiver request within 30 days of the request, or as soon as practical. The applicant may accept or reject the settlement recommendations of the commission staff. If the examinee rejects the proposed agreement, the applicant must request **in writing** a formal administrative hearing as described in Subchapter F of this chapter (relating to Contested Cases) within 30 days of the action complained of.

SUBCHAPTER D

DISCIPLINARY PROCEEDINGS

§401.31 Disciplinary Proceedings in Contested Cases.

- (a) If the commission staff recommends administrative penalties or any other sanction[~~pursuant to Chapter 445 of this title (relating to Administrative Inspections and Penalties) or §401.105 of this title, (relating to Administrative Penalties)~~] for alleged violations of laws or rules[~~administered or enforced by the commission and its staff~~], the respondent may request a preliminary staff conference[~~in accordance with §401.41 of this title (relating to Preliminary Staff Conference)~~].
- (b) Commission staff shall schedule a **preliminary staff** [~~Preliminary Staff~~] conference with the applicant[~~in accordance with §401.41 of this title to (Preliminary Staff Conference)~~] to discuss the alleged violations of laws or rules within 30 days of the request or as soon as practical. The respondent may accept or reject the settlement recommendations of the commission staff. If the respondent rejects the proposed agreement, the respondent must request **in writing** a formal administrative hearing as described in Subchapter F of this chapter (relating to Contested Cases) within 30 days of the notice of the staff's recommended disciplinary action.

SUBCHAPTER E

PREHEARING PROCEEDINGS

§401.41 Preliminary Staff Conference.

- (a) General. After receipt of [~~preliminary~~] notice of alleged violations of laws or rules administered or enforced by the commission and its staff, the holder of the certificate, applicant or regulated entity may request a conference with the commission's staff for the purpose of showing compliance with all requirements of law, or to discuss informal disposition of any complaint or contested case [~~pursuant to the Government Code, §419.906(e) and §2001.056~~].
- (b) Representation. The certificate holder, applicant or regulated entity may be represented by counsel or by a representative of his or her choice. The commission shall be represented by one or more members of its staff and by commission legal counsel.
- (c) Informal Proceedings. The conference shall be informal, and will not follow **procedures** [~~procedure established in Subchapter F of this chapter (relating to Contested Cases)]~~ for contested cases. The commission's representative(s) may prohibit or limit attendance by other persons; may prohibit or limit access to the commission's investigative file by the licensee, the licensee's representative, and the complainant, if present; and may record part or all of the staff conference. At the discretion of the commission's representative(s), the licensee, the licensee's representative, and the commission staff may question witnesses; make relevant statements; and present affidavits, reports, letters, statements of persons not in attendance, and such other evidence as may be appropriate.
- (d) Settlement Conference. At the discretion of the commission's representative(s), the preliminary staff conference may be concluded, and a settlement conference initiated to discuss staff recommendations for informal resolution of the issues. Such recommendations may include any disciplinary actions authorized by law, including **administrative penalties**, restitution, remedial actions, or such reasonable restrictions that may be in the public interest. [~~Recommendations for administrative penalties or monetary forfeitures shall be made in accordance with §401.105 of this title (relating to Administrative Penalties).~~] These recommendations may be modified by the commission's representative(s) based on new information, a change of circumstances, or to expedite resolution in the interest of protecting the public. The commission's representative(s) may also recommend that the investigation be closed or referred for further investigation.
- (e) Proposed Consent Order. The licensee may accept or reject the settlement recommendations of the commission staff. If the licensee accepts the recommendations, the licensee shall execute a settlement agreement in the form of a proposed consent order as soon thereafter as practicable. If the licensee rejects the proposed agreement, the matter may be scheduled for a hearing as described in Subchapter F of this chapter.
- (f) Approval of Consent Order. Following acceptance and execution of the settlement agreement recommended by staff, said proposed agreement shall be submitted to the executive director for approval. If the order is approved, it shall be signed by the executive director. If the proposed order is not approved, the licensee shall be so informed and the matter shall be referred to the commission staff for appropriate action to include dismissal, closure, further negotiation, further investigation, or a formal hearing.
- (g) Preliminary Notice. A revocation, suspension, annulment, denial, or withdrawal of a certificate or license is not effective unless, before the institution of contested case proceedings, the holder of the certificate receives preliminary notice of the facts or conduct alleged to warrant the intended action and an opportunity to show compliance with all requirements of law.**

(h) Request for Formal Hearing. Except as otherwise provided by law, if an applicant's original application or request for a certificate is denied, he or she shall have 30 days from the date of denial to make a written request for a formal hearing, and if so requested, the formal hearing will be granted and the provisions of the APA and this chapter with regard to contested cases shall apply.

[§401.43 Prehearing Conferences.]

[The presiding hearings officer shall schedule prehearing conferences as necessary for the efficient management of the proceedings. The presiding hearings officer shall conduct prehearing conferences for any appropriate purpose, including consideration of the following:]

- [(1) motions and other preliminary matters related to the proceeding, including notice, discovery, and procedural schedules;]
- [(2) settlement of the case, or clarification and simplification of the issues;]
- [(3) the necessity or desirability of amended pleadings;]
- [(4) the possibility of obtaining stipulations that would avoid the unnecessary introduction of evidence;]
- [(5) evidentiary matters, including a request for interim relief;]
- [(6) the specific procedures to be followed at the hearing;]
- [(7) the scheduling of the hearing on the merits; and]
- [(8) any other matters as may assist the disposition of the proceeding in a fair and efficient manner.]

[§401.45 Interim Order.]

[The presiding hearings officer shall issue orders covering procedural and discovery matters, requests for interim relief, and such other matters as may aid in the conduct of the hearing and efficient and fair disposition of the proceeding. Interim orders may be written or stated orally on the record.]

[§401.47 Appeal of an Interim Order.]

- [(a) Availability of Appeal. Appeals are available for any order of the presiding hearings officer that immediately prejudices a substantial or material right of a party, or materially affects the course of the hearing, other than evidentiary rulings. Interim orders shall not be subject to exceptions or applications for rehearing prior to issuance of a report of a presiding hearings officer.]
- [(b) Procedure for Appeal. If the presiding hearings officer intends to reduce an oral ruling to a written order, the presiding hearings officer shall so indicate on the record at the time of the oral ruling and shall promptly issue the written order. Any appeal to the executive director as to matters within his or her jurisdiction shall be filed within five working days of the issuance of the written order or the appealable oral ruling. The appeal shall be served on all parties by hand delivery, facsimile transmission, or by overnight courier delivery.]
- [(c) Contents. An appeal shall specify the reasons why the interim order is unjustified or improper.]
- [(d) Responses. Any response to an appeal shall be filed within five working days of the filing of the appeal.]
- [(e) Motions for Stay. Pending a ruling by the executive director, the presiding hearings officer may, upon motion, grant a stay of the interim order. A motion for a stay shall specify the basis for a stay. Good

~~cause shall be shown for granting a stay. The mere filing of an appeal shall not stay the interim order or the procedural schedule.~~

~~[(f) Denial. The executive director shall rule on the interim order within 20 days of the filing of the appeal. If the executive director does not rule on the appeal within 20 days of its filing, or extend the time for ruling, the interim order is deemed approved and any granted stay is lifted. The appeal may be carried with the underlying case provided the executive director does not act upon the appeal within the time provided in this section.]~~

~~[(g) Reconsideration. The presiding hearings officer may treat an appeal as a motion for reconsideration and may withdraw or modify the order under appeal prior to a decision on the appeal.]~~

~~§401.49 Prehearing Statements.~~

~~[(a) Prehearing Statements Required. Each party shall file a prehearing statement no later than three days before the start of a hearing unless the presiding hearings officer determines that such a requirement would add unjustified burden and expense to the proceeding, or that a different deadline should be imposed. The presiding hearings officer may impose sanctions provided in §401.103 of this title (relating to Discovery Sanctions) against any party who fails to comply with the requirement that a prehearing statement be filed.]~~

~~[(b) Contents of Prehearing Statement. Unless otherwise provided by order of the presiding hearings officer, the prehearing statement shall contain the following information:]~~

~~[- (1) a concise statement of the party's position in the proceeding;]~~

~~[- (2) a concise statement of each question of fact, law, or policy the party considers at issue;]~~

~~[- (3) a concise statement of the party's position on each issue identified pursuant to paragraph (2) of this subsection;]~~

~~[- (4) a statement of issues that have been resolved by agreement of the parties, including agreements that do not include all parties; and]~~

~~[- (5) a statement as to any requirement set forth in the prehearing order that cannot be complied with, the reasons for noncompliance, and such other information as will aid in achieving an orderly disposition of the proceeding.]~~

SUBCHAPTER F

CONTESTED CASES

§401.51 [~~Preliminary Notice and]Opportunity for Hearing.~~

In general, except~~[(a) In General. Except]~~ as otherwise provided by law, the procedure for the grant, denial, renewal, revocation, suspension, annulment, or withdrawal of a certificate is governed by Government Code, Chapter 2001, pertaining to Administrative Procedures and by 1 TAC Chapter 155 (relating to Rules of Procedures) adopted by SOAH~~[-effective November 26, 2008].~~

~~[(b) Preliminary Notice. A revocation, suspension, annulment, or withdrawal of a certificate or license is not effective unless, before the institution of agency proceedings, the holder of the certificate receives preliminary notice of the facts or conduct alleged to warrant the intended action and an opportunity to show compliance with all requirements of law, as required by Government Code, §2001.054(c)].~~

~~[(c) Staff Conference. The holder of the certificate may request a conference with commission staff for the purpose of showing compliance with all requirements of law, or to discuss informal disposition of any complaint or contested case, pursuant to the Government Code, §419.906(c) and §2001.056, and the procedures provided in §401.41 of this title (relating to Preliminary Staff Conference).]~~

~~[(d) Request for Hearing. Except as otherwise provided by law, if an applicant's original application or request for certificate is denied, he or she shall have 30 days from the date of denial to make a written request for a hearing, and if so requested, the formal hearing will be granted and the provisions of the APA and this chapter with regard to contested cases shall apply.]~~

§401.53 Contested Case[~~Notice of~~] Hearing.

(a) **The commission appoints SOAH to be its finder of fact in contested cases. The commission does not delegate to the hearings officer and retains for itself the right to determine the sanctions and make the final decision in a contested case.**~~[Notice in a contested case shall comply with the APA, §2001.051 and §2001.052.]~~

(b) **SOAH hearings of contested cases shall be conducted in accordance with the APA by a hearings officer assigned by SOAH. Jurisdiction over the case is acquired by SOAH when the commission staff files a request to docket case.**~~[Deposit in the United States mails of a registered or certified letter, return receipt requested, containing a notice of a hearing in compliance with the requirements specified in this rule, or containing a copy of any decision or order addressed to the affected party or the attorney of record for the party at the party's last known address, shall constitute notice of the hearing or of such decision or order. The date of deposit as herein provided is the date of the act, after which any designated period begins to run as provided in §401.13 of this title (relating to Computation of Time).]~~

(c) **The commission may serve the notice of hearing on the respondent at his or her last known address as shown by commission records. The notice may be served by registered U.S. mail or by certified mail, return receipt requested.**

~~§401.55 Hearings Officer.]~~

~~[(a) The executive director may designate and appoint a hearings officer to act on his or her behalf in conducting any hearing or proceeding held under this chapter and to prepare proposals for decision on those hearings.]~~

~~[(b) The hearings officer has the authority to administer oaths; call and examine witnesses; issue subpoenas; make rulings on motions, admissibility of evidence, and amendments to pleadings; maintain decorum; schedule and recess the proceedings from day to day; and make any other orders as justice requires.]~~

~~[(c) If the hearings officer is unable to continue presiding over a case at any time before the final decision, another officer will be appointed who shall perform any remaining function without the necessity of repeating any previous proceedings.]~~

§401.57 Filing of Exceptions and Replies to Proposal for Decision.

- (a) A copy of the proposal for decision in a contested case shall be simultaneously delivered or mailed by certified mail, return receipt requested, to each party representative of record.
- (b) Exceptions to the proposal for decision shall be filed within **20**~~[ten calendar]~~ days of the date of the proposal for decision.
- (c) Replies to exceptions shall be filed within **15** ~~[20]~~ calendar days **after** ~~[of]~~ the date of **filing of the exceptions and briefs**~~[the proposal for decision]~~.

~~[(d) All disagreements with the factual finds of the proposal for decision must be made in the parties' exceptions to the proposal for decision or be waived.]~~

~~(d)~~~~(e)~~ The exceptions shall be specifically and concisely stated. The evidence relied upon shall be stated with particularity, and any evidence or arguments relied upon shall be grouped under the exceptions to which they relate.

(e) The hearings officer will rule on all exceptions, briefs, replies, and requests for extension of time and notify the parties of decisions and any amendments to the proposal for decision.

§401.59 Orders.

After the time for filing exceptions and replies to exceptions expires, the hearings officer's proposal for decision will be considered by the executive director and either adopted or modified and adopted. ~~[An order issued by the hearings officer may be modified or vacated only for reasons of policy, with the reasons and legal basis clearly stated in writing.]~~ All final decisions or orders of the commission or the executive director shall be in writing and signed. A final decision shall include findings of fact and conclusions of law separately stated. Findings of fact, if set forth in statutory language, shall be accomplished by a concise and explicit statement of the underlying facts supporting the findings. Parties shall be notified either personally or by certified mail of any decision or order, and a copy of the decision or order shall be delivered or mailed to any party and to his or her authorized representative.

§401.61 Record.

- (a) The record in a contested case includes the matters listed in the APA, *Government Code, §2001.060*.
- (b) Proceedings, or any part of them, shall be transcribed on written request of any party. The party requesting the proceeding to be transcribed shall **make the initial payment for the transcription. Ultimately, however, the commission or executive director has the authority to assess, in addition to an administrative penalty, the costs of transcribing the administrative hearing.** ~~[bear the expense thereof in accordance with the usual and customary charges of a court reporter. Should two or more parties make such request, the cost shall be borne on a pro rata basis. This section does not limit the agency to a stenographic record of proceedings.]~~

(c) Appeal. The costs of transcribing the testimony and preparing the record for an appeal by judicial review shall be paid by the party who appeals.

§401.63 Final Decision and Orders~~[Appeals to the Commission]~~.

(a) Commission action. A copy of the final decision or order shall be delivered or mailed to any party and to the attorney of record.

(b) Recorded. All final decisions and orders shall be in writing. A final order shall include findings of fact and conclusions of law, separately stated.

(c) Changes stated in final order. If the hearings officer's proposed findings of fact or conclusions of law are modified, the final order shall reflect the specific reason and legal basis for each change made.

~~(d)~~(a) In general. Any party aggrieved of a final decision or order of the executive director in a contested case may appeal to the commission after the decision or order complained of is final. An appeal to the commission for review of action of the executive director shall be made within 30 days from the date that the writing evidencing the official action or order complained of is final and appealable, but for good cause shown, the commission may allow an appeal after that date. A motion for rehearing is not a prerequisite for an appeal to the commission.

~~[(b) Standard of Review. The review of decisions of the executive director by the commission shall be based on the substantial evidence rule. In reviewing any final decision or order of the executive director, the commission may consider the record in the contested case developed before the executive director or the assigned examiner, and may not consider evidence not presented to or officially noticed by the executive director or the hearings officer. A party may apply to the commission to present additional evidence. If the commission is satisfied that the additional evidence is material and that there were good reasons for the failure to present it in the proceeding before the executive director, the commission may order that additional evidence be taken before the assigned hearings officer on conditions set by the commission. The executive director may change his or her findings and decision by reason of the additional evidence and shall file the additional evidence and any changes, new findings, or decisions with the commission.]~~

~~(e)~~[(e)] Oral argument. On the request of any party, the commission may allow oral argument prior to the final determination of an appeal of a decision or order of the executive director.

(f) If the executive director's final decision or order is appealed to the commission, the matter shall be set for the next available commission meeting and the commission shall take action in open session. A copy of the commission decision shall be delivered or mailed to any party and to the attorney of record.

§401.65 Suspension of Orders.

~~[Pending appeal and final disposition of a matter, the commission, for good cause, may suspend the effectiveness of the executive director's orders. A request for hearing does not of itself stay an official act or order unless the official act or order is stayed by controlling law.]~~

§401.67 Motions for Rehearing.

- (a) In the absence of a finding of imminent peril, a motion for rehearing is a prerequisite to a judicial appeal. A motion for rehearing must be filed by a party within 20 days after the date the party representative is notified of the final decision or order.
- (b) Replies to a motion for rehearing must be filed with the agency within 30 days after the date the party representative is notified of the final decision or order.
- (c) Agency action on the motion for rehearing must be taken within 45 days after the date a party representative is notified of the final decision or order. If agency action is not taken within the 45-day period, the motion for rehearing is overruled by operation of law 45 days after the date the party representative is notified of the final decision or order.
- (d) The commission may rule on a motion for rehearing at a meeting or by mail, telephone, telegraph, facsimile transmission, or another suitable means of communication. The motion shall be deemed overruled by operation of law, unless a majority of the commissioners serving vote to grant the motion within the time provided by law for ruling on the motion for rehearing.

- (e) The agency may, by written order, extend the period of time for filing the motions or replies and taking agency action, except that an extension may not extend the period for agency action beyond 90 days after the date a party representative is notified of the final order or decision.
- (f) In the event of an extension, the motion for rehearing is overruled by operation of law on the date fixed by the order, or in the absence of a fixed date, 90 days after the date the party representative is notified of the final decision or order.

SUBCHAPTER G

CONDUCT AND DECORUM, SANCTIONS, AND PENALTIES

~~§401.101 Conduct and Decorum.~~

~~[(a) Standard of conduct during adjudicative proceedings.]~~

~~[(1) The hearings officer and the party representative should refer to the Texas Disciplinary Rules of Professional Conduct for guidance, regardless of whether all participants are licensed attorneys (Texas State Bar Rules, Article 10, §9).]~~

~~[(2) Party representatives shall maintain high standards of professionalism during the administrative process and promote an atmosphere of civility and fairness.]~~

~~[(3) A party representative shall use these rules for legitimate purposes and not for dilatory purposes or to harass or intimidate other participants.]~~

~~[(b) Exclusion or disqualification of party representatives.]~~

~~[(1) Contemptuous conduct. A hearings officer may exclude or disqualify a party representative from participating in an agency hearing for contemptuous conduct. The hearings officer shall warn the party representative prior to exclusion, if possible. Contemptuous conduct includes:]~~

~~—[(A) actual or threatened physical assault of any participant to the proceeding;]~~

~~—[(B) knowingly or recklessly making a false statement of material fact or law to the hearings officer;]~~

~~—[(C) counseling or assisting a witness to testify falsely;]~~

~~—[(D) knowingly or recklessly offering or using false evidence;]~~

~~—[(E) filing a frivolous or knowingly false pleading or other document, or filing a frivolous or knowingly false defense. A frivolous filing is one:]~~

~~—[(i) primarily for the purpose of harassing or maliciously injuring another person; or]~~

~~—[(ii) for which the party representative is unable to make a good faith argument for an extension, modification, or reversal of existing law;]~~

~~—[(F) paying, offering to pay, or acquiescing in a payment or offer of payment to a witness based on the content of the witness' testimony or the outcome of the proceeding;]~~

~~—[(G) continually violating an established rule of agency procedure or of evidence;]~~

~~—[(H) raising superfluous objections or otherwise unreasonably delaying the proceeding or increasing the costs or other burden of the proceeding;]~~

~~—[(I) misrepresenting, mischaracterizing, or misquoting facts or law to gain unfair advantage;]~~

~~—[(J) except as otherwise permitted by law, communicating or causing someone else to communicate with the hearings officer without the knowledge and consent of opposing party representatives in order to gain unfair advantage or to influence the proceeding;]~~

~~—[(K) using vulgar or abusive language during the proceeding; and]~~

~~[(L) engaging in disruptive conduct.]~~

~~[(2) Conflicts of interest. A hearings officer may disqualify a party representative from participating in a proceeding if the hearings officer decides that the party representative has a conflict of interest. Conflicts of interest can be, but are not limited to, the following:]~~

~~[(A) when a party representative who previously acted as a public officer or employee on a matter later attempts to represent a private client on the same matter, unless the appropriate government agency consents;]~~

~~[(B) when a party representative who serves as a public officer or employee on a matter negotiates for private employment with a party or party representative involved in the same matter;]~~

~~[(C) when a party representative who serves as a public officer or employee participates in a matter involving a former private client whom he or she represented on the same matter, unless no one may legally act in the attorney's stead;]~~

~~[(D) when an attorney engages in the practice of law while under suspension or in violation of a disciplinary order or judgment; and]~~

~~[(E) any other conflict of interest that, in the opinion of the hearings officer, offends the dignity and decorum of the proceeding.]~~

~~[(3) Procedures for excluding or disqualifying a party representative.]~~

~~[(A) Notice. The hearings officer shall state the specific reason for excluding or disqualifying a party representative on the record or in a written order. The hearings officer shall notify the affected party and representative of the exclusion or disqualification personally or by certified mail.]~~

~~[(B) Reasonable time for substitution. After the hearings officer has excluded or disqualified a party representative, the affected party or party representative shall have reasonable time to appeal to the executive director. If the exclusion or disqualification order is sustained, the party shall have a reasonable time to substitute a new representative. In determining a reasonable time, the hearings officer shall consider the right of opposing parties to have the proceeding resolved without undue delay. The hearings officer may therefore align the affected party with another party in interest instead of permitting a substitution.]~~

~~[(C) Appeal of exclusion or disqualification. A party or party representative may appeal the exclusion (if it is for a period of more than eight hours) or disqualification to the executive director pursuant to §401.47 of this title (relating to Appeal of an Interim Order).]~~

~~[(D) No further participation. After being disqualified from the proceeding, a party representative may not provide further assistance, either directly or indirectly, to any party with regard to the proceeding, except to the extent reasonably necessary to make an appeal of the disqualification order pursuant to §401.47 of this title (relating to Appeal of an Interim Order) and to complete the withdrawal and substitution of a new party representative.]~~

~~[(E) No recusal. The exclusion or disqualification of a party representative by a hearings officer is not a ground for recusal of the hearings officer in the same or any subsequent proceeding.]~~

~~§401.103 Discovery Sanctions.]~~

~~[(a) After notice and opportunity for hearing, an order imposing sanctions, as are just, may be issued by the hearings officer for failure to comply with a discovery order or subpoena issued pursuant to a Commission for deposition or production of books, records, papers, or other objects. The order imposing sanctions may:~~

- ~~[- (1) disallow any further discovery of any kind or of a particular kind of disobedient party;~~
 - ~~[- (2) require the party, the party's representative, or both to obey the discovery order;~~
 - ~~[- (3) require the party, the party's representative, or both to pay reasonable expenses, including attorney fees, incurred by reason of the party's noncompliance;~~
 - ~~[- (4) direct that the matters regarding which the discovery order was made shall be deemed established in accordance with the claim of the party obtaining the order;~~
 - ~~[- (5) refuse to allow the disobedient party to support or oppose designated claims or defenses or prohibit the party from introducing designated matters into evidence;~~
 - ~~[- (6) strike pleadings or parts thereof or abate further proceedings until the order is obeyed; or~~
 - ~~[- (7) dismiss the action or proceeding or any part thereof or render a decision by default against the disobedient party.~~
- ~~[(b) Appellate Review. Any discovery order or subpoena and any order imposing sanctions issued by the hearings officer is subject to review by an appeal to the executive director in accordance with §401.47 of this title (relating to Appeal of an Interim Order).]~~

§401.105 Administrative Penalties.

- (a) **Following the hearing the administrative law judge shall issue a proposal for decision containing findings of facts and conclusions of law. While the administrative law judge may recommend a sanction, findings of fact and conclusions of law are inappropriate for sanction recommendations, and sanction recommendations in the form of findings of fact and conclusions of law are an improper application of applicable law and these rules. In all cases, the commission or executive director has the discretion to impose the sanction that best accomplishes the commission's legislatively-assigned enforcement goals. The commission or executive director is the ultimate arbiter of the proper penalty.** [The commission, acting through the executive director may, after notice and hearing required by Government Code, Chapter 2001, Administrative Procedure Act, impose an order requiring payment of an administrative penalty or monetary forfeiture in an amount not to exceed \$1,000 for each violation of Government Code, Chapter 419, or rule promulgated there under, as provided by Government Code, §419.906.]
- (b) In determining the amount of the administrative penalty or monetary forfeiture **the commission or** the executive director shall consider:
- (1) the seriousness of the violation, including but not limited to the nature, circumstances, extent, and gravity of the prohibited act, and the hazard or potential hazard created to the health and safety of the public;
 - (2) the economic damage to property or the public's interests or confidences caused by the violation;
 - (3) the history of previous violations;
 - (4) any economic benefit gained through the violation;
 - (5) the amount necessary to deter future violations;
 - (6) the demonstrated good faith of the person, including efforts taken by the alleged violator to correct the violation;

(7) the economic impact of imposition of the penalty or forfeiture on the person; and

(8) any other matters that justice may require.

(c) The commission or executive director retains the right to increase or decrease the amount of an administrative penalty based on the circumstances in each case. In particular, the commission or executive director may increase the amount of administrative penalties when the respondent has committed multiple violations (e.g. some combination of different violations).

(d) Because it is the policy of the commission to pursue expeditious resolution of complaints when appropriate, administrative penalties in uncontested cases may be less than the amounts assessed in contested cases. Among other reasons, this may be because the respondent admits fault, takes steps to rectify matters, timely responds to commission concerns, or identified mitigating circumstances, and because settlements avoid additional administrative costs.

(e) The commission or executive director may impose an administrative penalty alone or in addition to other permitted sanctions.

SUBCHAPTER H

REINSTATEMENT

§401.111 Application for Reinstatement of License or Certificate.

- (a) At the expiration of one year from the date of revocation or suspension, or upon the conclusion of any specified period of suspension, the commission may consider a request for reinstatement by the former licensee or certificate holder (applicant).
- (b) The request for reinstatement must be submitted to the commission office in writing and should include a short and plain statement of the reasons why the applicant believes the license should be reinstated.
- (c) Upon denial of any application for reinstatement, the commission may not consider a subsequent application until the expiration of one year from the date of denial of the prior application.
- (d) In taking action to revoke or suspend a license or certificate, the commission may, in its discretion, specify the terms and conditions upon which reinstatement shall be considered.

§401.113 Evaluation for Reinstatement.

In considering reinstatement of a suspended or revoked license or certificate, the commission will evaluate:

- (1) the severity of the act which resulted in revocation or suspension of the license or certificate;
- (2) the conduct of the applicant subsequent to the revocation or suspension of the license or certificate;
- (3) the lapse of time since revocation or suspension;
- (4) the degree of compliance with all conditions the commission may have stipulated as a prerequisite for reinstatement;
- (5) the degree of rehabilitation attained by the applicant as evidenced by sworn notarized statements sent directly to the commission from qualified people who have personal and professional knowledge of the applicant; and
- (6) the applicant's present qualifications to perform duties regulated by the commission.

§401.115 Procedure upon Request for Reinstatement.

- (a) An applicant for reinstatement of a revoked or suspended license or certificate must personally appear before an administrative law judge designated by the commission at a scheduled date and time to show why the license or certificate should be reinstated.
- (b) Upon submission of proof of past revocation or suspension of the applicant's license or certificate, the applicant has the burden of proof to show present fitness and/or rehabilitation to perform duties regulated by the commission.
- (c) Upon receipt of a written request for reinstatement as required by §401.111 of this title (relating to Application for Reinstatement of License or Certificate), the applicant will be notified of a date and time of an appearance before the administrative law judge.

§401.117 Commission Action Possible upon Reinstatement.

After evaluation, the commission may:

- (1) deny reinstatement of a suspended or revoked license or certificate;
- (2) reinstate a suspended or revoked license or certificate and probate the practitioner for a specified period of time under specific conditions;
- (3) authorize reinstatement of the suspended or revoked license or certificate;
- (4) require the satisfactory completion of a specific program of remedial education approved by the commission; and/or
- (5) reinstate a suspended or revoked license or certificate after verification through examination of required knowledge and skills appropriate to the suspended or revoked license or certificate. All applicable procedures shall be followed and all applicable fees shall be paid.

§401.119 Failure To Appear for Reinstatement.

An applicant for reinstatement of a revoked or suspended license or certificate who makes a commitment to appear before the administrative law judge, and fails to appear at a hearing set with notice by the agency, shall not be authorized to appear before the administrative law judge before the expiration of six months. For good cause shown, the executive director may authorize an exception to this rule.

SUBCHAPTER I

NOTICE AND PROCESSING PERIODS FOR CERTIFICATE APPLICATIONS

§401.121 Purpose of Establishing Time Periods.

In order to minimize delays, this subchapter establishes time periods within which the **commission** [~~Texas Commission on Fire Protection~~] shall review and process certificate applications efficiently and provides for an appeal process should the agency violate these periods in accordance with the Government Code, Chapter 2005.

§401.123 Notice of Deficiency.

Written notice that an application is deficient must be mailed to the applicant or delivered by such means as will reasonably provide actual notice.

§401.125 Processing Periods.

(a) Notice to applicant. Within 30 days from receipt of an application for a certificate or approval issued pursuant to the Government Code, Chapter 419, the agency shall determine a filing to be complete or deficient and issue written notice in accordance with §401.123 of this title (relating to Notice of Deficiency) to the applicant regarding the status of the application.

(1) Complete application.

(A) The written notice for a complete application shall state that the application is complete and accepted for filing and shall advise the applicant of the time period in which the agency must deny or approve the application unless such information has previously been provided to the applicant.

(B) For purposes of this section, an application is complete upon agency determination that it is in compliance with the content and form prescribed by the agency.

(2) Deficient application.

(A) The written notice for a deficient application shall state that the application is not complete, set out the specific additional information that is required for completion, and advise the applicant that the agency may disapprove an application that is not complete. After one written notice of deficiency has been issued, another is not required for an application resubmitted in whole or in part with deficiencies.

(B) In addition to notice issued under subparagraph (A) of this paragraph, the agency may notify the applicant, in any manner, of deficiencies in the application.

(b) Processing of application. Within 60 days after receipt of a complete application, the agency shall:

(1) issue the certificate on payment of the appropriate fees and successful completion of all required examinations; or

(2) deny the certificate.

§401.127 Appeal.

(a) Hearing.

- (1) Notice. An applicant who does not receive notice as to the complete or deficient status of a certificate application within the period established in this subchapter for such application may petition for a hearing to review the matter.
 - (2) Processing. An applicant whose permit is not approved or denied within the period established in this subchapter for such certificate may petition for a hearing to review the matter.
 - (3) Procedure. A hearing under this section shall be in accordance with the Administrative Procedure Act and Subchapter E of this chapter (relating to Contested Cases).
- (b) Petition. A petition filed under this section must be in writing and directed to the executive director. The petition shall identify the applicant, indicate the type of certificate sought and the date of the application, specify each provision in this subchapter that the agency has violated, and describe with particularity how the agency has violated each provision. The petition shall be filed with the office of the executive director.
- (c) Decision. An appeal filed under this section shall be decided in the applicant's favor if the executive director finds that:
- (1) the agency exceeded an established period under this subchapter; and
 - (2) the agency failed to establish good cause for exceeding the period.
- (d) Good cause. The agency is considered to have good cause for exceeding a notice or processing period established for a permit if:
- (1) the number of certificates to be processed exceeds by 15% or more the number of certificates processed in the same calendar quarter of the preceding year;
 - (2) the agency must rely on another public or private entity for all or part of its certificate processing, and the delay is caused by the other entity;
 - (3) the hearing and decision-making process results in reasonable delay under the circumstances;
 - (4) the applicant is under administrative review; or
 - (5) any other conditions exist giving the agency good cause for exceeding a notice or processing period.
- (e) Commission review. A permit applicant aggrieved by a final decision or order of the executive director concerning a period established by these sections may appeal to the commission in writing after the decision or order complained of is final, in accordance with §401.63 of this title (relating to **Final Decision and Orders** ~~Appeals to the Commission~~).
- (f) Relief.
- (1) Complete or deficient status. An applicant who maintains a successful appeal under subsection (c) of this section for agency failure to issue notice as to the complete or deficient status of an application shall be entitled to notice of application status.
 - (2) Certificate approval or denial. An applicant who maintains a successful appeal under subsection (c) of this section for agency failure to approve or deny a certificate shall be entitled to such approval or denial of the certificate and to full reimbursement of all filing fees that have been paid to the agency in connection with the application.

SUBCHAPTER J

CHARGES FOR PUBLIC RECORDS

§401.129 Charges for Public Records.

- (a) The **commission** [~~Texas Commission on Fire Protection~~] is subject to Texas Government Code, Chapter 552, Texas Public Information Act. The Act gives the public the right to request access to government information.
- (b) The **commission** [~~Texas Commission on Fire Protection~~] adopts by reference Title 1, Part 13, Chapter 70, Cost of Copies of Public Information, as promulgated by the Office of the Attorney General.
- (c) The executive director may waive or reduce a charge for copies when furnishing the information benefits to the general public.

SUBCHAPTER K

HISTORICALLY UNDERUTILIZED BUSINESSES

§401.131 Historically Underutilized Businesses.

The **commission** [~~Texas Commission on Fire Protection~~] adopts by reference Title 34, Part 1, Chapter 20, Texas Procurement and Support Services, Subchapter B, Historically Underutilized Business Program, as promulgated by the Comptroller of Public Accounts.

11. Matters referred from the Fire Fighter Advisory Committee (FFAC), including but not limited to:

A. Discussion and possible final adoption on proposed amendments, new sections, and repeals as follows:

2. Discussion and possible action regarding proposed rule changes to title 37 TAC, Chapter 445, Administrative Inspections and Penalties.



Texas Commission on Fire Protection

Agenda Item Summary

MEETING: Commission
DATE: 1/29/2015

Agenda Item: 11.A.2

Agenda Title: Rule changes, 37 TAC, Chapter 445, Administrative Inspections and Penalties

Action to be taken: Discussion, possible final adoption

Origin of Item: Legal counsel, staff

INTRODUCTION/PURPOSE

Update language in Chapter 445 regarding administrative inspections and penalties

DESCRIPTION/ JUSTIFICATION

The recommended changes would update rule language so as to provide additional distinctions between minor and major rule violations, and to clarify procedures utilized by commission personnel regarding violations found during inspections. Additionally the recommendations provide clearer language regarding options available to regulated entities in response to inspection findings.

BUDGET IMPACT

No budget impact anticipated

TIMELINE CONSIDERATIONS

If adopted, becomes effective 20 days following receipt by Texas Register.

RECOMMENDATION

Adoption recommended by Advisory Committee. No public comments received.

REFERENCES

37 TAC, Section 13, Chapter 445

CHAPTER 445

ADMINISTRATIVE INSPECTIONS AND PENALTIES

§445.7 Procedures.

- (a) The inspector shall, if possible, notify the current or acting, on duty and available, department head of the inspector's presence at the department and his intention to conduct a departmental inspection.
- (b) During the course of the inspection, any noncompliance with state law or commission rule shall be noted. Violations shall be determined to be either minor or major violations based upon the following guidelines.
- (1) Minor violations shall be defined as those violations which the inspector determines do not pose a serious threat to personnel safety due to lack of personnel protection equipment or training, are not widespread, or are not repeat violations of the same nature for which the entity was cited within the previous five years.
- (2) Major violations shall be defined as those violations which in the inspector's opinion constitute an immediate threat to personnel safety, flagrant or repeated violations in the same or similar areas, fraud, or obvious attempts to circumvent state law or commission rule. **A major violation may be as follows but not limited to a deficiency or safety issue involving protective clothing, a self-contained breathing apparatus, personal alert safety systems, breathing air, or other matter that in the inspector's judgment presents an immediate and significant risk of injury.**
- (c) In order to determine compliance with commission requirements pertaining to a particular item, the inspector may examine as many items of protective clothing and equipment deemed necessary by the inspector.

§445.9 Procedure for ~~Minor~~ Violations.

- (a) **Findings of only minor violations.** If during the course of a departmental inspection~~[,]~~ the inspector determines the department has committed **only** minor violations, the following **procedure applies.**~~[procedures shall apply.]~~
- (1) The inspector shall issue **an inspectors report which will identify** ~~[a report notice of alleged minor violations identifying]~~ the findings ~~[resulting]~~ from the compliance inspection. **The inspector's report is a written summary of an inspector's findings that is given to an inspected entity after an inspection. In cases of minor violations, the inspector's report may identify deficiencies and prescribe corrective action within specific timeframes.**
- (2) The department then has 30 calendar days from the date the **inspector's report** ~~[notice of minor violations]~~ is received to provide the Commission with a written schedule of actions **that** ~~[which]~~ will be **taken** ~~[carried out]~~ to correct the ~~[minor]~~ violations. The schedule of actions will allow necessary amounts of time for such things as obtaining items through city requisitions and bid processes, when necessary. Lack of funds is not an acceptable reason for delay.
- (3) If the department fails to **timely** provide **an acceptable written schedule of actions** ~~[a plan]~~ for obtaining compliance, **the inspector or compliance officer may issue a notice of alleged violation. The notice of alleged violation is a written document that briefly summarizes the alleged violation(s), and requires the person to correct the violation(s). The notice may also prescribe a specific time period to rectify the matter and achieve compliance, and assess an administrative penalty. If an administrative penalty is assessed, the notice shall state the amount of the penalty. The notice shall also inform the person of the person's right to an informal staff conference and that if the person fails to timely correct the alleged violation or fails to request a preliminary staff conference before the 61st day after receipt of the notice, the commission may issue a default order. In addition, the notice of alleged violation may:**

[within the required time frame, a hearing may be scheduled. If determined by the hearing process that violations occurred and were not corrected, the department may be:]

(A) **allow** [~~allowed~~] extra time to come into compliance;

(B) **assess** [~~assessed appropriate~~] **administrative** penalties, which may be probated [~~and may include suspension of certificates, administrative penalties, hearing costs, and attorneys fees~~];

(C) suspend or revoke licenses or certificates; and

(D) [~~(C)~~] **require** [~~required to furnish~~] proof of compliance.

(b) Findings of major violations. If during the course of a departmental inspection the inspector determines the department has committed a major violation, the following procedure applies.

(1) The inspector or compliance officer shall issue a notice of alleged violation. The notice shall identify the violations and require the department or provider to correct the violation. In addition, the notice of alleged violation may:

(A) specify a time period to achieve compliance;

(B) assess administrative penalties;

(C) suspend or revoke licenses or certificates; and

(D) require proof of compliance.

(2) In addition to any of the above, the commission may also temporarily suspend a person's or regulated entity's certificate on a determination by a panel of the commission that continued activity by the person or entity would present an immediate threat to the public, regulated personnel, or fire service trainees; and seek an injunction in a district court in Travis County along with civil penalties, court costs, and attorney's fees. See Tex. Gov't Code §419.906(a), (d).

(c) If a fire department or training provider fails to correct the alleged violation in a timely manner or fails to request a preliminary staff conference (information settlement conference) before the 61st day after the date it receives a notice of alleged violation, the commission through its executive director may issue a default order.

(d) When determining administrative penalties for a notice of alleged violation or default order the following factors shall be considered:

(1) compliance history;

(2) seriousness of the violation;

(3) the safety threat to the public or fire personnel;

(4) any mitigating factors; and

(5) any other factors the commission considers appropriate.

(e) If the fire department or training provider timely requests a preliminary staff conference (informal settlement conference), the procedures in Chapter 401, Subchapter E apply, and if the preliminary staff conference does not result in approval of a consent order the matter shall be referred for a contested case hearing.

{§445.11 Major Violations.}

~~[If during the course of a departmental inspection the inspector determines the department has committed major violations involving protective clothing, self-contained breathing apparatus, personal alert safety systems or breathing air, the following procedures shall apply.]~~

~~[(1) The inspector shall issue a formal notice of noncompliance identifying the violations and the corrective measures to be taken by the department to correct the listed violations.]~~

~~[(2) The department has 30 calendar days from the date of receipt of the formal notice of noncompliance to correct the violations, and to provide the Commission with proof of compliance or submit written notice of appeal.]~~

~~[(3) If the department fails to come into compliance within the allotted time frame, an administrative penalty of up to \$500 per day may be assessed from the first day of formal notice of violation for each violation. If it is determined that the department was assessed administrative penalties for the same or similar violations within the previous five years, the administrative penalty of up to \$1,000 per violation may be assessed.]~~

~~[(4) The department then has 30 calendar days from formal notice of administrative penalties assessed to pay the administrative penalty or submit written notice of appeal.]~~

~~[(5) Upon receipt of a written appeal concerning administrative action or penalty a hearing will be scheduled. Chapter 154 of the Texas Civil Practice and Remedies Code shall be used as a procedural guide.]~~

~~§445.13 Disciplinary Hearings.~~

~~[A complaint case shall be opened no later than the 30th day after formal notice to the fire department, training provider or individual, concerning unresolved major violations found during an inspection. A hearing will be scheduled with the fire department, training provider or individual to determine administrative actions or penalties. The Commission shall consider the following factors when determining administrative penalties:]~~

~~[(1) compliance history;]~~

~~[(2) seriousness of the violation;]~~

~~[(3) the safety threat to the public or fire personnel;]~~

~~[(4) any mitigating factors; and]~~

~~[(5) any other factors the commission considers appropriate.]~~

~~§445.15 Judicial Enforcement.~~

~~[The Commission may enter a default order if a fire department or training provider fails to take action to correct a violation found during an inspection conducted under this chapter, or to request an informal settlement conference before the 61st day after the date the Commission provides to the department or provider notice requiring the department or provider to correct the violations.]~~

11. Matters referred from the Fire Fighter Advisory Committee (FFAC), including but not limited to:

A. Discussion and possible final adoption on proposed amendments, new sections, and repeals as follows:

3. Discussion and possible action regarding proposed rule changes to title 37 TAC, Chapter 449, Head of a Fire Department.



Texas Commission on Fire Protection

Agenda Item Summary

MEETING: Commission
DATE: 1/29/2015

Agenda Item: 11.A.3

Agenda Title: Rule changes, 37 TAC, Chapter 449, Head of a Fire Department

Action to be taken: Discussion, possible final adoption

Origin of Item: Ad hoc committee, Advisory Committee

INTRODUCTION/PURPOSE

Update language in Chapter 449 regarding head of a fire suppression or fire prevention department.

DESCRIPTION/ JUSTIFICATION

The recommended changes adopt additional requirements for individuals appointed to either head of A fire suppression or fire prevention department.

BUDGET IMPACT

No budget impact anticipated

TIMELINE CONSIDERATIONS

If adopted, becomes effective 20 days following receipt by Texas Register.

RECOMMENDATION

Recommendations presented by ad hoc committee to FF Advisory Committee. Adoption recommended by FF Advisory Committee per special note below. Public comments included in meeting packets.
****SPECIAL NOTE****: Revised recommendations to be made by FF Advisory Committee in meeting. Handout of revised recommendations to be provided.

REFERENCES

37 TAC, Section 13, Chapter 449

CHAPTER 449

HEAD OF A FIRE DEPARTMENT

~~§449.1 Minimum Standards for the Head of a Fire Department.~~

- ~~[(a) An individual who becomes employed and is assigned as the head of a fire department must be certified by the Commission as head of a fire department, within one year of appointment.]~~
- ~~[(b) An individual appointed head of a department must be eligible to be certified at the time of the appointment or will become eligible to be certified within one year of the appointment and must submit an affidavit verifying eligibility status at the time of the appointment if not holding a Commission certification.]~~
- ~~[(c) Holding the head of a fire department certification does not qualify an individual for any other certification. An individual who seeks certification in another discipline must meet the requirements for that discipline.]~~
- ~~[(d) Nothing contained in this chapter shall be construed to supercede Chapter 143, Local Government Code, in regard to appointment of a head of a fire department.]~~

~~§449.3 Minimum Standards for Certification as Head of a Suppression Fire Department.~~

- ~~[(a) Applicants for Head of a Fire Department certification must complete the following requirements]:~~
- ~~[(1) must be appointed as head of a fire department; and]~~
 - ~~[(2) complete the Standards Review Assignment for Head of a Fire Department identified in the applicable chapter of the Curriculum Manual; and]~~
 - ~~[(3) meet with a Texas Commission on Fire Protection Compliance Section representative for review and approval of the Standards Review Assignment; and]~~
 - ~~[(4) attend at least one Texas Commission on Fire Protection regularly scheduled commission meeting or one regularly scheduled fire fighter advisory committee meeting in the first year of appointment; and]~~
 - ~~[(5) hold a certification as a fire protection personnel in any discipline that has a commission approved curriculum that requires structural fire protection personnel certification and five years experience in a full-time fire suppression position; or]~~
 - ~~[(6) an individual from another jurisdiction who possesses valid documentation of accreditation from the International Fire Service Accreditation Congress that is deemed equivalent to the commission's approved basic fire suppression curriculum and provide documentation in the form of a sworn nonself-serving affidavit of five years experience in a full-time fire suppression position; or]~~
 - ~~[(7) provide documentation in the form of a nonself-serving sworn affidavit of ten years experience as an employee of a local governmental entity in a full-time structural fire protection personnel position in a jurisdiction other than Texas; or]~~
 - ~~[(8) provide documentation in the form of a sworn nonself-serving affidavit of ten years of experience as a certified structural part-time fire protection employee; or]~~
 - ~~[(9) provide documentation in the form of a sworn nonself-serving affidavit of ten years experience as an active volunteer fire fighter in one or more volunteer fire departments that meet the requirements of subsection (b) of this section].~~

~~[(b) The ten years of volunteer service must include documentation of attendance at 40% of the drills for each year and attendance of at least 25% of a department's emergencies in a calendar year while a member of a volunteer fire department or departments with 10 or more active members that conducts a minimum of 48 hours of drills in a calendar year].~~

~~[(c) Individuals certified as the head of a fire department must meet the continuing education requirement as provided for in Chapter 441 of this title (relating to Continuing Education)].~~

~~[(d) An individual certified as head of a fire department under this section may engage in fire fighting activities only as the head of a fire department. These activities include incident command, direction of fire fighting activities or other emergency activities typically associated with fire fighting duties, i.e. rescue, confined space and hazardous materials response.]~~

~~§449.5 Minimum Standards for Certification as Head of a Prevention Only Department.]~~

~~[(a) Applicants for Head of a Fire Department certification must complete the following requirements:]~~

~~[(1) must be appointed as head of a fire department; and]~~

~~[(2) complete the Standards Review Assignment for Head of a Fire Department identified in the applicable chapter of the Curriculum Manual; and]~~

~~[(3) meet with a Texas Commission on Fire Protection Compliance Section representative for review and approval of the Standards Review Assignment; and]~~

~~[(4) attend at least one Texas Commission on Fire Protection regularly scheduled commission meeting or one regularly scheduled fire fighter advisory committee meeting in the first year of appointment; and]~~

~~[(5) hold a certification as a fire inspector, fire investigator, or arson investigator and have five years of full-time experience in fire prevention activities; or]~~

~~[(6) an individual from another jurisdiction who possesses valid documentation of accreditation from the International Fire Service Accreditation Congress that is deemed equivalent to the commission's approved basic arson investigator, fire investigator or fire inspector curriculum and provide documentation in the form of a sworn nonself serving affidavit of five years experience in a full-time fire prevention position; or]~~

~~[(7) provide documentation in the form of a sworn nonself serving affidavit of ten years experience as an employee of a local governmental entity in a full-time fire inspector, fire investigator, or arson investigator position in a jurisdiction other than Texas; or]~~

~~[(8) provide documentation in the form of a sworn nonself serving affidavit of ten years experience as a certified fire investigator, fire inspector or arson investigator as a part-time fire prevention employee; or]~~

~~[(9) provide documentation in the form of a sworn nonself serving affidavit of ten years experience as an active-volunteer fire inspector, fire investigator, or arson investigator with ten years experience in fire prevention.]~~

~~[(b) Individuals certified as the head of a fire department under this section must meet the continuing education requirement as provided for in Chapter 441 of this title (relating to Continuing Education).]~~

CHAPTER 449

HEAD OF A FIRE DEPARTMENT

SUBCHAPTER A

MINIMUM STANDARDS FOR HEAD OF A SUPPRESSION FIRE DEPARTMENT

§449.1 Minimum Standards for the Head of a Suppression Fire Department.

- (a) An individual who becomes employed and is assigned as the head of a suppression fire department must be certified by the commission as Head of a Suppression Fire Department, within one year of appointment.
- (b) An individual appointed head of a suppression fire department must be eligible to be certified at the time of the appointment or will become eligible to be certified within one year of the appointment and must submit an affidavit verifying eligibility status at the time of the appointment if not holding a commission certification.
- (c) Holding the Head of a Suppression Fire Department certification does not qualify an individual for any other certification. An individual who seeks certification in another discipline must meet the requirements for that discipline.
- (d) Nothing contained in this chapter shall be construed to supersede Chapter 143, Local Government Code, in regard to appointment of a head of a suppression fire department.
- (e) Individuals certified as the Head of a Suppression Fire Department must meet the continuing education requirement as provided for in Chapter 441 of this title (relating to Continuing Education).
- (f) An individual certified as Head of a Suppression Fire Department under this subchapter may engage in fire fighting activities only as the head of a suppression fire department. These activities include incident command, direction of fire fighting activities or other emergency activities typically associated with fire fighting duties, i.e. rescue, confined space and hazardous materials response.

§449.3 Minimum Standards for Basic Head of a Suppression Fire Department Certification.

- (a) Applicants for Basic Head of a Suppression Fire Department Certification must complete the following requirements:
 - (1) must be appointed as head of a suppression fire department; and
 - (2) complete the Standards Review Assignment for Head of a Fire Department identified in the applicable chapter of the Certification Curriculum Manual; and
 - (3) meet with a Texas Commission on Fire Protection Compliance Section representative for review and approval of the Standards Review Assignment; and
 - (4) attend at least one Texas Commission on Fire Protection regularly scheduled commission meeting or one regularly scheduled fire fighter advisory committee meeting in the first year of appointment; and
 - (5) document completion of the National Incident Management System courses 100, 200, 700, and 800; and
 - (6) hold a Texas Commission on Fire Protection certification as a fire protection personnel in any discipline that has a commission approved curriculum that requires structural fire

protection personnel certification and five years experience within the last ten years in a full-time fire suppression position; or

(7) an individual from another jurisdiction who possesses valid documentation of accreditation from the International Fire Service Accreditation Congress that is deemed equivalent to the commission's approved basic fire suppression curriculum and provide documentation in the form of a sworn nonself serving affidavit of five years experience within the last ten years in a full-time fire suppression position; or

(8) provide documentation in the form of a nonself serving sworn affidavit of ten years experience within the last fifteen years as an employee of a local governmental entity in a full-time structural fire protection personnel position in a jurisdiction other than Texas; or

(9) provide documentation in the form of a sworn nonself serving affidavit of ten years of experience within the last fifteen years as a certified structural part-time fire protection employee; or

(10) provide documentation in the form of a sworn nonself serving affidavit of ten years experience within the last fifteen years as an active volunteer fire fighter in one or more volunteer fire departments that meet the requirements of subsection (b) of this section.

(b) The ten years of volunteer service referenced in subsection (a)(10) must include documentation of attendance at 40% of the drills for each year and attendance of at least 25% of a department's emergencies in a calendar year while a member of a volunteer fire department or departments with ten or more active members that conducts a minimum of 48 hours of drills in a calendar year.

§449.5 Minimum Standards for Intermediate Head of a Suppression Fire Department Certification.

(a) Applicants for Intermediate Head of a Suppression Fire Department Certification must complete the following requirements:

- (1) have a minimum of two years of experience in a full time head of a suppression fire department position; and
- (2) hold, as a prerequisite, Basic Head of a Suppression Fire Department Certification through the commission; and
- (3) hold Fire Officer II certification through the commission; and
- (4) document completion of the National Incident Management System courses 300 and 400; and
- (5) complete training listed in one of the following options:
 - (A) Option 1--Successfully complete six semester hours of fire science or fire technology from an approved Fire Protection Degree Program and submit documentation as required by the commission that the courses comply with subsections (b) and (c) of this section; or
 - (B) Option 2--Completion of coursework from either the A-List or the B-List courses. Acceptable combinations of courses are as follows: two A-List courses; or eight B-List courses; or one A-List course and four B-List courses. (See the exception outlined in subsection (c) of this section); or
 - (C) Option 3--Completion of coursework from either the A-List or the B-List courses in combination with college courses in fire science or fire protection. Acceptable

combinations of courses are three semester hours meeting the requirements of Option 1, with either one A-List course or four B-List courses (See the exception outlined in subsection (c) of this section).

(b) Non-traditional credit awarded at the college level, such as credit for experience or credit by examination obtained from attending any school in the commission's Certification Curriculum Manual or for experience in fire service, may not be counted toward this level of certification.

(c) The training required in this section must be in addition to any training used to qualify for any lower level Head of a Fire Department Certification. Repeating a course or a course of similar content cannot be used towards this level of certification.

§449.7 Minimum Standards for Advanced Head of a Suppression Fire Department Certification.

(a) Applicants for Advanced Head of a Suppression Fire Department Certification must complete the following requirements:

- (1) have a minimum of four years of experience in a full time head of a suppression fire department position; and
- (2) hold, as a prerequisite, an Intermediate Head of a Suppression Fire Department Certification through the commission; and
- (3) hold Fire Officer III certification through the commission; and
- (4) complete training listed in one of the following options:
 - (A) Option 1--Successfully complete six semester hours of fire science or fire technology from an approved Fire Protection Degree Program and submit documentation as required by the commission that the courses comply with subsections (b) and (c) of this section; or
 - (B) Option 2--Completion of coursework from either the A-List or the B-List courses. Acceptable combinations of courses are as follows: two A-List courses; or eight B-List courses; or one A-List course and four B-List courses. (See the exception outlined in subsection (c) of this section); or
 - (C) Option 3--Completion of coursework from either the A-List or the B-List courses in combination with college courses in fire science or fire protection. Acceptable combinations of courses are three semester hours meeting the requirements of Option 1, with either one A-List course or four B-List courses (See the exception outlined in subsection (c) of this section).

(b) Non-traditional credit awarded at the college level, such as credit for experience or credit by examination obtained from attending any school in the commission's Certification Curriculum Manual or for experience in fire service, may not be counted toward this level of certification.

(c) The training required in this section must be in addition to any training used to qualify for any lower level Head of a Fire Department Certification. Repeating a course or a course of similar content cannot be used towards this level of certification.

§449.9 Minimum Standards for Master Head of a Suppression Fire Department Certification.

(a) Applicants for Master Head of a Suppression Fire Department Certification must complete the following requirements:

- (1) have a minimum of six years of experience in a full time head of a suppression fire department position; and

- (2) hold, as a prerequisite, an Advanced Head of a Suppression Fire Department Certification through the commission; and
- (3) hold Fire Officer IV certification through the commission; and
- (4) acquire 60 college semester hours or an associate degree, which includes at least 18 college semester hours in fire science subjects.

(b) College level courses from both the upper and lower division may be used to satisfy the education requirement for Master Head of a Suppression Fire Department Certification.

SUBCHAPTER B

MINIMUM STANDARDS FOR HEAD OF A PREVENTION ONLY FIRE DEPARTMENT

§449.201 Minimum Standards for the Head of Prevention Only Fire Department.

- (a) An individual who becomes employed and is assigned as the head of a prevention only fire department must be certified by the commission as Head of a Prevention Only Fire Department, within one year of appointment.
- (b) An individual appointed head of a prevention only fire department must be eligible to be certified at the time of the appointment or will become eligible to be certified within one year of the appointment and must submit an affidavit verifying eligibility status at the time of the appointment if not holding a commission certification.
- (c) Holding the Head of a Prevention Only Fire Department certification does not qualify an individual for any other certification. An individual who seeks certification in another discipline must meet the requirements for that discipline.
- (d) Nothing contained in this chapter shall be construed to supersede Chapter 143, Local Government Code, in regard to appointment of a head of a prevention only fire department.
- (e) Individuals certified as the Head of a Prevention Only Fire Department must meet the continuing education requirement as provided for in Chapter 441 of this title (relating to Continuing Education).

§449.203 Minimum Standards for Basic Head of Prevention Only Fire Department Certification.

- (a) Applicants for Basic Head of a Prevention Only Fire Department Certification must complete the following requirements:
 - (1) must be appointed as head of a prevention only fire department; and
 - (2) complete the Standards Review Assignment for Head of a Fire Department identified in the applicable chapter of the Certification Curriculum Manual; and
 - (3) meet with a Texas Commission on Fire Protection Compliance Section representative for review and approval of the Standards Review Assignment; and
 - (4) attend at least one Texas Commission on Fire Protection regularly scheduled commission meeting or one regularly scheduled fire fighter advisory committee meeting in the first year of appointment; and
 - (5) documentation of completion of National Incident Management System 100, 200, 700 and 800; and
 - (6) hold a Texas Commission on Fire Protection certification as a fire inspector, fire investigator, or arson investigator and have five years experience within the last ten years in a full-time fire prevention position; or
 - (7) an individual from another jurisdiction who possesses valid documentation of accreditation from the International Fire Service Accreditation Congress that is deemed equivalent to the commission's approved basic arson investigator, fire investigator or fire inspector curriculum and provide documentation in the form of a sworn non self serving affidavit of five years experience within the last ten years in a full-time fire prevention position; or
 - (8) provide documentation in the form of a sworn non self serving affidavit of ten years experience within the last fifteen years as an employee of a local governmental entity in a

full-time fire inspector, fire investigator, or arson investigator position in a jurisdiction other than Texas; or

(9) provide documentation in the form of a sworn non self serving affidavit of ten years experience within the last fifteen years as a certified fire investigator, fire inspector or arson investigator as a part-time fire prevention employee; or

(10) provide documentation in the form of a sworn non self serving affidavit of ten years fire prevention experience within the last fifteen years as an active volunteer fire inspector, fire investigator or arson investigator.

§449.205 Minimum Standards for Intermediate Head of a Prevention Only Fire Department Certification.

(a) Applicants for Intermediate Head of a Prevention Only Fire Department Certification must complete the following requirements:

(1) have a minimum of two years of experience in a full time head of a prevention only fire department position; and

(2) hold, as a prerequisite, a Basic Head of a Prevention Only Fire Department Certification through the commission; and

(3) hold Fire Officer II certification through the commission; and

(4) document completion of National Incident Management System 300 and 400; and

(5) complete training listed in one of the following options:

(A) Option 1--Successfully complete six semester hours of fire science or fire technology from an approved Fire Protection Degree Program and submit documentation as required by the commission that the courses comply with subsections (b) and (c) of this section; or

(B) Option 2--Completion of coursework from either the A-List or the B-List courses. Acceptable combinations of courses are as follows: two A-List courses; or eight B-List courses; or one A-List course and four B-List courses. (See the exception outlined in subsection (c) of this section); or

(C) Option 3--Completion of coursework from either the A-List or the B-List courses in combination with college courses in fire science or fire protection. Acceptable combinations of courses are three semester hours meeting the requirements of Option 1, with either one A-List course or four B-List courses (See the exception outlined in subsection (c) of this section).

(b) Non-traditional credit awarded at the college level, such as credit for experience or credit by examination obtained from attending any school in the commission's Certification Curriculum Manual or for experience in fire service, may not be counted toward this level of certification.

(c) The training required in this section must be in addition to any training used to qualify for any lower level Head of a Fire Department Certification. Repeating a course or a course of similar content cannot be used towards this level of certification.

§449.207 Minimum Standards for Advanced Head of a Prevention Only Fire Department Certification.

(a) Applicants for Advanced Head of a Prevention Only Fire Department certification must complete the following requirements:

- (1) have a minimum of four years of experience in a full time head of a prevention only fire department position; and**
- (2) hold, as a prerequisite, an Intermediate Head of a Prevention Only Fire Department through the commission; and**
- (3) hold Fire Officer III certification through the commission; and**
- (4) complete training listed in one of the following options:**

- (A) Option 1--Successfully complete six semester hours of fire science or fire technology from an approved Fire Protection Degree Program and submit documentation as required by the commission that the courses comply with subsections (b) and (c) of this section; or**
- (B) Option 2--Completion of coursework from either the A-List or the B-List courses. Acceptable combinations of courses are as follows: two A-List courses; or eight B-List courses; or one A-List course and four B-List courses. (See the exception outlined in subsection (c) of this section); or**
- (C) Option 3--Completion of coursework from either the A-List or the B-List courses in combination with college courses in fire science or fire protection. Acceptable combinations of courses are three semester hours meeting the requirements of Option 1, with either one A-List course or four B-List courses (See the exception outlined in subsection (c) of this section).**

- (b) Non-traditional credit awarded at the college level, such as credit for experience or credit by examination obtained from attending any school in the commission's Certification Curriculum Manual or for experience in fire service, may not be counted toward this level of certification.**
- (c) The training required in this section must be in addition to any training used to qualify for any lower level Head of a Fire Department Certification. Repeating a course or a course of similar content cannot be used towards this level of certification.**

§449.209 Minimum Standards for Master Head of a Prevention Only Fire Department Certification.

- (a) Applicants for Master Head of a Prevention Only Fire Department Certification must complete the following requirements:**
 - (1) have a minimum of six years of experience in a full time head of a prevention only fire department position; and**
 - (2) hold, as a prerequisite, an Advanced Head of a Prevention Only Fire Department Certification through the commission; and**
 - (3) hold Fire Officer IV certification through the commission; and**
 - (4) acquire 60 college semester hours or an associate degree, which includes at least 18 college semester hours in fire science subjects.**
- (b) College level courses from both the upper and lower division may be used to satisfy the education requirement for Master Head of a Prevention Only Fire Department Certification.**

From: Billy Wusterhausen:
Sent: Thursday, August 28, 2014 10:28 AM
To: Tim Rutland
Cc: Billy Wusterhausen
Subject: Suggested language change to head of dept certification

Director Tim Rutland,

Thank you for your update at yesterday's TFCA meeting at the SFFMA building. I am writing you to consider the suggested language change below. I would like to attend the next meeting this is being discussed, but could not locate that information on the web site. Please contact me should you have any questions or need any clarification.

§449.3 - Minimum Standards for [~~Certification as~~] Basic Head of a Suppression Fire Department Certification

- (a) Applicants for Basic Head of a Suppression Fire Department Certification must complete the following requirements:
- (1) must be appointed as head of a suppression fire department; and
 - (2) complete the Standards Review Assignment for Head of a Fire Department identified in the applicable chapter of the Certification Curriculum Manual; and
 - (3) meet with a Texas Commission on Fire Protection Compliance Section representative for review and approval of the Standards Review Assignment; and
 - (4) attend at least one Texas Commission on Fire Protection regularly scheduled commission meeting or one regularly scheduled fire fighter advisory committee meeting in the first year of appointment; and
 - (5) document completion of the National Incident Management System courses 100, 200, 700, and 800; and
 - (6) hold a Texas Commission on Fire Protection certification as a fire protection personnel in any discipline that has a commission approved curriculum that requires structural fire protection personnel certification and five years experience within the last ten years in a full-time fire suppression position department; or
 - (7) an individual from another jurisdiction who possesses valid documentation of accreditation from the International Fire Service Accreditation Congress that is deemed equivalent to the commission's approved basic fire suppression curriculum and provide documentation in the form of a sworn nonself serving affidavit of five years experience within the last ten years in a full-time fire suppression position department; or
 - (8) provide documentation in the form of a nonself serving sworn affidavit of ten years experience within the last fifteen years as an employee of a local governmental entity in a full-time structural fire protection personnel position in a jurisdiction other than Texas; or
 - (9) provide documentation in the form of a sworn nonself serving affidavit of ten years of experience within the last fifteen years as a certified structural part-time fire protection employee; or
 - (10) provide documentation in the form of a sworn nonself serving affidavit of ten years experience within the last fifteen years as an active volunteer fire fighter in one or more volunteer fire departments that meet the requirements of subsection (b) of this section.
- (b) The ten years of volunteer service referenced in subsection (a)(10) must include documentation of attendance at 40% of the drills for each year and attendance of at least 25% of a department's emergencies in a calendar year while a member of a volunteer fire department or departments with ten or more active members that conducts a minimum of 48 hours of drills in a calendar year.

In Public Service,

Billy Wusterhausen
 Assistant Chief
 Round Rock Fire Department



September 12, 2014

Tim Rutland
 Executive Director
 Texas Commission on Fire Protection
 P.O. Box 2286
 Austin, Texas 78768

RE: Proposed Rule Changes to Texas Administrative Code, Title 37, part 13, chapter 449

Dear Executive Director Tim Rutland,

Through Texas Government Code chapter 419, Cedar Park Fire Department (Department) falls under the jurisdiction of the Texas Commission on Fire Protection (Commission). Cedar Park Fire Department has a strong compliance record with the Commission and has remedied any compliance issues promptly when identified. As evidenced by the Center for Public Safety Excellence accreditation and Insurance Services Office Class 1 rating, the Department has placed a priority in administrative and operational effectiveness. In these efforts, staff has monitored potential changes that may affect the Department's regulation. Cedar Park Fire Department, therefore, would like to express its reservations regarding the proposed rule changes posted in the August 29, 2014 edition of the Texas Register. Multiple sections of the proposed language affecting Texas Administrative Code, Title 37, part 13, chapter 449 (Head of a Fire Department) specifically drew the Department's attention.

Cedar Park Fire Department would like to first comment on the language under 37 TAC §449.3 (a)(6), which requires "five years experience within the last ten years in a full-time fire suppression position" for Basic Head of a Suppression Fire Department certification. The Department believes this language is excessively restrictive. According to 37 TAC §421.5, the Commission defines fire suppression to only pertain to the "engaging in the controlling or extinguishment of a fire or any type or performing activities which are required for and directly related to the control and extinguishment of a fire of any type or performing activities which apparatus or nearby in a state of readiness to perform these duties." Requiring personnel to serve in this capacity full-time for five years in the past ten years, rather than five years overall as previously required, eliminates potential candidates that have served or currently serve in training, administrative, or prevention functions. The Department recommends the use of the term "fire protection" in place of "fire suppression." "Fire protection personnel" as defined by 37 TAC §421.5 (19) refers to "any person who is a permanent full-time employee of a fire department or governmental entity and who is appointed duties in one of the following categories/disciplines: fire suppression, fire inspection, fire and arson investigation, marine fire fighting, aircraft rescue fire fighting, fire training, fire education, fire administration and others employed in related positions necessarily or customarily appertaining thereto." This recommendation would maintain the Commission's intent to ensure that a head of a department serving in more than an interim capacity has the sufficient experience while remaining attuned to current standards and practices.

Proposed rules in 37 TAC §449.1 (f) repeat existing language from 37 TAC §449.3 (d) that state "An individual certified as head of a fire department under this section may engage in fire fighting activities only as the head of a fire department. These activities include incident command, direction of fire fighting activities or other emergency activities typically associated with fire fighting duties, i.e. rescue, confined space and hazardous materials response." The Department understands that the language in



place intends to promote on-scene safety; however, the Department would like to seek clarification if this language affects training functions. In addition, the Department questions if this language places smaller departments in an untenable situation where the head of a department may need to engage in more intensive fire fighting activities when life safety is at risk.

Cedar Park Fire Department does not believe in the need for different levels of certification for head of a department. Regardless of the level of certification, a head of a department exercises the same level of authority as bestowed by his or her respective governing body. In addition, the Texas Sunset Advisory Commission's Occupational Licensing/Regulation Model strongly discourages additional regulation when none is needed. Implementing certifications for "basic," "intermediate," "advanced," and "expert" head of a department provides few discernible advantages to public safety while increasing the amount of certification fees collected. The Department appreciates the Commission's efforts in developing an education and career path for those who have become a head of a department, but other non-regulatory entities meet this need more appropriately such as the United States Fire Administration's Executive Fire Officer Program. Acquiring higher levels of certification may also represent double payment for the same set of training and credentials, including those from the Commission including Fire Officer certifications.

If the Commission intends to proceed in establishing different certification levels for head of a department, the Department wishes to address specific provisions regarding their minimum standards: 37 TAC §449.5 (5) and 37 TAC §449.7 (4). These sub-sections imply that a head of a department must complete these requirements following his or her initial certification as head of a department. A head of a department may have previously completed training specified in the proposed rules. Furthermore, individuals with a head of a department certification must already complete continuing education requirements as detailed in 37 TAC §441.19. The Department also recommends that an associate's, bachelor's, or master's degree may act as prima facie compliance with these requirements.

Cedar Park Fire Department deeply appreciates the opportunity to provide public comment for this set of proposed rule changes. Please do not hesitate to contact us at 512-401-5220 if there are any questions.

Respectfully,

James Mallinger
Cedar Park Fire Department

From: James Mallinger

Sent: Monday, December 08, 2014 11:49 AM

To: Grace Wilson; Buddy Rice; Daniel Kistner; Gary Wisdom; Jason Collier; Jimmy Chew; Michael Brock; Pat McAuliff; Scott Kerwood; Sylvia Miller; Tim Rutland; Betty Wilkes; Jim Reidy; Billie Wusterhausen; Mike Montgomery; Robert Isebill; Mike Wisk; Brent Parker; Michael Neujahr; Scott Thompson; Levi Clements

Cc: Deborah Cowan

Subject: RE: Head of Dept ad hoc committee - discussion of issues and possible rule revision

All,

I apologize but after asking to be included with this, I have had something come up and I will not be in town for this meeting. Attached is the letter I wrote when the topic was up for adoption earlier this year. My understanding is that the strictly written requirement of "five years within the last ten years in a full-time fire suppression position" would have precluded me from obtaining a position as Fire Chief since I was assigned to administration for thirteen years before promoting to fire chief. I talked with others that are in the same position as I was and they also feel this strict interpretation is not what is best for the Texas Fire Service.

After more discussions with other Fire Chiefs, I would change the paragraph in the letter that discusses the different levels of certification for Head of Department. If the different levels had increasing education requirements, I would be in support of having multiple levels of certification. If the only difference is time of service, then I wouldn't agree with the different levels.

I am willing to provide feedback through email if anyone has any questions about the letter or my comments.

Once again, I apologize that I will miss next week's meeting.

James

James Mallinger
Fire Chief
Cedar Park Fire Department

From: Montgomery, Mike (Fire Marshal's Office)
Sent: Friday, September 26, 2014 5:18 PM
To: info
Subject: Proposed rules changes

Thank you for the opportunity to comment on these proposed changes. These comments are my personal opinion only, and do not represent the official view of Harris County or this agency.

Chapter 441. Continuing Education. No changes, recommend adoption.

Chapter 449. Head of Department. Proposed changes for both Suppression Department and Prevention Department requirements, recommend hold for additional discussion.

1. There may be some fiscal impact on local government due to costs associated with increased education requirements for higher levels of certification.
2. Recommend eliminating Fire Officer II, III, IV requirements from each level of higher certification and include them as A-list courses for listed Option 1, Option 2, or Option 3.
3. Master level: Recommend 60 college semester hours or an associate degree, which includes at least 18 hours in business or public administration subjects.

Chapter 457. Incident Safety Officer. No changes, recommend adoption.

Please contact me if you have any questions or would like to discuss any of these comments.

Regards,

Mike Montgomery
Harris County Fire Marshal's Office
Director/Fire Marshal
7701 Wilshire Place
Houston, TX 77040

Fire Chief Mike Wisko
2517 Ball Suite 206 Galveston, Tx. 77551
(409) 797-3850 Fax (409) 797-3855
www.galvestonfire.com

October 16, 2014

Mr. Tim Rutland
Executive Director
Texas Commission on Fire Protection
Austin, Texas

Re: Agenda Item 10a2

This morning you will be discussing and taking action on the revised Head of Department requirements. This issue has been at the forefront for almost three years now. The original requirement was developed in 1995 in response to a Texas Department hiring a non-certified Fire Chief. The outcry then was that we needed to have some type of certification required for all Fire Chiefs. Recently, adjustments have been made that require new Chiefs to attend meetings and gain a basic understanding of how the Texas Commission on Fire Protection functions.

An Ad Hoc committee was created with several knowledgeable and well respected Chiefs to review the requirements and develop something that would be reasonable and progressive but fits with current statutory requirements. The document in front of you is just that.

Currently any Texas City is able to hire whomever they choose to serve as their Fire Chief so long as they meet all statutory requirements. The TCFP requires the Head of Department certification. The recommended certification requirements in front of you today are no doubt a compromise of statutory requirements and professional standards. I support and encourage final adoption of these new requirements with the understanding just like any other standard, we can and ultimately will make needed changes when appropriate.

Thank you for your consideration in this matter

Mike Wisko
Fire Chief/Member of TCFP Firefighter Advisory Committee



1500 W. Wall St.
P.O. Box 1152
Midland Texas 79702
(432) 685-7332
Fax (432) 686-1638

Robert Isbell, Fire Chief
Midland Fire Department
1500 W. Wall St.
Midland, Texas 79701

October 15, 2014

Commissioner Tull
Presiding Officer
Texas Commission on Fire Protection
1701 North Congress, Suite 105
Austin, Texas 78701

Commissioner Tull,

I wanted to voice my opinion for the "head of department (HOD)" certification changes as listed on the agenda for the Commission meeting. I must admit, I was a big proponent to raising the bar for the HOD certification and pushed for a change to be made. After the last iteration came out, I was less enthused about the proposal.

My original desire was to see our profession come inline with a higher level of education. I had envisioned a training assuring new chiefs would be equipped with the necessary skills and training to be successful.

I believe this draft needs more work. I am hoping this committee will bring back a more robust offering for executive level fire chief. I do appreciate the hard work that has gone into the draft. I am respectfully requesting the draft proposal be sent back to committee for more refinement.

Respectfully Submitted,

Robert Isbell, Fire Chief

www.MidlandTexas.gov

From: Robert McConnaughay
Sent: Monday, November 24, 2014 1:27 PM
To: Info
Subject: Proposed rule revisions for head of department

To Whom It May Concern:

I have been reviewing the proposed rule revisions for Head of Department Certification, and would like to comment on them.

I do not believe there is a need to have different levels for Head of Department. (Basic, Intermediate, Advanced, Master). I believe in the future that it would cause perfectly qualified individuals being overlooked in an employment process, and could potentially create legal issues for Fire Departments or Cities down the road. And feel that it would be more adventitious that there be requirements to maintain Head of Department certification. For example, within 3 years of being appointed as Head of Department, the individual must obtain at minimum Fire Officer II, etc.

But, if you insist on having different levels (Basic, Intermediate, Advanced, Master), I feel that it is only right that you have time requirements just like Firefighter levels do. (4 years, 8 years, 12 years)

Thank you,

Robert McConnaughay

From: Wally Cox [<mailto:Wcox@gvps.org>]

Sent: Friday, October 17, 2014 10:11 AM

Subject: Ref: Comments on 449.1--Minimum Standards for Head of Department Certification

Let me begin by apologizing to the Commissioner's for not staying as informed as I should be on Commission activities that have a direct impact on my profession. As a newly appointed Head of Department I can only say that my first few months have been somewhat overwhelming with the number of documents that must be read critically. I do appreciate the time and effort you put in to improve our profession here in Texas.

After attending my required and first Commission meeting on 10-16-2014, as the Chief from Wylie stated "I picked a good day to come" with the Head of Department discussion taking center stage. Listening to the discussion and comments I can see where this would be a divisive issue. As you requested, I have a few limited comments to offer.

1. Years of fire suppression experience

I can see where in a larger department this could be a limitation for a person in a long duration assignment to prevention, training, or investigations. These personnel would likely not be responding in a "combat mode" on a regular basis. On the other hand, in smaller departments, all personnel in any assignment are fire suppression personnel first and foremost and their other assignment(s) are secondary due to the budgetary constraints on the number of personnel employed.

2. Volunteer years of experience

I understand that there are volunteer personnel who are dedicated students of the profession of firefighter and do everything they can to improve education in the art of firefighting. However, there are also those out there who "pencil whip" their documentation, are able to pass the commission exams, but have limited experience in fire suppression. The Commission has no oversight on these personnel and no means to document their experience.

3. What is the gauge of experience

Does the Commission look strictly at calendar years? I can see where a person could have ten years experience and had never held command at a high-rise fire incident. Conversely, there are people who have never had to run command on a multiple resource response over multiple days fighting a wild land fire incident.

4. Required attendance at one Commission meeting

Understanding that this sounds contradictory to my first statement, I have to question the reasoning for requiring a person applying for Head of Department certification to attend one Commission meeting. The idea sounds good on paper but the logistics of attending can be difficult for smaller entities with limited budgets. I see this as a waste of time and dollars for a person having to travel from far west Texas to attend a meeting where they will likely have no input and can read the minutes via the Commission website.

Once again, I apologize for the lateness of my comments.

Sincerely,

Wally Cox, Fire Chief / EMC
City of Gainesville

From: Robert Fite [<mailto:rfite@GPTX.org>]

Sent: Tuesday, December 16, 2014 10:10 AM

To: Info

Subject: Comments to the proposed Head of the Department change

I would like to voice my comments against the proposed changes to the department head certification. I do not understand why there needs to be four levels of Department Head certification with college and/or fire officer courses attached to each. A Fire Chief is an executive level position within City Government with numerous other responsibilities in addition to a fire department. To require mandatory meeting visits, mandatory meeting with TCFP, and certain training and/or college courses to obtain certification is ridiculous. In addition to my strong dislike of the changes, I also believe you are essentially eliminating quality out of state applicants as the requirements would be difficult to obtain. City Managers SHOULD NOT be limited by the TCFP in who they choose to lead their city fire department. City Managers and City Council need as much flexibility as possible to choose the right leader of the fire department and this proposed change will greatly limit this discretion and decision making of the elected body.

Robert Fite
Fire Chief
Grand Prairie Fire Dept.

From: Paulsgrove, Robin F. [<mailto:Robin.Paulsgrove@cityofdenton.com>]
Sent: Tuesday, December 16, 2014 11:46 AM
To: Tim Rutland
Cc: kswindle@krumfire.com; Hedges, Kenneth W
Subject: Proposed Standard for Head of Department - Texas Fire Service

I have had the opportunity to participate in two excellent discussions on this proposal – one at the Texas Fire Chiefs retreat in Bastrop and a second at a recent Denton County Fire Chiefs meeting. I think it is incumbent upon me to record the statements that I have made and ask that you forward them for consideration by the ad hoc committee.

I absolutely support an effort to professionalize our industry at every level. While requirements for Fire Chief are specifically defined by statute in Chapter 143 cities and developed based on individual requirements in other Texas cities, I support efforts to extend our professional standards through every level of the Texas Fire Service. I am convinced that dedicated individuals have expended significant effort to develop this proposal. I admire and appreciate those efforts.

Respectfully, I am less convinced that the proposal accomplishes the stated objective. The criteria, in my view, read much more like a job description for an Incident Commander than they do for Chief of Department. While that may be the most critical criteria in some Texas jurisdictions, it absolutely does not apply to all. It is my understanding that adopting this proposal would apply this standard to all Texas jurisdictions not exempt by Chapter 143 restrictions. The overriding concern seems to be that an individual with an Administrative or Prevention background or career track will find his or her way into the position of Chief of Department. This is presented as either “unjust” or a “political appointment” without merit. It is further presented as likely being met with tragic consequences based on a failure to meet Operations qualifications. There is no equal concern expressed that an individual with an exclusive Operations background will find his or her way into a position of authority over administrative or prevention functions. Neither does the proposal make a provision for the fact that an individual with no experience in EMS may find his or her way into the position of head of department in an organization whose functions are 80% EMS.

I am personally very proud of my field background and I believe that I am effective because of my broad experience in many divisions and aspects of the extensive Texas Fire Service mission. As the Chief Executive Officer of three Texas Cities, I would also be quick to add that, in none of my positions, was Incident Commander the most critical measure of my service to the citizens or to my personnel. It is also my understanding that in no case was my Operations experience recent enough to meet some of the criteria as proposed.

I respect the challenges that are faced with efforts to develop and apply standards to an industry as diverse in size and mission as the Texas Fire Service jurisdictions. However, I much respectfully conclude that the proposal would do less to professionalize our industry than it would to codify a bias for a limited view of the qualifications and role of the Head of Department.

Robin Paulsgrove
Fire Chief
City of Denton, Texas

COMMENTS FROM COMMISSION MEETING, 10/16/14
REGARDING HEAD OF DEPARTMENT PROPOSED RULES

Commissioner Gonzalez:

- Does not support as written
- A lot of confusion concerning years of service language
- Not enough chiefs know about the proposed rules

Commissioner Gillette:

- Does not support
- Affects the hiring process of cities
- Large metro departments wouldn't (necessarily) need someone with suppression experience, because the person wouldn't be responding to fires
- Large metro departments not represented on ad hoc committee

Commissioner Ekiss:

- (as an example) the Advanced HOD certification doesn't look much different than an advanced structure certification

Levi Clements, Mansfield Fire Rescue:

- Should wait on this action.
- Many persons are on specific career path that has them working in different division in fire departments; this could jeopardize some people who could be well rounded candidates.
- In contrast, a 20-year tailboard man could become fire chief.

Scott Thompson, The Colony Fire Dept:

- Worked for Bill Peterson (Plano FD); everyone knows the positive impact that he has had on the Texas fire service; according to these [proposed] rules, he would not qualify.
- Rick Laskey (worked for him also at Lewisville) also would not qualify.
- This is too restrictive to out-of-state candidates.
- Chiefs Piland and Crawford (neighboring departments) also from out of state, and they will do great things for Texas fire service.
- If passed, cities could make the decision to consider only candidates with higher certification levels, unduly restricting the opportunities for out-of-state candidates.
- Don't see the benefit to the higher certification levels.

Mike Neujahr, Copperas Cove Fire Dept:

- I wouldn't qualify by these standards
- Creates undue restrictions for those aspiring to become fire chiefs

(James) Brent Parker, Wylie Fire Dept:

- Whether someone has primary experience in suppression, prevention, or otherwise should be a hiring decision left to the city manager.
- Previous Wylie FD chief had been out of fire service for probably 10-12 years – came back and was very successful at Wylie.
- Disappointed in the [low] educational requirements for the upper levels; consider what cities are requiring today for administrative positions; fire service has complained for years about not promoting formal educational credentials as important – now is an opportunity.

11. Matters referred from the Fire Fighter Advisory Committee (FFAC), including but not limited to:

- B. Report from the Curriculum and Testing Committee with discussion and possible action on recommendations regarding possible changes to the Certification Curriculum Manual, including but not limited to the Curriculum, Curriculum Outline and Reference Lists for:**
 - a. Hazardous Materials Awareness**
 - b. Hazardous Materials Operations**
 - c. Hazardous Materials Operations – Mission Specific Competencies**
 - d. Hazardous Materials Technician**
 - e. Hazardous Materials Incident Commander**



Texas Commission on Fire Protection

Agenda Item Summary

MEETING: Commission
DATE: 1/29/2015

Agenda Item: 11. B

Agenda Title: Recommended changes to Certification Curriculum Manual

Action to be taken: Discussion, possible action

Origin of Item: Curriculum and Testing Committee

INTRODUCTION/PURPOSE

Update parts of Curriculum Manual to reflect current reference material and requirements.

DESCRIPTION/ JUSTIFICATION

The recommended changes update language in the hazardous materials sections of the Curriculum Manual so as to maintain consistency with applicable NFPA standards. Listed reference material is also updated to reflect new editions of certain publications. Curricula content is not impacted by the reference material updates.

BUDGET IMPACT

No budget impact anticipated

TIMELINE CONSIDERATIONS

Effective date of curricula changes to be January 1, 2016 unless specified otherwise by commission.

RECOMMENDATION

Changes recommended by FF Advisory Committee

REFERENCES

Curriculum Manual

SECTION 601
HAZARDOUS MATERIALS AWARENESS

Awareness Level Personnel are those who, in the course of their normal duties, may encounter an emergency incident involving hazardous materials/weapons of mass destruction (WMD) and who are expected to:

- Recognize the presence of the hazardous materials/weapons of mass destruction (WMD),
- Protect themselves,
- Call for trained personnel, and
- Secure the scene

Response options for awareness level personnel are generally limited to nonintervention actions only.

601-4.1 **General**

601-4.1.1 **Introduction**

601-4.1.1.1 Awareness level personnel shall be persons who, in the course of their normal duties, could encounter an emergency involving hazardous materials/weapons of mass destruction (WMD) and who are expected to recognize the presence of the hazardous materials/WMD, protect themselves, call for trained personnel, and secure the area.

601-4.1.1.2 Awareness level personnel shall be trained to meet all competencies of this chapter.

601-4.1.1.3 Awareness level personnel shall receive additional training to meet applicable governmental occupational health and safety regulations.

1. Occupational training requirements
 - a. Firefighter
 - b. Peace officer
 - c. Emergency medical services
 - d. Other
2. Safety regulations
 - a. OSHA
 - b. EPA
 - c. DOT
 - d. Other

601-4.1.2 **Goal**

601-4.1.2.1 The goal of the competencies at the awareness level shall be to provide personnel already on the scene of a hazardous materials/WMD incident with the knowledge and skills to perform the tasks in 4.1.2.2 safely and effectively.

601-4.1.2.2 When already on the scene of a hazardous materials/WMD incident, the awareness level personnel shall be able to perform the following tasks:

1. Analyze the incident to determine both the hazardous material/WMD present and the basic hazard and response information for each hazardous material/WMD agent by completing the following tasks:
 - a. Detect the presence of hazardous materials/WMD.

- b. Survey a hazardous materials/WMD incident from a safe location to identify the name, UN/NA identification number, type of placard, or other distinctive marking applied for the hazardous materials/WMD involved.
 - c. Collect hazard information from the current edition of the DOT *Emergency Response Guidebook*.
2. Implement actions consistent with the ~~emergency response plan~~ **authority having jurisdiction (AHJ)**, the standard operating procedures, and the current edition of the DOT *Emergency Response Guidebook* by completing the following tasks:
 - a. Initiate protective actions.
 - b. Initiate the notification process.

601-4.2 **Competencies — Analyzing the Incident**

601-4.2.1 **Detecting the Presence of Hazardous Materials/WMD**

Given examples of various situations, awareness level personnel shall identify those situations where hazardous materials/WMD are present and shall meet the following requirements:

1. Identify the definitions of both *hazardous material* (or *dangerous goods*, in Canada) and *WMD*.
 - a. Hazardous materials (or dangerous goods in Canada) – a substance (solid, liquid, gas or energy) that when released is capable of creating harm to people, the environment, and property, including weapons of mass destruction (WMD) as defined in 18 U.S. Code, Section 2332a, as well as any other criminal use of hazardous materials, such as illicit labs, environmental crimes, or industrial sabotage
 - b. Weapons of Mass Destruction (WMD) - (1) Any destructive device, such as any explosive, incendiary, or poison gas bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one quarter ounce (7 grams), mine, or device similar to the above; (2) any weapon involving toxic or poisonous chemicals; (3) any weapon involving a disease organism; or (4) any weapon that is designed to release radiation or radioactivity at a level dangerous to human life.
2. Identify the UN/DOT hazard classes and divisions of hazardous materials/WMD and identify common examples of materials in each hazard class or division.
 - a. Class 1 – Explosives
 - i. Division 1.1 Explosives with a mass explosion hazard. Examples of Division 1.1 explosives include black powder trinitrotoluene, dynamite, and trinitrotoluene (TNT).
 - ii. Division 1.2 Explosives with a projection hazard. Examples of Division 1.2 explosives include aerial flares, detonating cord, and power device cartridges.
 - iii. Division 1.3 Explosives with predominantly a fire hazard. Examples of Division 1.3 explosives include liquid-fueled rocket motors and propellant explosives.
 - iv. Division 1.4 Explosives with no significant blast hazard. Examples of Division 1.4 explosives include line-throwing rockets, practice ammunition, and signal cartridges.
 - v. Division 1.5 Very insensitive explosives with a mass explosion hazard. Examples of Division 1.5 explosives include piled ammonium nitrate fertilizer–fuel oil mixtures (blasting agents).
 - vi. Division 1.6 Extremely insensitive articles. An example of Division 1.6 includes wetted cellulose nitrate.

- b. Class 2 - Gases
 - i. Division 2.1 Flammable gases. Examples of Division 2.1 gases include inhibited butadienes, methyl chloride, and propane.
 - ii. Division 2.2 Non-flammable, non-toxic gases. Examples of Division 2.2 gases include anhydrous ammonia, cryogenic argon, carbon dioxide, and compressed nitrogen.
 - iii. Division 2.3 Toxic gases. Examples of Division 2.3 gases include anhydrous hydrogen fluoride, arsine, chlorine, and methyl bromide.
 - c. Class 3 - Flammable liquids (and Combustible liquids [U.S.]) Examples of Class 3 liquids include acetone, amyl acetate, gasoline, methyl alcohol, and toluene.
 - d. Class 4 - Flammable solids; Spontaneously combustible materials; and Dangerous when wet materials/Water-reactive substances
 - i. Division 4.1 Flammable solids. Examples of Division 4.1 materials include magnesium (pellets, turnings, or ribbons) and nitrocellulose.
 - ii. Division 4.2 Spontaneously combustible materials. Examples of Division 4.2 materials include aluminum alkyls, charcoal briquettes, magnesium alkyls, and phosphorus.
 - iii. Division 4.3 Water-reactive substances/Dangerous when wet materials. Examples of Division 4.3 materials include calcium carbide, magnesium powder, potassium metal alloys, and sodium hydride.
 - e. Class 5 - Oxidizing substances and Organic peroxides
 - i. Division 5.1 Oxidizing substances. Examples of Division 5.1 materials include ammonium nitrate, bromine trifluoride, and calcium hypochlorite.
 - ii. Division 5.2 Organic peroxides. Examples of Division 5.2 materials include dibenzoyl peroxide, methyl ethyl ketone peroxide, and peroxyacetic acid.
 - f. Class 6 - Toxic substances and Infectious substances
 - i. Division 6.1 Toxic substances. Examples of Division 6.1 materials include aniline, arsenic compounds, carbon tetrachloride, hydrocyanic acid, and tear gas.
 - ii. Division 6.2 Infectious substances. Examples of Division 6.2 materials include anthrax, botulism, rabies, and tetanus.
 - g. Class 7 - Radioactive materials. Examples of Class 7 materials include cobalt, uranium hexafluoride, and "yellow cake."
 - h. Class 8 - Corrosive substances. Examples of Class 8 materials include nitric acid, phosphorus trichloride, sodium hydroxide, and sulfuric acid.
 - i. Class 9 - Miscellaneous hazardous materials/Products, Substances or Organisms. Examples of Class 9 materials include adipic acid, hazardous substances (e.g., PCBs), and molten sulfur.
3. Identify the primary hazards associated with each UN/DOT hazard class and division.
- i. Class 1 — Explosives

An explosive is any substance or article, including a device, that is designed to function by explosion (i.e., an extremely rapid release of gas and heat) or that, by chemical reaction within itself, is able to function in a similar manner even if not designed to function by explosion. Explosives in Class 1 are divided into six divisions. Each division has a letter designation.

 - i. Division 1.1 consists of explosives that have a mass explosion hazard. A mass explosion is one that affects almost the entire load instantaneously.
 - ii. Division 1.2 consists of explosives that have a projection hazard but not a mass explosion hazard.

- iii. Division 1.3 consists of explosives that have a fire hazard and a minor blast hazard, a minor projection hazard, or both, but not a mass explosion hazard.
 - iv. Division 1.4 consists of explosive devices that present a minor explosion hazard. No device in the division can contain more than 0.9 oz (25 g) of a detonating material. The explosive effects are largely confined to the package, and no projection of fragments of appreciable size or range are expected. An external fire must not cause virtually instantaneous explosion of almost the entire contents of the package.
 - v. Division 1.5 consists of very insensitive explosives. This division comprises substances that have a mass explosion hazard but are so insensitive that there is very little probability of initiation or of transition from burning to detonation under normal conditions of transport.
 - vi. Division 1.6 consists of extremely insensitive articles that do not have a mass explosive hazard. This division comprises articles that contain only extremely insensitive detonating substances and that demonstrate a negligible probability of accidental initiation or propagation.
- ii. Class 2 — Gases
- i. Division 2.1 (flammable gas) consists of materials that are a gas at 68°F (20°C) or less and 14.7 psi (101.3 kPa) of pressure, have a boiling point of 68°F (20°C) or less at 14.7 psi (101.3 kPa), and have the following properties:
 - a) Are ignitable at 14.7 psi (101.3 kPa) when in a mixture of 13 percent or less by volume with air
 - b) Have a flammable range at 14.7 psi (101.3 kPa) with air of at least 12 percent regardless of the lower limit
 - ii. Division 2.2 (nonflammable, nonpoisonous compressed gas, including compressed gas, liquefied gas, pressurized cryogenic gas, and compressed gas in solution, asphyxiant gas, and oxidizing gas) consists of materials (or mixtures) that exert in the packaging an absolute pressure of 41 psi (280 kPa) at 68°F (20°C). A cryogenic liquid is a refrigerated liquefied gas having a boiling point colder than -130°F (-90°C) at 14.7 psi (101.3 kPa).
 - iii. Division 2.3 (gas poisonous by inhalation) consists of materials that are a gas at 68°F (20°C) or less and a pressure of 14.7 psi, or 1 atm (101.3 kPa), have a boiling point of 68°F (20°C) or less at 14.7 psi (101.3 kPa), and have the following properties:
 - a) Are known to be so toxic to humans as to pose a hazard to health during transportation
 - b) In the absence of adequate data on human toxicity, are presumed to be toxic to humans because, when tested on laboratory animals, they have an LC50 value of not more than 5000 ppm.
- iii. Class 3 — Flammable and Combustible Liquids
- i. Flammable liquids are liquids having a flash point of not more than 140°F (60°C) or materials in a liquid phase with a flash point at or above 100°F (37.8°C) that are intentionally heated and offered for transportation or transported at or above their flash point in a bulk packaging. Examples of flammable liquids include ~~gasoline, methyl ethyl ketone, and ethyl alcohol~~ **acetone, amyl acetate, gasoline, methyl alcohol, and toluene.** (↑ these edits come from Annex F)
 - ii. Combustible liquids are liquids that do not meet the definition of any other hazard class and that have a flash point above 140°F (60°C) and

below 200°F (93°C). Flammable liquids with a flash point above 100°F (38°C) can be reclassified as combustible liquids. Examples of combustible liquids include mineral oil, peanut oil, and No. 6 fuel oil.

- iv. Class 4 — Flammable Solids
 - i. Division 4.1 (flammable solids) comprised of the following three types of materials:
 - a) Desensitized explosives — explosives wetted with sufficient water, alcohol, or plasticizers to suppress explosive properties
 - b) Self-reactive materials — materials that are thermally unstable and that can undergo a strongly exothermic decomposition even with participation of oxygen (air)
 - c) Readily combustible solids — solids that can cause a fire through friction and any metal powders that can be ignited.
 - ii. Division 4.2 (spontaneously combustible material) comprises the following materials:
 - a) Pyrophoric materials — liquids or solids that, even in small quantities and without an external ignition source, can ignite within 5 minutes after coming in contact with air
 - b) Self-heating materials — materials that, when in contact with air and without an energy supply, are liable to self-heat
 - iii. Division 4.3 (dangerous-when-wet materials) is comprised of materials that, by contact with water, are liable to become spontaneously flammable or to give off flammable or toxic gas at a rate greater than 1 L/kg of the material per hour.
- v. Class 5 — Oxidizers and Organic Peroxides
 - i. Division 5.1 (oxidizers) is comprised of materials that can, generally by yielding oxygen, cause or enhance the combustion of other materials.
 - ii. Division 5.2 (organic peroxides) is comprised of organic compounds that contain oxygen (O) in the bivalent -O-O- structure that can be considered a derivative of hydrogen peroxide, where one or more of the hydrogen atoms have been replaced by organic radicals.
- vi. Class 6 — Poisonous Materials
 - i. Division 6.1 (poisonous materials) comprises materials other than gases that either are known to be so toxic to humans as to afford a hazard to health during transportation or in the absence of adequate data on human toxicity are presumed to be toxic to humans, including materials that cause irritation.
 - ii. Division 6.2 (infectious substances) comprises materials known to contain or suspected of containing a pathogen. A pathogen is a micro-organism (including viruses, plasmids, and other genetic elements) or a proteinaceous infectious particle (prion) that has the potential to cause disease in humans or animals. The terms *infectious substance* and *etiologic agent* are synonymous.
- vii. Class 7 — Radioactive Materials
Radioactive material is any material containing radionuclides where both the activity concentration and the total activity in the consignment exceed specified values.
- viii. Class 8 — Corrosive Materials
Corrosive materials are liquids or solids that cause full-thickness destruction of skin at the site of contact within a specified period of time. A liquid that has a severe corrosion rate on steel or aluminum is also a corrosive material.
- ix. Class 9 — Miscellaneous Hazardous Materials

Miscellaneous hazardous materials are materials that present a hazard during transport but that do not meet the definition of any other hazard class.

Miscellaneous hazardous materials include the following:

- i. Any material that has an anesthetic, noxious, or other similar property that could cause extreme annoyance or discomfort to a flight crew member so as to prevent the correct performance of assigned duties
 - ii. Any material that is not included in any other hazard class but that is subject to DOT requirements (e.g. elevated-temperature material, hazardous substance, hazardous waste, marine pollutant).
4. Identify the difference between hazardous materials/WMD incidents and other emergencies.
 - a. Size
 - b. Complexity
 - c. Intent
 - d. Crime scene management
 - e. Secondary devices/attacks and armed
 5. Identify typical occupancies and locations in the community where hazardous materials/WMD are manufactured, transported, stored, used, or disposed of.
 6. Identify typical container shapes that can indicate the presence of hazardous materials/WMD.
 - a. Non-bulk containers
 - b. Bulk containers
 - c. Fixed facility storage systems
 - d. Pipelines
 - e. Ships & marine vessels
 7. Identify facility and transportation markings and colors that indicate hazardous materials/WMD, including the following:
 - a. Transportation markings, including UN/NA identification number marks, marine pollutant mark, elevated temperature (HOT) mark, commodity marking, and inhalation hazard mark
 - b. *NFPA 704, Standard System for the Identification of the Hazards of Materials for Emergency Response*, markings
 - c. Military hazardous materials/WMD markings
 - d. Special hazard communication markings for each hazard class (i.e., Hazardous Material Identification System – HMIS)
 - e. Pipeline markings
 - f. Container markings
 8. Given an NFPA 704 marking, describe the significance of the colors, numbers, and special symbols.
 - a. Categories of hazards
 - i. Health – blue color
 - ii. Flammability – red color
 - iii. Reactivity – yellow color
 - iv. Special hazards (white color with symbol)
 - b. Five degrees of hazards (0 – 4)
 9. Identify U.S. and Canadian placards and labels that indicate hazardous materials/WMD. (see ERG or DOT Chart)

10. Identify the following basic information on material safety data sheets (MSDS) or safety data sheets (SDS) and shipping papers for hazardous materials:
 - a. Identify where to find MSDS/SDS.
 - b. Identify major sections of an MSDS/SDS.
 - i. Basic information that indicates hazardous materials
 - ii. Entries that indicate the presence of hazardous materials containers by their shape
 - c. Identify the entries on shipping papers that indicate the presence of hazardous materials.
 - d. Match the name of the shipping papers found in transportation (air, highway, rail, and water) with the mode of transportation.
 - i. Air – air bill
 - ii. Highway – Bill of Lading or freight bill
 - iii. Water – dangerous cargo manifest
 - iv. Rail – waybill and/or consist
 - e. Identify the person responsible for having the shipping papers in each mode of transportation.
 - f. Identify where the shipping papers are found in each mode of transportation.
 - g. Identify where the papers can be found in an emergency in each mode of transportation.
11. Identify examples of clues (other than occupancy/ location, container shape, markings/color, placards/ labels, MSDS, and shipping papers) **to include** the sight, sound, and odor of which indicate hazardous materials/WMD.
 - a. Odors
 - b. Gas leak
 - c. Fire
 - d. Vapor cloud
 - e. Corrosive actions
 - f. Visible chemical reactions
 - g. Pooled liquids
 - h. Sound of a pressure release
 - i. Condensation line on pressure tank
 - j. Injured persons or casualties
12. Describe the limitations of using the senses in determining the presence or absence of hazardous materials/WMD.
 - a. Exposes responder to possible ill health effects; or
 - b. Death
13. Identify at least four types of locations that could be targets for criminal or terrorist activity using hazardous materials/WMD.
 - a. Public assembly areas
 - b. Public buildings
 - c. Mass transit systems
 - d. Places with high economic impact
 - e. Telecommunications facilities
 - f. Places with historical or symbolic significance
 - g. Military installations
 - h. Airports
 - i. Industrial facilities
14. Describe the difference between a chemical and a biological incident.
 - a. Chemical – characterized by rapid onset of symptoms
 - b. Biological – symptoms requires days or weeks to manifest

15. Identify at least four indicators of possible criminal or terrorist activity involving chemical agents.
 - a. The presence of hazardous materials/WMD or laboratory equipment that is not relevant to the occupancy
 - b. Intentional release of hazardous materials/WMD
 - c. Unexplained patterns of sudden onset of similar, nontraumatic illnesses or deaths (patterns that might be geographic, by employer, or associated with agent dissemination methods)
 - d. Unexplained odors or tastes that are out of character with the surroundings
 - e. Multiple individuals exhibiting unexplained signs of skin, eye, or airway irritation
 - f. Unexplained bomb- or munitions-like material, especially if it contains a liquid
 - g. Unexplained vapor clouds, mists, and plumes
 - h. Multiple individuals exhibiting unexplained health problems such as nausea, vomiting, twitching, tightness in chest, sweating, pinpoint pupils (miosis), runny nose (rhinorrhea), disorientation, difficulty breathing, convulsions, or death
 - i. Trees, shrubs, bushes, food crops, and/or lawns that are dead, discolored, abnormal in appearance, or withered (not due to a current drought and not just a patch of dead weeds)
 - j. Surfaces exhibiting oily droplets/films and unexplained oily film on water surfaces
 - k. An abnormal number of sick or dead birds, animals, or fish
 - l. Unusual security, locks, bars on windows, covered windows, or barbed wire
16. Identify at least four indicators of possible criminal or terrorist activity involving biological agents.
 - a. Unusual number of sick or dying people or animals (any number of symptoms; time before symptoms are observed dependent on the agent used but usually days to weeks)
 - b. Healthcare facilities reporting multiple casualties with similar signs or symptoms
 - c. Unscheduled or unusual spray being disseminated, especially if outdoors during period of darkness
 - d. Abandoned spray devices (devices with no distinct odors)
17. Identify at least four indicators of possible criminal or terrorist activity involving radiological agents.
 - a. Radiation Symbols
 - b. Unusual metal debris
 - c. Heat-emitting material
 - d. Glowing material
 - e. Sick people/animals
18. Identify at least four indicators of possible criminal or terrorist activity involving illicit laboratories (e.g., clandestine laboratories, weapons lab, ricin lab).
 - a. Structures with unusual or multiple vents
 - b. Buildings with heavy security
 - c. Obscured windows
 - d. Odd or unusual odors
 - e. May include mobile facilities, i.e. mobile meth labs
19. Identify at least four indicators of possible criminal or terrorist activity involving explosives

- a. Prior warning or threat of attack
 - b. Unknown explosions
 - c. Multiple fires or explosions
 - d. Unattended packages, backpacks and other objects left in high traffic public areas
 - e. Fragmentation damage or injuries
 - f. Craters
 - g. Small metal objects, i.e. nuts, bolts, nails used as shrapnel
20. Identify at least four indicators of secondary devices
- a. Containers with unknown liquids or materials
 - b. Unusual devices or containers with electronic components such as wires, circuit boards, cellular phones, antennas and other items attached or exposed
 - c. Devices containing quantities of fuses, fireworks, match heads, black powder, incendiary materials or other unusual materials
 - d. Materials attached to or surrounding an item such as nails, bolts, drill bits that could be used for shrapnel
 - e. Ordnance such as blasting caps, detcord, explosives, grenades, etc.

601-4.2.2 Surveying Hazardous Materials/WMD Incidents

Given examples of hazardous materials/WMD incidents, awareness level personnel shall, from a safe location, identify the hazardous material(s)/WMD involved in each situation by name, UN/NA identification number, or type placard applied and shall meet **by completing** the following requirements:

1. Identify difficulties encountered in determining the specific names of hazardous materials/WMD at facilities and in transportation.
2. Identify sources for obtaining the names of, UN/NA identification numbers for, or types of placard associated with hazardous materials/WMD in transportation.
 - a. Shipping documents
 - b. Labels
 - c. Placards
 - d. DOT *Emergency Response Guidebook* (ERG)
3. Identify sources for obtaining the names of hazardous materials/WMD at a facility.
 - a. Shipping documents
 - b. Labels
 - c. Placards
 - d. ERG
 - e. Safety Data Sheets (SDS)/Material Safety Data Sheets (MSDS)
 - f. Facility documents
 - g. Facility pre-plans

601-4.2.3 Collecting Hazard Information

Given the identity of various hazardous materials/WMD (name, UN/NA identification number, or type placard), awareness level personnel shall identify the fire, explosion, and health hazard information for each material by using the current edition of the DOT *Emergency Response Guidebook* and shall meet **by completing** the following requirements:

1. Identify the three methods for determining the guidebook page for a hazardous material/WMD.
 - a. Locate UN number in the yellow-bordered pages
 - b. Locate name of material in the alphabetic listing in the blue-bordered pages

- c. Locate a matching placard or container shape and consult the appropriate guide number
2. Identify the two general types of hazards found on each guidebook page.
 - a. Fire/explosive
 - b. Health

601-4.3 Competencies — Planning the Response. (Reserved)

601-4.4 Competencies — Implementing the Planned Response

601-4.4.1 Initiating Protective Actions

Given examples of hazardous materials/WMD incidents, the emergency response plan, the standard operating procedures, and the current edition of the DOT *Emergency Response Guidebook*, awareness level personnel shall be able to identify the actions to be taken to protect themselves and others and to control access to the scene and shall meet the following requirements:

1. Identify the location of both the emergency response plan and/or standard operating procedures (SOP).
2. Identify the role of the awareness level personnel during hazardous materials/WMD incidents.
 - a. Recognize the presence of hazardous materials/WMD.
 - b. Protect themselves
 - c. Call for trained personnel
 - d. Secure the area
3. Identify the following basic precautions to be taken to protect themselves and others in hazardous materials/WMD incidents:
 - a. Identify the precautions necessary when providing emergency medical care to victims of hazardous materials/WMD incidents.
 - i. Responder safety/appropriate PPE
 - ii. Isolate the victim
 - iii. Identify the product (by appropriately trained personnel)
 - iv. Decontaminate the patient (by appropriately trained personnel)
 - b. Identify typical ignition sources found at the scene of hazardous materials/WMD incidents.
 - c. Identify the ways hazardous materials/WMD are harmful to people, the environment, and property.
 - i. **T**hermal
 - ii. **R**adiation
 - iii. **A**sphyxiation
 - iv. **C**hemical (i.e., poisons, corrosives)
 - v. **E**tiologic
 - vi. **M**echanical
 - vii. **P**sychological/psychogenic
 - d. Identify the general routes of entry for human exposure to hazardous materials/WMD.
 - i. Contact
 - ii. Absorption
 - iii. Inhalation
 - iv. Ingestion

4. Given examples of hazardous materials/WMD and the identity of each hazardous material/WMD (name, UN/NA identification number, or type placard), identify the following response information:
 - a. Emergency action (fire, spill, or leak and first aid)
 - b. Personal protective equipment necessary
 - c. Initial isolation and protective action distances
5. Given the name of a hazardous material, identify the recommended personal protective equipment from the following list:
 - a. Street clothing and work uniforms
 - b. Structural fire-fighting protective clothing
 - c. Positive pressure self-contained breathing apparatus
 - d. Chemical-protective clothing and equipment
6. Identify the definitions for each of the following protective actions:
 - a. Isolation of the hazard area and denial of entry
 - b. Evacuation
 - c. ~~Sheltering in place~~ **Shelter-in-place**
7. Identify the size and shape of recommended initial isolation and protective action zones.
 - a. initial isolation zones
 - b. protective action zones
8. Describe the difference between small and large spills as found in the Table of Initial Isolation and Protective Action Distances in the DOT *Emergency Response Guidebook*.
 - a. large spill/release
 - b. small spill/release
9. Identify the circumstances under which the following distances are used at a hazardous materials /WMD incidents:
 - a. Table of Initial Isolation and Protective Action Distances (green-bordered pages)
 - b. Isolation distances in the numbered guides (orange-bordered pages)
10. Describe the difference between the isolation distances on the orange-bordered guidebook pages and the protective action distances on the green-bordered ERG (*Emergency Response Guidebook*) pages.
11. Identify the techniques used to isolate the hazard area and deny entry to unauthorized persons at hazardous materials/WMD incidents.
12. Identify at least four specific actions necessary when an incident is suspected to involve criminal or terrorist activity.
 - a. Take the appropriate actions to protect yourself and other personnel
 - b. Communicate the suspicion during the notification process
 - c. Isolate potentially exposed people or animals
 - d. Document the initial observation
 - e. Be alert for booby traps and explosive devices

601-4.4.2 Initiating the Notification Process

Given scenarios involving hazardous materials/WMD incidents, awareness level personnel shall identify the initial notifications to be made and how to make them, consistent with the emergency response plan and/or standard operating procedures **AHJ**.

601-4.5 ***Competencies — Evaluating Progress***
No competencies required at this level.

601-4.6 ***Competencies — Terminating the Incident***
No competencies required at this level.

CHAPTER 6
SECTION 601
HAZARDOUS MATERIALS AWARENESS
CURRICULUM OUTLINE

SECTION	SUBJECT	RECOMMENDED HOURS
601-4.1	General - Introduction - Laws, Regulations, and National Consensus Standards	1
601-4.2	Analyzing the Incident	5
601-4.3	Planning the Response - Reserved - None Required at this Level	
601-4.4	Implementing the Planned Response	2
601-4.5	Evaluating Progress - Reserved - None Required at this Level	
601-4.6	Terminating the Incident - Reserved - None Required at this Level	
	TOTAL RECOMMENDED HOURS	8

The recommended hours include time for skills evaluation and are based on 12 students. Hours needed depend on the actual number of students.

REFERENCE LIST FOR THE HAZARDOUS MATERIALS AWARENESS CURRICULUM

This Reference List is provided as a general guide for both instructors and students to locate information pertaining to the specific objectives in the TCFP Curriculum. This list is **not** all-inclusive and does not in any way limit TCFP development and use of questions to test the objectives of the curriculum:

Required References

Texts

- Certification Curriculum Manual*. Texas Commission on Fire Protection. (Most current edition). Austin, TX: Texas Commission on Fire Protection.
- Code of Federal Regulations, Title 29 Part 1910.120, Appendix A*. United States. U.S. Department of Labor, Occupational Safety & Health Administration.
http://edocket.access.gpo.gov/cfr_2007/julqtr/pdf/29cfr1910.120.pdf
- Emergency Response Guidebook*. United States. (Most current edition). Washington, DC: U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration.
- Essentials of Fire Fighting and Fire Department Operations, 5th 6th edition*. International Fire Service Training Association. (2008 **2013**). Stillwater, OK: Fire Protection Publications, Oklahoma State University.
- ~~*Firefighter's Handbook: Essentials of Firefighting and Emergency Response, 3rd edition*. Delmar Publishers. (2008). Clifton Park, NY: Delmar, Cengage Learning.~~
- Fundamentals of Fire Fighter Skills, 2nd 3rd edition*. International Association of Fire Chiefs, & National Fire Protection Association. (2008 **2014**). Sudbury, MA: Jones and Bartlett.
- Hazardous Materials Awareness and Operations, 2nd edition*. Schnepf, R. (2010). Sudbury, MA: Jones & Bartlett.
- Hazardous Materials for First Responders, 3rd 4th edition*. International Fire Service Training Association. (2004 **2010**). Stillwater, OK: Fire Protection Publications, Oklahoma State University.
- ~~*Hazardous Materials Handbook: Awareness and Operations Levels*. Hawley, C., & Walter, A. (2008). Clifton Park, NY: Delmar, Cengage Learning.~~
- Hazardous Materials/Weapons of Mass Destruction Response Handbook, 5th 6th/2013 edition*. ~~Trebisacci, D.-G.~~
McGowan, T. (2008 **2012**). Quincy, MA: National Fire Protection Association.
- NFPA 472: Standard for Professional Competence of Responders to Hazardous Materials Incidents. (2008**13** ed.)*. Quincy, MA: NFPA Publications. National Fire Protection Association
- Standards Manual for Fire Protection Personnel*. Texas Commission on Fire Protection. (Current edition). Austin, TX: Texas Commission on Fire Protection.

Recommended References

The most current edition of the following publications and media are recommended (not required) supplemental material for program use.

Texts

Hazardous Materials Field Guide, 2nd edition. Bevelacqua, A. S., & Stilp, R. H. (2007). Albany, NY: Delmar Publications.

Symbol Seeker: Hazard Identification Manual. Edition II. Burns, P. P. (2002 ~~new date?~~). Preston, England: Symbol Seeker.

Media

DOT Chart ~~13~~ 15: Hazardous Materials Marking, Labeling and Placarding Guide. (or current edition) United States. (2007). Washington, DC: U.S. Dept. of Transportation, Pipeline and Hazardous Materials Safety Administration.

Emergency Response Guidebook ~~2008~~ 2012. [DVD]. United States. (2008 ~~2012~~). Washington, DC: U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration.

Hazmat Awareness. Action Training Systems, Inc. (2008). [2 Disc DVD Set - Recognition & Identification]. Poulsbo, WA: Action Training Systems.

Hazardous Materials Awareness and Operations [DVD]. International Association of Fire Chiefs, & National Fire Protection Association. (2006). Sudbury, MA: Jones and Bartlett.

SECTION 602
HAZARDOUS MATERIALS OPERATIONS

Hazardous Materials Operations Level Personnel are those who respond to hazardous materials/weapons of mass destruction (WMD) incidents for the purpose of implementing or supporting actions to protect nearby persons, the environment, or property from the effects of the release.

Response options for operations level responders are generally limited to nonintervention or defensive actions.

The Hazardous Materials Operations Level Responder must first master all the job performance requirements and knowledge, skills and abilities pertaining to:

- Awareness Level Personnel, and
- The competencies of this chapter

Note: In order to successfully complete the Texas Commission on Fire Protection’s Basic Structure Firefighter curriculum, all the job performance requirements and knowledge, skills and abilities must be mastered pertaining to:

- Awareness Level Personnel,
- Operations Level Responders, and
- Hazardous Materials Operations Level – Mission Specific Competencies of:
 - Using Personal Protective Equipment, and
 - Performing Product Control.

This is in accordance with the competency requirements of *NFPA 1001: Standard for Fire Fighter Professional Qualifications 2008 2013 Ed.*, the *TCFP Standards Manual* and the *TCFP Curriculum Manual*.

<u>602-5.1</u>	<u>General</u>
<u>602-5.1.1</u>	<u>Introduction</u>
602-5.1.1.1	The operations level responder shall be that person who responds to hazardous materials/weapons of mass destruction (WMD) incidents for the purpose of protecting nearby persons, the environment, or property from the effects of the release.
602-5.1.1.2	The operations level responder shall be trained to meet all competencies at the awareness level (Chapter 6, Section 601) and the competencies of this chapter.
602-5.1.1.3	The operations level responder shall receive additional training to meet applicable governmental occupational health and safety regulations.
<u>602-5.1.2</u>	<u>Goal</u>
602-5.1.2.1	The goal of the competencies at this level shall be to provide operations level responders with the knowledge and skills to perform the core competencies in 5.1.2.2 safely.
602-5.1.2.2	When responding to hazardous materials/WMD incidents, operations level responders shall be able to perform the following tasks:

1. Analyze a hazardous materials/WMD incident to determine the scope of the problem and potential outcomes by completing the following tasks:
 - a. Survey a hazardous materials/WMD incident to identify the containers and materials involved, determine whether hazardous materials/WMD have been released, and evaluate the surrounding conditions.
 - b. Collect hazard and response information from MSDS; CHEMTREC/CANUTEC/SETIQ; local, state, and federal authorities; and shipper/manufacturer contacts.
 - c. Predict the likely behavior of a hazardous material/WMD and its container.
 - d. Estimate the potential harm at a hazardous materials/WMD incident.
 - i. Thermal
 - ii. Radiation
 - iii. Asphyxiant
 - iv. Chemical
 - v. Etiologic
 - vi. Mechanical
 - vii. Psychological/psychogenic

2. Plan an initial response to a hazardous materials/WMD incident within the capabilities and competencies of available personnel and personal protective equipment by completing the following tasks:
 - a. Describe the response objectives for the hazardous materials/WMD incident.
 - i. Evacuation
 - ii. Search and Rescue
 - iii. Exposure Protection/Isolate the Area
 - iv. Defensive Control Techniques
 - v. Crime scene management and evidence preservation
 - vi. Recovery and termination
 - b. Describe the response options available for each objective.
 - i. Evacuation
 - a) Public protection actions
 - 1) Full scale evacuation
 - 2) Shelter-in-place
 - 3) Combination
 - ii. Search and Rescue
 - a) Based on training and equipment
 - b) Risk-benefit analysis (i.e., risk a lot/save a lot, risk a little/save a little)
 - iii. Exposure Protection/Isolate the Area
 - a) Establish initial isolation distance
 - b) Establish protective action distance
 - c) Establish control zones
 - iv. Defensive Control Techniques
 - a) Damming
 - 1) Overflow
 - 2) Underflow
 - b) Diking
 - c) Retention
 - d) Dispersion
 - e) Absorption
 - f) Adsorption

- g) Dilution
 - h) Dissolution
 - i) Diversion
 - j) Vapor dispersion
 - k) Vapor suppression
 - l) Ventilation
 - m) Remote valve shutoff
 - v. Crime scene management and evidence preservation
 - a) Maintain scene control
 - b) Limit access
 - c) Maintain chain of custody
 - d) Coordinate with AHJ
 - vi. Recovery and termination
 - a) Short-term recovery
 - b) Long-term recovery
 - c) Termination activities
 - 1) Debriefing
 - 2) Critique
 - 3) Post-incident Analysis
 - d) Demobilization
 - c. Determine whether the personal protective equipment provided is appropriate for implementing each option.
 - d. Describe emergency decontamination procedures.
 - e. Develop a plan of action, including safety considerations.
3. Implement the planned response for a hazardous materials/WMD incident to favorably change the outcomes consistent with the emergency response plan and/or standard operating procedures by completing the following tasks:
- a. Establish and enforce scene control procedures, including control zones, emergency decontamination, and communications.
 - b. Where criminal or terrorist acts are suspected, establish means of evidence preservation.
 - c. Initiate an incident command system (ICS) for hazardous materials/WMD incidents.
 - d. Perform tasks assigned as identified in the incident action plan.
 - e. Demonstrate emergency decontamination.
4. Evaluate the progress of the actions taken at a hazardous materials/WMD incident to ensure that the response objectives are being met safely, effectively, and efficiently by completing the following tasks:
- a. Evaluate the status of the actions taken in accomplishing the response objectives.
 - b. Communicate the status of the planned response.

602-5.2

Core Competencies — Analyzing the Incident

602-5.2.1

Surveying Hazardous Materials/WMD Incidents

Given scenarios involving hazardous materials/WMD incidents, the operations level responder shall ~~survey~~ **collect information about** the incident to identify the containers, ~~the~~ **and** materials involved, **the surrounding conditions, and determine** whether hazardous materials/WMD have been released, **by completing and evaluate** ~~the surrounding conditions and shall meet~~ the requirements of 5.2.1.1 through 5.2.1.6.

- 602-5.2.1.1** Given three examples each of liquid, gas, and solid hazardous material or WMD, including various hazard classes, operations level personnel shall identify the general shapes of containers in which the hazardous materials/WMD are typically found.
- 602-5.2.1.1.1** Given examples of the following tank cars, the operations level responder shall identify each tank car by type, as follows:
1. Cryogenic liquid tank cars
 2. Nonpressure tank cars (general service or low pressure cars)
 3. Pressure tank cars
- 602-5.2.1.1.2** Given examples of the following intermodal tanks, the operations level responder shall identify each intermodal tank by type, as follows:
1. Nonpressure intermodal tanks
 - a. IM-101 (IMO Type 1)
 - b. IM-102 (IMO Type 2)
 2. Pressure intermodal tanks (Spec 51/IMO Type 5)
 3. Specialized intermodal tanks, including the following:
 - a. Cryogenic intermodal tanks (IMO Type 7)
 - b. Tube modules
- 602-5.2.1.1.3** Given examples of the following cargo tanks, the operations level responder shall identify each cargo tank by type, as follows: (NOTE: CGA=Compressed Gas Association, MC= Motor Carrier, TC=Transport Canada, DOT=Dept. of Transportation, SCT=Secretariat of Communications and Transportation [Mexico])
1. Compressed gas tube trailers
 2. Corrosive liquid tanks
 - DOT 412, TC 412, SCT 312, MC 312, TC 312
 3. Cryogenic liquid tanks
 - MC 338, TC 338, SCT 338, TC 341, CGA 341
 4. Dry bulk cargo tanks
 5. High pressure tanks
 - MC 331, TC 331, SCT 331
 6. Low pressure chemical tanks
 - DOT 407, TC 407, SCT 307, MC 307, TC 307
 7. Non-pressure liquid tanks
 - DOT 406, TC 406, SCT 306, MC 306, TC 306
- 602-5.2.1.1.4** Given examples of the following storage tanks, the operations level responder shall identify each tank by type, as follows:
1. Cryogenic liquid tank
 - a. Refrigerated storage tanks=less than 15 psi

- b. High pressure cryogenic tanks=greater than 15psi
- 2. Non-pressure tank (Atmospheric pressure=0-0.5 psi)
 - a. Horizontal tank
 - b. Cone roof tank
 - c. Floating roof tank
 - d. Covered floating roof tank
 - e. Floating roof with geodesic dome
 - f. Lifter roof tank
 - g. Vapor dome roof tank
 - h. Underground storage tanks
- 3. Pressure tank
 - a. Low Pressure (0.5-15 psi)
 - i. Vertical dome roof tanks
 - b. High pressure (greater than 15 psi)
 - i. Horizontal pressure vessel
 - ii. Spherical pressure vessel
 - iii. Noded spheroid
 - iv. Underground high pressure

602-5.2.1.1.5

Given examples of the following non-bulk packaging, the operations level responder shall identify each package by type, as follows:

- 1. Bags
- 2. Carboys and Jerricans
- 3. Cylinders
- 4. Drums
 - a. Types
 - i. Open head
 - ii. Closed head
 - b. Construction Materials
 - i. Metal
 - ii. Plastic
 - iii. Fiberboard
 - iv. Other suitable materials
 - c. Fittings
 - i. Bungs
 - ii. Chime ring
- 5. Dewar flask (cryogenic liquids)

602-5.2.1.1.6

Given examples of the following ~~radioactive material packages~~ **packaging**, the operations level responder shall identify the characteristics of each container or package by type as follows:

- 1. ~~Excepted~~ **Intermediate bulk container (IBC)**
 - a. **Rigid intermediate bulk containers (RIBCs)**
 - b. **Flexible intermediate bulk containers (FIBCs)**
- 2. ~~Industrial~~ **Ton container**
 - a. **Convex**

b. Concave

~~3. Type A~~

~~4. Type B~~

~~5. Type C~~

602-5.2.1.1.7 **Given examples of the following radioactive material packages, the operations level responder shall identify the characteristics of each container or package by type, as follows:**

1. **Excepted**
2. **Industrial**
3. **Type A**
4. **Type B**
5. **Type C**

602-5.2.1.2 Given examples of containers, the operations level responder shall identify the markings that differentiate one container from another.

1. DOT Placarding and Labeling System
2. UN Numbers
3. NFPA 704 Marking System
4. Hazardous Materials Identification System (HMIS)
5. Hazard Identification Codes (Intermodal Containers)
 - a. Also known as "hazard identification numbers," or;
 - b. Kemler code

602-5.2.1.2.1 Given examples of the following marked transport vehicles and their corresponding shipping papers, the operations level responder shall identify the following vehicle or tank identification marking:

1. Highway transport vehicles, including cargo tanks
 - a. Company names and logos
 - b. Vehicle identification numbers
 - c. Manufacturer's specification plate
2. Intermodal equipment, including tank containers
 - a. Reporting marks
 - b. Tank number
 - c. Specification markings
3. Rail transport vehicles, including tank cars
 - a. Standard transportation commodity code (STCC)
 - b. Commodity stencil
 - c. Reporting marks

- d. Capacity stencil
- e. Specification markings

602-5.2.1.2.2 Given examples of facility containers, the operations level responder shall identify the markings indicating container size, product contained, and/or site identification numbers.

- 1. NFPA 704 Marking System
- 2. Hazardous Materials Identification System (HMIS)
- 3. Facility specification markings
- 4. Manufacturer's specification plate

602-5.2.1.3 Given examples of hazardous materials incidents, the operations level responder shall identify the name(s) of the hazardous material(s) in 5.2.1.3.1 through 5.2.1.3.3.

602-5.2.1.3.1 The operations level responder shall identify the following information on a pipeline marker:

- 1. Emergency telephone number
- 2. Owner
- 3. Product

602-5.2.1.3.1.2 Given a pesticide label, the operations level responder shall identify each of the following pieces of information, then match the piece of information to its significance in surveying hazardous materials incidents:

- 1. Active ingredient
- 2. Hazard statement
- 3. Name of pesticide
- 4. EPA Registration Number (Pest Control Product (PCP) number in Canada)
- 5. Precautionary statement
- 6. Signal word
 - a. Poison/Danger
 - b. Warning
 - c. Caution

602-5.2.1.3.3 Given a label for a radioactive material, the operations level responder shall identify the type or category of label, contents, activity, transport index, and criticality safety index as applicable.

- 1. Radioactive White-I Label
- 2. Radioactive Yellow-II Label
- 3. Radioactive Yellow-III Label

602-5.2.1.4

The operations level responder shall identify and list the surrounding conditions that should be noted when a hazardous materials/WMD incident is surveyed.

1. Topography
2. Land use
3. Accessibility
4. Weather conditions
5. Bodies of water
6. Public exposure potential
7. Overhead and underground wires and pipelines
8. Storms and sewer drains
9. Possible ignition sources
10. Adjacent land use
11. Nature and extent of injuries
12. Building information
13. Ventilation ducts
14. Air returns

602-5.2.1.5

The operations level responder shall **describe** ~~give examples of~~ ways to verify information obtained from the survey of a hazardous materials/WMD incident.

1. CHEMTREC
2. **SDS/MSDS**
3. Emergency Response Guides
4. Shipping Papers
5. Online, ~~or computer-based, data/programs~~ **and/or mobile-based applications (e.g. WISER)**

602-5.2.1.6

The operations level responder shall identify at least three additional hazards that could be associated with an incident involving terrorist or criminal activities.

1. Secondary events/devices intended to incapacitate or delay emergency responders
2. Armed resistance
3. Use of weapons

4. Booby traps
5. Secondary contamination from handling patients

602-5.2.2

Collecting Hazard and Response Information

Given scenarios involving known hazardous materials/WMD, the operations level responder shall collect hazard and response information using MSDS, CHEMTREC/CANUTEC/SETIQ, governmental authorities, and shippers and manufacturers **by completing** and shall meet the following requirements:

1. Match the definitions associated with the UN/DOT hazard classes and divisions of hazardous materials/WMD, including refrigerated liquefied gases and cryogenic liquids, with the class or division.
2. Identify two ways to obtain an MSDS in an emergency.
 - a. Shipper
 - b. Manufacturer
 - c. CHEMTREC
 - d. Websites
3. Using an MSDS for a specified material, identify the following hazard and response information:
 - a. Physical and chemical characteristics
 - b. Physical hazards of the material
 - c. Health hazards of the material
 - d. Signs and symptoms of exposure
 - e. Routes of entry
 - f. Permissible exposure limits
 - g. Responsible party contact
 - h. Precautions for safe handling (including hygiene practices, protective measures, and procedures for cleanup of spills and leaks)
 - i. Applicable control measures, including personal protective equipment
 - j. Emergency and first-aid procedures
4. Identify the following:
 - a. Type of assistance provided by CHEMTREC/CANUTEC/SETIQ and governmental authorities
 - i. Immediate advice and shipper contact information
 - ii. Hazard information warnings and guidance
 - b. Procedure for contacting CHEMTREC/CANUTEC/SETIQ and governmental authorities
 - c. Information to be furnished to CHEMTREC/CANUTEC/SETIQ and governmental authorities
 - i. Responder organization name
 - ii. Location and nature of problem (spill, fire, etc.)
 - iii. Name and identification number of materials(s) involved
 - iv. Shipper/consignee/point of origin
 - v. Carrier name, rail car or truck number
 - vi. Container type and size
 - vii. Quantity of materials transported/released
 - viii. Local conditions (weather, terrain, proximity to schools, hospitals, waterways, etc.)
 - ix. Injuries and exposures
 - x. Local emergency service that have been notified

5. Identify two methods of contacting the manufacturer or shipper to obtain hazard and response information.
 - a. Shipping paper contact information
 - b. MSDS/SDS contact information
 - c. CHEMTREC

6. Identify the type of assistance provided by governmental authorities with respect to criminal or terrorist activities involving the release or potential release of hazardous materials/WMD.
 - a. Federal
 - i. DHS - Homeland Security Issues
 - ii. FBI - Crisis Management
 - iii. FEMA - Consequence Management
 - iv. EPA - Environmental Management
 - v. US Coast Guard - Navigable Waterway Management & Port Security
 - vi. DOD - Explosives, Munitions, Military Shipments Technical Assistance/Response
 - vii. ATF - Explosives Technical Assistance
 - b. State
 - i. DPS - District Disaster Chair (DDC)
 - ii. TDEM - Emergency Management
 - iii. TCEQ - Environmental Management
 - iv. TGLO - Water Quality
 - v. TRRC - Pipelines and Propane Storage
 - c. Local
 - i. Local emergency management
 - ii. Local fire department
 - iii. Local police department
 - iv. EMS providers

7. Identify the procedure for contacting local, state, and federal authorities as specified in the emergency response plan and/or standard operating procedures.

8. Describe the properties and characteristics of the following:
 - a. Alpha radiation
 - b. Beta radiation
 - c. Gamma radiation
 - d. Neutron radiation

602-5.2.3

Predicting the Likely Behavior of a Material and Its Container

Given scenarios involving hazardous materials/WMD incidents, each with a single hazardous material/WMD, the operations level responder shall ~~predict~~ **describe** the likely behavior of the material or agent and its container ~~and shall meet~~ **by completing** the following requirements:

1. ~~Interpret~~ **Use** the hazard and response information obtained from the current edition of the DOT *Emergency Response Guidebook*, MSDS, CHEMTREC/CANUTEC/SETIQ, governmental authorities, and shipper and manufacturer contacts, as follows:
 - a. Match the following chemical and physical properties with their significance and impact on the behavior of the container and its contents:
 - i. Boiling point

- ii. Chemical reactivity
 - iii. Corrosivity (pH)
 - iv. Flammable (explosive) range
 - a) Lower Explosive Limit (LEL)
 - b) Upper Explosive Limit (UEL)
 - v. Flash point
 - vi. Ignition (autoignition) temperature
 - vii. Particle size
 - viii. Persistence
 - ix. Physical state (solid, liquid, gas)
 - x. Radiation (ionizing and non-ionizing)
 - xi. Specific gravity
 - xii. Toxic products of combustion
 - xiii. Vapor density
 - xiv. Vapor pressure
 - xv. Water solubility
- b. Identify the differences between the following terms:
- i. Contamination and secondary contamination
 - ii. Exposure and contamination
 - iii. Exposure and hazard
 - iv. Infectious and contagious
 - v. Acute effects and chronic effects
 - vi. Acute exposures and chronic exposures
2. Identify three types of stress that can cause a container system to release its contents.
- a. Thermal
 - b. Mechanical
 - c. Chemical
3. Identify five ways in which containers can breach.
- a. Disintegration
 - b. Runaway cracking
 - c. Closures opening up
 - d. Punctures
 - e. Tears or spills
4. Identify four ways in which containers can release their contents.
- a. Detonation
 - b. Violent rupture
 - c. Rapid relief
 - d. Spill or leak
5. Identify at least four dispersion patterns that can be created upon release of a hazardous material.
- a. Hemisphere
 - b. Cloud
 - c. Plume
 - d. Cone
 - e. Stream
 - f. Pool
 - g. Irregular
6. Identify the time frames for estimating the duration that hazardous materials/WMD will present an exposure risk.

- a. Short term – minutes and hours
 - b. Medium term – days, weeks, months
 - c. Long term – years and generations
7. Identify the health and physical hazards that could cause harm.
- a. Thermal
 - b. Radiation
 - c. Asphyxiation
 - d. Chemical (i.e., poisons, corrosives)
 - e. Etiologic
 - f. Mechanical
 - g. Psychological/psychogenic
8. Identify the health hazards associated with the following terms:
- a. Alpha, beta, gamma, and neutron radiation
 - b. Asphyxiant
 - i. Simple
 - ii. Chemical
 - c. Carcinogen
 - d. Convulsant
 - e. Corrosive
 - f. Highly toxic
 - g. Irritant
 - h. Sensitizer, allergen
 - i. Target organ effects
 - i. Hepatotoxins
 - ii. Nephrotoxins
 - iii. Neurotoxins
 - iv. Mutagens
 - v. Teratogens
 - vi. Hematoxins
 - vii. Pneumotoxins
 - viii. Cutaneous hazards
 - ix. Eye hazards
 - j. Toxic
9. Given the following, identify the corresponding UN/DOT hazard class and division:
- a. Blood agents
 - b. Biological agents and biological toxins
 - c. Choking agents
 - d. Irritants (riot control agents)
 - e. Nerve agents
 - f. Radiological materials
 - g. Vesicants (blister agents)

602-5.2.4

Estimating Potential Harm

Given scenarios involving hazardous materials/WMD incidents, the operations level responder shall **describe** estimate the potential harm within the endangered area at each incident **by completing** and shall meet the following requirements:

1. Identify a resource for determining the size of an endangered area of a hazardous materials/WMD incident.

2. Given the dimensions of the endangered area and the surrounding conditions at a hazardous materials/WMD incident, ~~estimate~~ **describe** the number and type of exposures within that endangered area.
3. Identify resources available for determining the concentrations of a released hazardous material/WMD within an endangered area.
4. Given the concentrations of the released material, ~~identify~~ **describe** the factors for determining the extent of physical, health, and safety hazards within the endangered area of a hazardous materials/WMD incident.
5. Describe the impact that time, distance, and shielding have on exposure to radioactive materials specific to the expected dose rate.

602-5.3

Core Competencies — Planning the Response

602-5.3.1

Describing Response Objectives

Given at least two scenarios involving hazardous materials/WMD incidents, the operations level responder shall describe the response objectives for each example and shall meet **by completing** the following requirements:

1. Given an analysis of a hazardous materials/WMD incident and the exposures, ~~determine~~ **describe** the number of exposures that could be saved with the resources provided by the AHJ.
2. Given an analysis of a hazardous materials/WMD incident, describe the steps for determining response objectives.
 - a. Analyze the incident
 - b. Hazard analysis and risk assessment
 - c. Identify incident priorities
 - i. Life safety
 - ii. Incident stabilization
 - iii. Property preservation/environmental conservation
 - d. Develop Incident Objectives (SMART)
 - i. **Specific**
 - ii. **Measureable**
 - iii. **Attainable**
 - iv. **Realistic**
 - v. **Timely**
 - e. Periodically reassess
3. Describe how to assess the risk to a responder for each hazard class in rescuing injured persons at a hazardous materials/WMD incident. NOTE: the following classes are assessed using the TRACEM-P acronym
 - a. Class 1-thermal, radiological, asphyxiation, chemical, etiologial, mechanical
 - b. Class 2-thermal, asphyxiation, chemical, etiologial, mechanical
 - c. Class 3-thermal, chemical, mechanical
 - d. Class 4-thermal, chemical, mechanical
 - e. Class 5-thermal, chemical, mechanical
 - f. Class 6-thermal, asphyxiation, chemical, etiologial
 - g. Class 7-**thermal**, radiological, chemical
 - h. Class 8-thermal, chemical, mechanical
 - i. Class 9-thermal, radiological, asphyxiation, chemical, etiologial, mechanical

4. ~~Assess~~ **Describe** the potential for secondary attacks and devices at criminal or terrorist events.
 - a. Human threats
 - b. Secondary devices
 - c. Multiple agency response
 - i. Fire
 - ii. Hazardous materials
 - iii. EMS
 - iv. Law Enforcement

602-5.3.2

Identifying Action Options

Given examples of hazardous materials/WMD incidents (facility and transportation), the operations level responder shall identify the options for each response objective and shall meet the following requirements:

1. Identify the options to accomplish a given response objective.
 - a. Evacuation
 - b. Recognition, identification, notification, isolation
2. Describe the prioritization of emergency medical care and removal of victims from the hazard area relative to exposure and contamination concerns.
 - a. Per AHJ
 - b. Per Medical Protocol

602-5.3.3

Determining Suitability of Personal Protective Equipment

Given examples of hazardous materials/WMD incidents, including the names of the hazardous materials/WMD involved and the anticipated type of exposure, the operations level responder shall determine whether available personal protective equipment is applicable to performing assigned tasks ~~and shall meet~~ **by completing** the following requirements:

1. Identify the respiratory protection required for a given response option and the following:
 - a. Describe the advantages, limitations, uses, and operational components of the following types of respiratory protection at hazardous materials/WMD incidents:
 - i. Positive pressure self-contained breathing apparatus (SCBA)
 - ii. Positive pressure air-line respirator with required escape unit
 - iii. Closed-circuit SCBA
 - iv. Powered air-purifying respirator (PAPR)
 - v. Air-purifying respirator (APR)
 - vi. Particulate respirator
 - b. Identify the required physical capabilities and limitations of personnel working in respiratory protection.
2. Identify the personal protective clothing required for a given option and the following:
 - a. Identify skin contact hazards encountered at hazardous materials/WMD incidents.
 - i. Burns
 - ii. Rash
 - iii. Absorption
 - b. Identify the purpose, advantages, and limitations of the following types of protective clothing at hazardous materials/WMD incidents:

- i. Chemical-protective clothing: liquid splash-protective clothing and vapor-protective clothing
- ii. High temperature-protective clothing: proximity suit and entry suits
- iii. Structural fire-fighting protective clothing

602-5.3.4

Identifying Decontamination Issues

Given scenarios involving hazardous materials/WMD incidents, **the** operations level responders shall identify when emergency decontamination is needed ~~and shall meet~~ **by completing** the following requirements:

1. Identify ways that people, personal protective equipment, apparatus, tools, and equipment become contaminated.
2. Describe how the potential for secondary contamination determines the need for decontamination.
3. Explain the importance and limitations of decontamination procedures at hazardous materials incidents.
4. Identify the purpose of emergency decontamination procedures at hazardous materials incidents.
5. Identify the ~~factors that should be considered in~~ **methods, advantages, and limitations of** emergency decontamination **procedures**.
- ~~6. Identify the advantages and limitations of emergency decontamination procedures.~~

602-5.4

Core Competencies — Implementing the Planned Response

602-5.4.1

Establishing and Enforcing Scene Control Procedures

Given two scenarios involving hazardous materials/WMD incidents, the operations level responder shall ~~identify~~ **explain** how to establish and ~~enforce~~ **maintain** scene control, including control zones and emergency decontamination, and communications between responders and to the public ~~and shall meet~~ **by completing** the following requirements:

1. Identify the procedures for establishing scene control through control zones.
2. Identify the criteria for determining the locations of the control zones at hazardous materials/WMD incidents.
3. Identify the basic techniques for the following protective actions at hazardous materials/WMD incidents:
 - a. Evacuation
 - b. ~~Sheltering~~ **Shelter**-in-place
4. Demonstrate the ability to perform emergency decontamination
5. Identify the items to be considered in a safety briefing prior to allowing personnel to work at the following:
 - a. Hazardous material incidents
 - i. Preliminary evaluation
 - ii. Hazard identification

- iii. Description of site
 - iv. Task(s) to be performed
 - v. Length of time for task(s)
 - vi. Required personnel protective clothing
 - vii. Monitoring requirements
 - viii. Notification of identified risks
- b. Hazardous materials/WMD incidents involving criminal activities
6. Identify the procedures for ensuring coordinated communication between responders and to the public.

602-5.4.2

Preserving Evidence

Given two scenarios involving hazardous materials/WMD incidents, the operations level responder shall describe the process to preserve evidence as listed in the emergency response plan and/or standard operating procedures.

602-5.4.3

Initiating the Incident Command System

Given scenarios involving hazardous materials/WMD incidents, the operations level responder shall ~~initiate~~ **implement** the incident command system **as required by the AHJ by completing** specified in the emergency response plan and/or standard operating procedures and shall meet the following requirements:

1. Identify the role of the operations level responder during hazardous materials/WMD incidents as specified in the emergency response plan and/or standard operating procedures.
2. Identify the levels of hazardous materials/WMD incidents as defined in the emergency response plan.
3. Identify the purpose, need, benefits, and elements of the incident command system for hazardous materials/WMD incidents.
4. Identify the duties and responsibilities of the following functions within the incident management system:
 - a. Incident Safety Officer
 - i. Obtains briefing from:
 - a) Incident Commander; or
 - b) Incident Safety Officer; and
 - c) Hazard Branch Director or Hazard Division/Group Supervisor
 - ii. Participates in:
 - a) Preparation of incident safety plan
 - b) Implementation of the incident safety plan; and
 - c) Medical monitoring of entry team personnel before and after entry
 - iii. Advises Incident Commander or Hazard Branch Director or Hazard Division/Group Supervisor of:
 - a) Deviations from the incident safety plan
 - b) Dangerous or unsafe activities
 - iv. Alters, suspends, or terminates any operation that is considered unsafe
 - b. Hazardous materials branch or group
5. Identify the considerations for determining the location of the incident command post for a hazardous materials/WMD incident.

6. Identify the procedures for requesting additional resources at a hazardous materials/WMD incident.
7. Describe the role and response objectives of other agencies that respond to hazardous materials/WMD incidents.

602-5.4.4

Using Personal Protective Equipment

Given the personal protective equipment provided by the AHJ, the operations level responder shall describe considerations for the use of personal protective equipment provided by the AHJ, and shall meet the following requirements:

1. Identify the importance of the buddy system.
2. Identify the importance of the backup personnel.
3. Identify the safety precautions to be observed when approaching and working at hazardous materials/WMD incidents.
4. Identify the signs and symptoms of heat and cold stress and procedures for their control.
5. Identify the capabilities and limitations of personnel working in the personal protective equipment provided by the AHJ.
6. Identify the procedures for cleaning, disinfecting, and inspecting personal protective equipment provided by the AHJ.
7. Describe the maintenance, testing, inspection, and storage procedures for personal protective equipment provided by the AHJ according to the manufacturer's specifications and recommendations.

602-5.5

Core Competencies — Evaluating Progress

602-5.5.1

Evaluating the Status of Planned Response

Given two scenarios involving hazardous materials/WMD incidents, including the incident action plan, the operations level responder shall **determine the effectiveness** ~~evaluate the status~~ of the actions taken in accomplishing the response objectives and shall meet the following requirements:

1. Identify the considerations for evaluating whether actions taken were effective in accomplishing the objectives.
 - a. Incident stabilized
 - b. Incident increasing in intensity
2. Describe the circumstances under which it would be prudent to withdraw from a hazardous materials/WMD incident.

602-5.5.2

Communicating the Status of the Planned Response

Given two scenarios involving hazardous materials/WMD incidents, including the incident action plan, the operations level responder shall ~~communicate~~ **report** the status of the planned response through the normal chain of command ~~and shall meet~~ **by completing** the following requirements:

1. Identify the ~~methods~~ **procedures** for ~~communicating~~ **reporting** the status of the planned response through the normal chain of command.
2. Identify the methods for immediate notification of the incident commander and other response personnel about critical emergency conditions at the incident.

602-5.6

Competencies — Terminating the Incident (Reserved)

**CHAPTER 6
SECTION 602
HAZARDOUS MATERIALS OPERATIONS
CURRICULUM OUTLINE**

SECTION	SUBJECT	RECOMMENDED HOURS
602-5.1	General - Introduction - Laws, Regulations, and National Consensus Standards	1
602-5.2	Analyzing the Incident	14
602-5.3	Planning the Response	9
602-5.4	Implementing the Planned Response	6
602-5.5	Evaluating Progress	2
602-5.6	Terminating the Incident - Reserved - None required at this level	
	TOTAL RECOMMENDED HOURS	32

The recommended hours include time for skills evaluation and are based on 12 students. Hours needed depend on the actual number of students.

Note: In order to successfully complete the Texas Commission on Fire Protection's Basic Structure Firefighter curriculum, all the job performance requirements and knowledge skills and abilities must be mastered pertaining to:

- Awareness Level Personnel (Section 601),
- Operations Level Responder (Section 602),
- Operations Level Responder: Mission Specific Competencies of:
 - Using Personal Protective Equipment (Section 603-6.2),
 - Performing Product Control (Section 603-6.6)

This is in accordance with the competency requirements of *NFPA 1001: Standard for Fire Fighter Professional Qualifications* ~~2008~~ **2013** ed., the *TCFP Standards Manual*, and the *TCFP Certification Curriculum Manual*.

REFERENCE LIST FOR THE HAZARDOUS MATERIALS OPERATIONS CURRICULUM

This Reference List is provided as a general guide for both instructors and students to locate information pertaining to the specific objectives in the TCFP Curriculum. This list is **not** all-inclusive and does not in any way limit TCFP development and use of questions to test the objectives of the curriculum:

Required References

Texts

- Certification Curriculum Manual.* Texas Commission on Fire Protection. (Most current edition). Austin, TX: Texas Commission on Fire Protection.
- Code of Federal Regulations, Title 29 Part 1910.120, Appendix A.* United States. U.S. Department of Labor, Occupational Safety & Health Administration.
http://edocket.access.gpo.gov/cfr_2007/julqtr/pdf/29cfr1910.120.pdf
- Emergency Response Guidebook.* United States. (Most current edition). Washington, DC: U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration.
- Essentials of Fire Fighting and Fire Department Operations, 5th 6th edition.* International Fire Service Training Association. (2008 **2013**). Stillwater, OK: Fire Protection Publications, Oklahoma State University.
- ~~*Firefighter's Handbook: Essentials of Firefighting and Emergency Response, 3rd edition.* Delmar Publishers. (2008). Clifton Park, NY: Delmar, Cengage Learning.~~
- Fundamentals of Fire Fighter Skills, 2nd 3rd edition.* International Association of Fire Chiefs, & National Fire Protection Association. (2008 **2014**). Sudbury, MA: Jones and Bartlett.
- Hazardous Materials Awareness and Operations, 2nd Edition.* DeBebes, L.J. **Schnepf** (2009 **2014**). Sudbury, MA: Jones & Bartlett.
- Hazardous Materials for First Responders, 3rd 4th edition.* International Fire Service Training Association. (2004 **2010**). Stillwater, OK: Fire Protection Publications, Oklahoma State University.
- ~~*Hazardous Materials Handbook: Awareness and Operations Levels.* Hawley, C., & Walter, A. (2008). Clifton Park, NY: Delmar, Cengage Learning.~~
- Hazardous Materials/Weapons of Mass Destruction Response Handbook, 5th 6th/2013 edition.* Trebisacci, D.G. **McGowan, T.** (2008 **2012**). Quincy, MA: National Fire Protection Association.
- NFPA 472: Standard for Professional Competence of Responders to Hazardous Materials Incidents.* (2008**13** ed.). Quincy, MA: NFPA Publications. National Fire Protection Association
- NIOSH Pocket Guide to Chemical Hazards.* Cincinnati National Institute for Occupational Safety and Health. (2005 or most current edition). OH: US Department of Health and Human Services, Public Health Service, Centers for Disease Control and Prevention, National Institute for Occupational Safety and Health. <http://www.cdc.gov/niosh/npg/>
- Standards Manual for Fire Protection Personnel.* Texas Commission on Fire Protection. (Most current edition). Austin, TX: Texas Commission on Fire Protection.

Recommended References

The most current edition of the following publications and media are recommended (not required) supplemental material for program use.

Texts

Hazardous Materials Field Guide, 2nd edition. Bevelacqua, A. S., & Stilp, R. H. (2007). Albany, NY: Delmar Publications.

Symbol Seeker: Hazard Identification Manual. ~~Edition II~~ Burns, P. P. (2002 ~~new date?~~). Preston, England: Symbol Seeker.

Media

DOT Chart ~~13~~ 15: Hazardous Materials Marking, Labeling and Placarding Guide. United States. (2007). Washington, DC: U.S. Dept. of Transportation, Pipeline and Hazardous Materials Safety Administration.

Emergency Response Guidebook ~~2008~~ 2012. United States. (~~2008~~ 2012). [DVD]. Washington, DC: U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration.

Hazardous Materials Awareness and Operations. International Association of Fire Chiefs, & National Fire Protection Association. (2006). [DVD Set]. Sudbury, MA: Jones and Bartlett.

Hazmat Decontamination. Action Training Systems, Inc. (2008). [4 Disc DVD Set]. Poulsbo, WA: Action Training Systems.

Hazmat Operations. Detrick Lawrence Corporation, Pye, S., & Lamont, J. B. (2006). [8 Disk DVD Set]. Edgartown, MA: Emergency Film Group.

SECTION 603
HAZARDOUS MATERIALS OPERATIONS
MISSION SPECIFIC COMPETENCIES

Hazardous Materials Operations – Mission Specific Competencies are optional job performance requirements (JPRs) which may be adopted by the authority having jurisdiction (AHJ). These JPRs may be adopted in whole or in part for the Operations Level Responders to perform.

Hazardous Materials Operations Level Responders trained to perform Mission Specific Competencies must first master all the job performance requirements and knowledge, skills and abilities pertaining to:

- Awareness Level Personnel, and
- Operations Level Responders.

The Operations Level Responder may be required to perform any combination of the following Operations level mission specific tasks by the authority having jurisdiction (AHJ):

- Use personal protective equipment, as provided by the AHJ
- Perform technical decontamination
- Perform mass decontamination
- Perform product control
- Perform air monitoring and sampling
- Perform victim rescue and recovery operations
- Evidence preservation and sampling
- Respond to illicit laboratory incidents

Operations level mission specific tasks must be performed under the supervision and guidance of a hazardous materials technician, allied professional or established standard operating procedure.

In order to successfully complete the Texas Commission on Fire Protection’s Basic Structure Firefighter curriculum, all the job performance requirements and knowledge, skills and abilities must be mastered pertaining to:

- Awareness Level Personnel
- Operations Level Responders, and
- Hazardous Materials Operations Level – Mission Specific Competencies of:
 - ~~Using~~ Personal Protective Equipment ~~and~~
 - ~~Performing~~ Product Control

This is in accordance with the competency requirements of *NFPA 1001: Standard for Fire Fighter Professional Qualifications* 2013 Ed., the *TCFP Standards Manual* and the *TCFP Curriculum Manual*.

603-6.1 General

603-6.1.1 Introduction

- 603-6.1.1.1** This chapter shall address competencies for the following operations level responders assigned mission-specific responsibilities at hazardous materials/WMD incidents by the authority having jurisdiction beyond the core competencies at the operations level (Section 602):

1. Operations level responders assigned to use personal protective equipment
2. Operations level responders assigned to perform mass decontamination
3. Operations level responders assigned to perform technical decontamination
4. Operations level responders assigned to perform evidence preservation and sampling
5. Operations level responders assigned to perform product control
6. Operations level responders assigned to perform air monitoring and sampling
7. Operations level responders assigned to perform victim rescue/recovery
8. Operations level responders assigned to respond to illicit laboratory incidents
9. **Operational level responders assigned to perform disablement/disruption of improvised explosives devices (IED), improvised WMD dispersal devices, and operations at improvised explosive laboratories.**

603-6.1.1.2 The operations level responder who is assigned mission-specific responsibilities at hazardous materials/WMD incidents shall be trained to meet all competencies at the awareness level (Section 601), all core competencies at the operations level (Section 602), and all competencies for the assigned responsibilities in the applicable section(s) in this chapter.

603-6.1.1.3 The operations level responder who is assigned mission-specific responsibilities at hazardous materials/WMD incidents shall receive additional training to meet applicable governmental occupational health and safety regulations.

603-6.1.1.4 The operations level responder who is assigned mission-specific responsibilities at hazardous materials/WMD incidents shall operate under the guidance of a hazardous materials technician, an allied professional, an emergency response plan, or standard operating procedures.

603-6.1.1.5 The development of assigned mission-specific knowledge and skills shall be based on the tools, equipment, and procedures provided by the AHJ for the mission-specific responsibilities assigned.

603-6.1.2

Goal

The goal of the competencies in this chapter shall be to provide the operations level responder assigned mission-specific responsibilities at hazardous materials/WMD incidents by the AHJ with the knowledge and skills to perform the assigned mission-specific responsibilities safely and effectively.

603-6.1.3

Mandating of Competencies

This standard shall not mandate that the response organizations perform mission-specific responsibilities.

603-6.1.3.1

Operations level responders assigned mission-specific responsibilities at hazardous materials/WMD incidents, operating within the scope of their training in this chapter, shall be able to perform their assigned mission-specific responsibilities.

603-6.1.3.2 If a response organization desires to train some or all of its operations level responders to perform mission-specific responsibilities at hazardous materials/WMD incidents, the minimum required competencies shall be as set out in this chapter.

603-6.2 **Mission-Specific Competencies: Personal Protective Equipment**

603-6.2.1 **General**

603-6.2.1.1 **Introduction**

603-6.2.1.1.1 The operations level responder assigned to use personal protective equipment shall be that person, competent at the operations level, who is assigned to use of personal protective equipment at hazardous materials/WMD incidents.

603-6.2.1.1.2 The operations level responder assigned to use personal protective equipment at hazardous materials/WMD incidents shall be trained to meet all competencies at the awareness level (Section 601), all core competencies at the operations level (Section 602), and all competencies in this section.

603-6.2.1.1.3 The operations level responder assigned to use personal protective equipment at hazardous materials/WMD incidents shall operate under the guidance of a hazardous materials technician, an allied professional, or standard operating procedures.

603-6.2.1.1.4 The operations level responder assigned to use personal protective equipment shall receive the additional training necessary to meet specific needs of the jurisdiction.

603-6.2.1.2 **Goal**

The goal of the competencies in this section shall be to provide the operations level responder assigned to use personal protective equipment with the knowledge and skills to perform the following tasks safely and effectively:

1. Plan a response within the capabilities of personal protective equipment provided by the AHJ in order to perform mission specific tasks assigned.
2. Implement the planned response consistent with the standard operating procedures and site safety and control plan by donning, working in, and doffing personal protective equipment provided by the AHJ.
3. Terminate the incident by completing the reports and documentation pertaining to personal protective equipment.

603-6.2.2 **Competencies — Analyzing the Incident (Reserved)**

603-6.2.3 **Competencies — Planning the Response**

603-6.2.3.1 **Selecting Personal Protective Equipment**

Given scenarios involving hazardous materials/WMD incidents with known and unknown hazardous materials/WMD, **and the personal protective equipment provided by the AHJ**, the operations level responder assigned to use personal protective equipment shall select the personal protective equipment required to support mission-specific tasks at hazardous materials/WMD incidents based on local procedures ~~and shall meet~~ **by completing** the following requirements:

1. Describe the types of **personal** protective clothing and equipment that are available for response based on NFPA standards and how these items relate to EPA levels of protection.
2. Describe personal protective equipment options for the following hazards:
 - a. Thermal
 - b. Radiological
 - c. Asphyxiating
 - d. Chemical
 - e. Etiological/biological
 - f. Mechanical
3. Select personal protective equipment for mission-specific tasks at hazardous materials/WMD incidents based on local procedures.
 - a. Describe the following terms and explain their impact and significance on the selection of chemical-protective clothing:
 - i. Degradation
 - ii. Penetration
 - iii. Permeation
 - b. Identify at least three indications of material degradation of chemical-protective clothing.
 - c. Identify the different designs of vapor-protective and splash-protective clothing and describe the advantages and disadvantages of each type.
 - d. Identify the relative advantages and disadvantages of the following heat exchange units used for the cooling of personnel operating in personal protective equipment:
 - i. Air cooled
 - ii. Ice cooled
 - iii. Water cooled
 - iv. Phase change cooling technology
 - e. Identify the physiological and psychological stresses that can affect users of personal protective equipment.
 - f. Describe local procedures for going through the technical decontamination process.

603-6.2.4

Competencies — Implementing the Planned Response

603-6.2.4.1

Using Protective Clothing and Respiratory Protection

Given the personal protective equipment provided by the AHJ, the operations level responder assigned to use personal protective equipment shall demonstrate the ability to don, work in, and doff the equipment provided to support mission-specific tasks ~~and shall meet~~ **by completing** the following requirements:

1. Describe at least three safety procedures for personnel wearing protective clothing.
2. Describe at least three emergency procedures for personnel wearing protective clothing.
3. Demonstrate the ability to don, work in, and doff personal protective equipment provided by the AHJ.
4. Demonstrate local procedures for responders undergoing the technical decontamination process.

5. Describe the maintenance, testing, inspection, storage, and documentation procedures for personal protective equipment provided by the AHJ according to the manufacturer's specifications and recommendations.

603-6.2.5 **Competencies — Terminating the Incident**

603-6.2.5.1 **Reporting and Documenting the Incident**

Given a scenario involving a hazardous materials/WMD incident, the operations level responder assigned to use personal protective equipment shall ~~identify and complete the reporting and~~ **document use of the personal protective equipment by completing the** documentation requirements ~~consistent with~~ **of** the emergency response plan or standard operating procedures regarding personal protective equipment.

603-6.3 **Mission-Specific Competencies: Mass Decontamination**

603-6.3.1 **General**

603-6.3.1.1 **Introduction**

603-6.3.1.1.1 The operations level responder assigned to perform mass decontamination at hazardous materials/WMD incidents shall be that person, competent at the operations level, who is assigned to implement mass decontamination operations at hazardous materials/WMD incidents.

603-6.3.1.1.2 The operations level responder assigned to perform mass decontamination at hazardous materials/WMD incidents shall be trained to meet all competencies at the awareness level (Section 601), all core competencies at the operations level (Section 602), all mission-specific competencies for personal protective equipment (Section 603-6.2), and all competencies in this section.

603-6.3.1.1.3 The operations level responder assigned to perform mass decontamination at hazardous materials/WMD incidents shall operate under the guidance of a hazardous materials technician, an allied professional, or standard operating procedures.

603-6.3.1.1.4 The operations level responder assigned to perform mass decontamination at hazardous materials/WMD incidents shall receive the additional training necessary to meet specific needs of the jurisdiction.

603-6.3.1.2 **Goal**

603-6.3.1.2.1 The goal of the competencies in this section shall be to provide the operations level responder assigned to perform mass decontamination at hazardous materials/WMD incidents with the knowledge and skills to perform the tasks in 6.3.1.2.2 safely and effectively.

603-6.3.1.2.2 When responding to hazardous materials/WMD incidents, the operations level responder assigned to perform mass decontamination shall be able to perform the following tasks:

1. Plan a response within the capabilities of available personnel, personal protective equipment, and control equipment by selecting a mass decontamination process to minimize the hazard.

2. Implement the planned response to favorably change the outcomes consistent with standard operating procedures and the site safety and control plan by completing the following tasks:
 - a. Perform the decontamination duties as assigned.
 - b. Perform the mass decontamination functions identified in the incident action plan.
3. Evaluate the progress of the planned response by evaluating the effectiveness of the mass decontamination process.
4. Terminate the incident by providing reports and documentation of decontamination operations.

603-6.3.2 **Competencies — Analyzing the Incident (Reserved)**

603-6.3.3 **Competencies — Planning the Response**

603-6.3.3.1 **Selecting Personal Protective Equipment**

Given an emergency response plan or standard operating procedures **and the personal protective equipment provided by the AHJ**, the operations level responder assigned to mass decontamination shall select the personal protective equipment required to support mass decontamination at hazardous materials/WMD incidents based on local procedures (see Section 603-6.2).

603-6.3.3.2 **Selecting Decontamination Procedures**

Given scenarios involving hazardous materials/WMD incidents, the operations level responder assigned to mass decontamination operations shall select a mass decontamination procedure that will minimize the hazard and spread of contamination, determine the equipment required to implement that procedure, and meet the following requirements:

- i. Identify the advantages and limitations of mass decontamination operations.
- ii. Describe the advantages and limitations of each of the following mass decontamination methods:
 - a. Dilution
 - b. Isolation
 - c. Washing
- iii. Identify sources of information for determining the correct mass decontamination procedure and identify how to access those resources in a hazardous materials/WMD incident.
- iv. Given resources provided by the AHJ, identify the supplies and equipment required to set up and implement mass decontamination operations.
- v. Identify procedures, equipment, and safety precautions for communicating with crowds and crowd management techniques that can be used at incidents where a large number of people might be contaminated.

603-6.3.4 **Competencies — Implementing the Planned Response**

603-6.3.4.1 **Performing Incident Management Duties**

Given a scenario involving a hazardous materials/WMD incident and the emergency response plan or standard operating procedures, the operations level responder

assigned to mass decontamination operations shall demonstrate the mass decontamination duties assigned in the incident action plan by describing the local procedures for the implementation of the mass decontamination function within the incident command system.

603-6.3.4.2 **Performing Decontamination Operations Identified in Incident Action Plan**

The operations level responder assigned to mass decontamination operations shall demonstrate the ability to set up and implement mass decontamination operations for ambulatory and nonambulatory victims.

603-6.3.5 **Competencies — Evaluating Progress**

603-6.3.5.1 **Evaluating the Effectiveness of the Mass Decontamination Process**

Given examples of contaminated items that have undergone the required decontamination, the operations level responder assigned to mass decontamination operations shall identify procedures for determining whether the items have been fully decontaminated according to the standard operating procedures of the AHJ or the incident action plan.

603-6.3.6 **Competencies — Terminating the Incident**

603-6.3.6.1 **Reporting and Documenting the Incident**

Given a scenario involving a hazardous materials/WMD incident, the operations level responder assigned to mass decontamination operations shall ~~complete the reporting and documentation requirements consistent with the emergency response plan or standard operating procedures and shall meet~~ **document the mass decontamination activities as required by the AHJ by completing** the following requirements:

1. Identify the reports and supporting documentation required by the emergency response plan or standard operating procedures.
2. Describe the importance of personnel exposure records.
3. Identify the steps in keeping an activity log and exposure records.
4. Identify the requirements for filing documents and maintaining records.

603-6.4 **Mission-Specific Competencies: Technical Decontamination**

603-6.4.1 **General**

603-6.4.1.1 **Introduction**

603-6.4.1.1.1 The operations level responder assigned to perform technical decontamination at hazardous materials/WMD incidents shall be that person, competent at the operations level, who is assigned to implement technical decontamination operations at hazardous materials/WMD incidents.

603-6.4.1.1.2 The operations level responder assigned to perform technical decontamination at hazardous materials/WMD incidents shall be trained to meet all competencies at the awareness level (Section 601), all core competencies at the operations level (Section 602), all mission-specific competencies for personal protective equipment (Section 603-6.2), and all competencies in this section.

603-6.4.1.1.3 The operations level responder assigned to perform technical decontamination at hazardous materials/WMD incidents shall operate under the guidance of a hazardous materials technician, an allied professional, or standard operating procedures.

603-6.4.1.1.4 The operations level responder assigned to perform technical decontamination at hazardous materials/WMD incidents shall receive the additional training necessary to meet specific needs of the jurisdiction.

603-6.4.1.2 **Goal**

603-6.4.1.2.1 The goal of the competencies in this section shall be to provide the operations level responder assigned to perform technical decontamination at hazardous materials/WMD incidents with the knowledge and skills to perform the tasks in 6.4.1.2.2 safely and effectively.

603-6.4.1.2.2 When responding to hazardous materials/WMD incidents, the operations level responder assigned to perform technical decontamination shall be able to perform the following tasks:

1. Plan a response within the capabilities of available personnel, personal protective equipment, and control equipment by selecting a technical decontamination process to minimize the hazard.
2. Implement the planned response to favorably change the outcomes consistent with standard operating procedures and the site safety and control plan by completing the following tasks:
 - a. Perform the technical decontamination duties as assigned.
 - b. Perform the technical decontamination functions identified in the incident action plan.
3. Evaluate the progress of the planned response by evaluating the effectiveness of the technical decontamination process.
4. Terminate the incident by completing the providing reports and documentation of decontamination operations.

603-6.4.2 **Competencies — Analyzing the Incident (Reserved)**

603-6.4.3 **Competencies — Planning the Response**

603-6.4.3.1 **Selecting Personal Protective Equipment**

Given an emergency response plan or standard operating procedures **and the personal protective equipment provided by the AHJ**, the operations level responder assigned to technical decontamination operations shall select the personal protective equipment required to support technical decontamination at hazardous materials/WMD incidents based on local procedures (*see Section 603-6.2*).

603-6.4.3.2 **Selecting Decontamination Procedures**

Given scenarios involving hazardous materials/WMD incidents, the operations level responder assigned to technical decontamination operations shall select a technical decontamination procedure that will minimize the hazard and spread of contamination and determine the equipment required to implement that procedure **and shall meet by completing** the following requirements:

1. Identify the advantages and limitations of technical decontamination operations.
2. Describe the advantages and limitations of each of the following technical decontamination methods:
 - a. Absorption
 - b. Adsorption
 - c. Chemical degradation
 - d. Dilution
 - e. Disinfection
 - f. Evaporation
 - g. Isolation and disposal
 - h. Neutralization
 - i. Solidification
 - j. Sterilization
 - k. Vacuuming
 - l. Washing
3. Identify sources of information for determining the correct technical decontamination procedure and identify how to access those resources in a hazardous materials/WMD incident.
4. Given resources provided by the AHJ, identify the supplies and equipment required to set up and implement technical decontamination operations.
5. Identify the procedures, equipment, and safety precautions for processing evidence during technical decontamination operations at hazardous materials/WMD incidents.
6. Identify procedures, equipment, and safety precautions for handling tools, equipment, weapons, criminal suspects, and law enforcement/search canines brought to the decontamination corridor at hazardous materials/WMD incidents.

603-6.4.4

Competencies — Implementing the Planned Response

603-6.4.4.1

Performing Incident Management Duties

Given a scenario involving a hazardous materials/WMD incident and the emergency response plan or standard operating procedures, the operations level responder assigned to technical decontamination operations shall demonstrate the technical decontamination duties assigned in the incident action plan ~~and shall meet by~~ **completing** the following requirements:

1. Identify the role of the operations level responder assigned to technical decontamination operations during hazardous materials/WMD incidents.
2. Describe the procedures for implementing technical decontamination operations within the incident command system.

603-6.4.4.2

Performing Decontamination Operations Identified in Incident Action Plan

The responder assigned to technical decontamination operations shall demonstrate the ability to set up and implement the following types of decontamination operations:

1. Technical decontamination operations in support of entry operations

2. Technical decontamination operations for ambulatory and nonambulatory victims

603-6.4.5 **Competencies — Evaluating Progress**

603-6.4.5.1 **Evaluating the Effectiveness of the Technical Decontamination Process**

Given examples of contaminated items that have undergone the required decontamination, the operations level responder assigned to technical decontamination operations shall identify procedures for determining whether the items have been fully decontaminated according to the standard operating procedures of the AHJ or the incident action plan.

603-6.4.6 **Competencies — Terminating the Incident**

603-6.4.6.1 **Reporting and Documenting the Incident**

Given a scenario involving a hazardous materials/WMD incident, the operations level responder assigned to technical decontamination operations shall **document the mass decontamination activities as required by the AHJ** complete the reporting and documentation requirements consistent with the emergency response plan or standard operating procedures and shall meet **by completing** the following requirements:

1. Identify the reports and supporting technical documentation required by the emergency response plan or standard operating procedures.
2. Describe the importance of personnel exposure records.
3. Identify the steps in keeping an activity log and exposure records.
4. Identify the requirements for filing documents and maintaining records.

603-6.5 **Mission-Specific Competencies: Evidence Preservation and Sampling**

603-6.5.1 **General**

603-6.5.1.1 **Introduction**

603-6.5.1.1.1

The operations level responder assigned to perform evidence preservation and sampling shall be that person, competent at the operations level, who is assigned to preserve forensic evidence, take samples, and/or seize evidence at hazardous materials/WMD incidents involving potential violations of criminal statutes or governmental regulations.

603-6.5.1.1.2

The operations level responder assigned to perform evidence preservation and sampling at hazardous materials/WMD incidents shall be trained to meet all competencies at the awareness level (Section 601), all core competencies at the operations level (Section 602), all mission-specific competencies for personal protective equipment (Section 603-6.2), and all competencies in this section.

603-6.5.1.1.3

The operations level responder assigned to perform evidence preservation and sampling at hazardous materials/WMD incidents shall operate under the guidance of a hazardous materials technician, an allied professional, or standard operating procedures.

603-6.5.1.1.4 The operations level responder assigned to perform evidence preservation and sampling at hazardous materials/WMD incidents shall receive the additional training necessary to meet specific needs of the jurisdiction.

603-6.5.1.2 **Goal**

603-6.5.1.2.1 The goal of the competencies in this section shall be to provide the operations level responder assigned to evidence preservation and sampling at hazardous materials/WMD incidents with the knowledge and skills to perform the tasks in 6.5.1.2.2 safely and effectively.

603-6.5.1.2.2 When responding to hazardous materials/WMD incidents involving potential violations of criminal statutes or governmental regulations, the operations level responder assigned to perform evidence preservation and sampling shall be able to perform the following tasks:

1. Analyze a hazardous materials/WMD incident to determine the complexity of the problem and potential outcomes by completing the following tasks:
 - a. Determine if the incident is potentially criminal in nature and identify the law enforcement agency having investigative jurisdiction.
 - b. Identify unique aspects of criminal hazardous materials/WMD incidents.
2. Plan a response for an incident where there is potential criminal intent involving hazardous materials/WMD within the capabilities and competencies of available personnel, personal protective equipment, and control equipment by completing the following tasks:
 - a. Determine the response options to conduct sampling and evidence preservation operations.
 - b. Describe how the options are within the legal authorities, capabilities, and competencies of available personnel, personal protective equipment, and control equipment.
3. Implement the planned response to a hazardous materials/WMD incident involving potential violations of criminal statutes or governmental regulations by completing the following tasks under the guidance of law enforcement:
 - a. Preserve forensic evidence.
 - b. Take samples.
 - c. Seize evidence.

603-6.5.2 **Competencies — Analyzing the Incident**

603-6.5.2.1 **Determining If the Incident Is Potentially Criminal in Nature and Identifying the Law Enforcement Agency That Has Investigative Jurisdiction**

Given examples of hazardous materials/WMD incidents involving potential criminal intent, the operations level responder assigned to evidence preservation and sampling shall describe the potential criminal violation and identify the law enforcement agency having investigative jurisdiction and shall meet **by completing** the following requirements:

1. Given examples of the following hazardous materials/WMD incidents, the operations level responder shall describe products that might be encountered in the incident associated with each situation:
 - a. Hazardous materials/WMD suspicious letter
 - b. Hazardous materials/WMD suspicious package

- c. Hazardous materials/WMD illicit laboratory
 - d. Release/attack with a WMD agent
 - e. Environmental crimes
2. Given examples of the following hazardous materials/WMD incidents, the operations level responder shall identify the agency(**cies**) with investigative authority and the incident response considerations associated with each situation:
 - a. Hazardous materials/WMD suspicious letter
 - b. Hazardous materials/WMD suspicious package
 - c. Hazardous materials/WMD illicit laboratory
 - d. Release/attack with a WMD agent
 - e. Environmental crimes

603-6.5.3

Competencies — Planning the Response

603-6.5.3.1

Identifying Unique Aspects of Criminal Hazardous Materials/WMD Incidents

The operations level responder assigned to evidence preservation and sampling shall **describe** ~~be capable of identifying~~ the unique aspects associated with illicit laboratories, hazardous materials/WMD incidents, and environmental crimes ~~and shall meet~~ **by completing** the following requirements:

1. Given an incident involving illicit laboratories, a hazardous materials/WMD incident, or an environmental crime, the operations level responder shall perform the following tasks:
 - a. Describe the procedure ~~to secure, characterize, and preserve~~ **for securing** the scene **and characterizing and preserving evidence at the scene**.
 - b. Describe the procedure to document personnel and scene activities associated with the incident.
 - c. Describe the procedure to determine whether the operations level responders are within their legal authority to perform evidence preservation and sampling tasks.
 - d. Describe the procedure to notify the agency with investigative authority.
 - e. Describe the procedure to notify the explosive ordnance disposal (EOD) personnel.
 - f. Identify potential sample/evidence.
 - g. Identify the applicable sampling equipment.
 - h. Describe the procedures to protect samples and evidence from secondary contamination.
 - i. Describe documentation procedures.
 - j. Describe evidentiary sampling techniques.
 - k. Describe field screening protocols for collected samples and evidence.
 - l. Describe evidence labeling and packaging procedures.
 - m. Describe evidence decontamination procedures.
 - n. Describe evidence packaging procedures for evidence transportation.
 - o. Describe chain-of-custody procedures.
2. Given an example of an illicit laboratory, the operations level responder assigned to evidence preservation and sampling shall be able to perform the following tasks:
 - a. Describe the hazards, safety procedures, decontamination, and tactical guidelines for this type of incident.

- b. Describe the factors to be evaluated in selecting the personal protective equipment, sampling equipment, detection devices, and sample and evidence packaging and transport containers.
 - c. Describe the sampling options associated with liquid and solid sample and evidence collection.
 - d. Describe the field screening protocols for collected samples and evidence.
3. Given an example of an environmental crime, the operations level responder assigned to evidence preservation and sampling shall be able to perform the following tasks:
 - a. Describe the hazards, safety procedures, decontamination, and tactical guidelines for this type of incident.
 - b. Describe the factors to be evaluated in selecting the personal protective equipment, sampling equipment, detection devices, and sample and evidence packaging and transport containers.
 - c. Describe the sampling options associated with the collection of liquid and solid samples and evidence.
 - d. Describe the field screening protocols for collected samples and evidence.
4. Given an example of a hazardous materials/WMD suspicious letter, the operations level responder assigned to evidence preservation and sampling shall be able to perform the following tasks:
 - a. Describe the hazards, safety procedures, decontamination, and tactical guidelines for this type of incident.
 - b. Describe the factors to be evaluated in selecting the personal protective equipment, sampling equipment, detection devices, and sample and evidence packaging and transport containers.
 - c. Describe the sampling options associated with the collection of liquid and solid samples and evidence.
 - d. Describe the field screening protocols for collected samples and evidence.
5. Given an example of a hazardous materials/WMD suspicious package, the operations level responder assigned to evidence preservation and sampling shall be able to perform the following tasks:
 - a. Describe the hazards, safety procedures, decontamination, and tactical guidelines for this type of incident.
 - b. Describe the factors to be evaluated in selecting the personal protective equipment, sampling equipment, detection devices, and sample and evidence packaging and transport containers.
 - c. Describe the sampling options associated with liquid and solid sample/evidence collection.
 - d. Describe the field screening protocols for collected samples and evidence.
6. Given an example of a release/attack involving a hazardous material/WMD agent, the operations level responder assigned to evidence preservation and sampling shall be able to perform the following tasks:
 - a. Describe the hazards, safety procedures, decontamination and tactical guidelines for this type of incident.
 - b. Describe the factors to be evaluated in selecting the personal protective equipment, sampling equipment, detection devices, and sample and evidence packaging and transport containers.

- c. Describe the sampling options associated with the collection of liquid and solid samples and evidence.
 - d. Describe the field screening protocols for collected samples and evidence.
7. Given examples of different types of potential criminal hazardous materials/WMD incidents, the operations level responder shall identify and describe the application, use, and limitations of the various types field screening tools that can be utilized for screening the following:
 - a. Corrosivity
 - b. Flammability
 - c. Oxidation
 - d. Radioactivity
 - e. Volatile organic compounds (VOC)
 8. Describe the potential adverse impact of using destructive field screening techniques.
 9. Describe the procedures for maintaining the evidentiary integrity of any item removed from the crime scene.

603-6.5.3.2

Selecting Personal Protective Equipment

Given the personal protective equipment provided by the AHJ, the operations level responder assigned to evidence preservation and sampling shall select the personal protective equipment required to support evidence preservation and sampling at hazardous materials/WMD incidents based on local procedures (*see Section 603-6.2*).

603-6.5.4

Competencies — Implementing the Planned Response

603-6.5.4.1

Implementing the Planned Response

Given the incident action plan for a criminal incident involving hazardous materials/WMD, the operations level responder assigned to evidence preservation and sampling shall implement ~~or oversee the implementation of the~~ **selected response actions consistent with the emergency response plan or standard operating procedures by completing** safely and effectively and shall meet the following requirements:

1. ~~Secure, characterize, and preserve the scene.~~ **Demonstrate how to secure the scene and characterize and preserve evidence at the scene.**
2. Document personnel and scene activities associated with the incident.
3. **Determine** ~~Describe whether the responders are within their legal authority to perform evidence preservation~~ **collection** and sampling tasks.
4. **Describe the procedure to** notify the agency with investigative authority.
5. Notify the EOD personnel.
6. Identify potential samples and evidence to be collected.
7. ~~Demonstrate the~~ procedures to protect samples and evidence from secondary contamination.

8. Demonstrate ~~the~~ correct techniques to collect samples utilizing the equipment provided.
9. Demonstrate ~~the~~ documentation procedures.
10. Demonstrate ~~the~~ sampling protocols.
11. Demonstrate field screening protocols for samples and evidence collected.
12. Demonstrate evidence/sample labeling and packaging procedures.
13. Demonstrate evidence/sample decontamination procedures.
14. Demonstrate evidence/sample packaging procedures for evidence transportation.
15. **Describe chain of custody procedures for evidence/sample preservation.**

603-6.5.4.2 The operations level responder assigned to evidence preservation and sampling shall describe local procedures for the technical decontamination process.

603-6.5.5 ***Competencies — Implementing the Planned Response (Reserved)***

603-6.5.6 ***Competencies — Terminating the Incident (Reserved)***

603-6.6 ***Mission-Specific Competencies: Product Control***

603-6.6.1 ***General***

603-6.6.1.1 ***Introduction***

603-6.6.1.1.1 The operations level responder assigned to perform product control shall be that person, competent at the operations level, who is assigned to implement product control measures at hazardous materials/WMD incidents.

603-6.6.1.1.2 The operations level responder assigned to perform product control at hazardous materials/WMD incidents shall be trained to meet all competencies at the awareness level (Section 601), all core competencies at the operations level (Section 602), all mission-specific competencies for personal protective equipment (Section 603-6.2), and all competencies in this section.

603-6.6.1.1.3 The operations level responder assigned to perform product control at hazardous materials/WMD incidents shall operate under the guidance of a hazardous materials technician, an allied professional, or standard operating procedures.

603-6.6.1.1.4 The operations level responder assigned to perform product control at hazardous materials/WMD incidents shall receive the additional training necessary to meet specific needs of the jurisdiction.

603-6.6.1.2 ***Goal***

603-6.6.1.2.1 The goal of the competencies in this section shall be to provide the operations level responder assigned to product control at hazardous materials/WMD incidents with the knowledge and skills to perform the tasks in 6.6.1.2.2 safely and effectively.

603-6.6.1.2.2

When responding to hazardous materials/WMD incidents, the operations level responder assigned to perform product control shall be able to perform the following tasks:

1. Plan an initial response within the capabilities and competencies of available personnel, personal protective equipment, and control equipment and in accordance with the emergency response plan or standard operating procedures by completing the following tasks:
 - a. Describe the control options available to the operations level responder.
 - b. Describe the control options available for flammable liquid and flammable gas incidents.
2. Implement the planned response to a hazardous materials/WMD incident.

603-6.6.2**Competencies — Analyzing the Incident (Reserved)****603-6.6.3****Competencies — Planning the Response****603-6.6.3.1****Identifying Control Options**

Given examples of hazardous materials/WMD incidents, the operations level responder assigned to perform product control shall identify the options for each response objective and shall meet **by completing** the following requirements as prescribed by the AHJ:

1. Identify the options to accomplish a given response objective.
2. Identify the purpose for and the procedures, equipment, and safety precautions associated with each of the following control techniques:
 - a. Absorption
 - b. Adsorption
 - c. Damming
 - d. Diking
 - e. Dilution
 - f. Diversion
 - g. Remote valve shutoff
 - h. Retention
 - i. Vapor dispersion
 - j. Vapor suppression

603-6.6.3.2**Selecting Personal Protective Equipment**

Given the personal protective equipment provided by the AHJ, the operations level responder assigned to perform product control shall select the personal protective equipment required to support product control at hazardous materials/WMD incidents based on local procedures (*see Section 603-6.2*).

603-6.6.4**Competencies — Implementing the Planned Response****603-6.6.4.1****Performing Control Options**

Given an incident action plan for a hazardous materials/WMD incident, within the capabilities and equipment provided by the AHJ, the operations level responder assigned to perform product control shall demonstrate control functions set out in the plan and shall meet **by completing** the following requirements as prescribed by the AHJ:

1. Using the type of special purpose or hazard suppressing foams or agents and foam equipment furnished by the AHJ, demonstrate the application of the foam(s) or agent(s) on a spill or fire involving hazardous materials/WMD.
2. Identify the characteristics and applicability of the following Class B foams if supplied by the AHJ:
 - a. Aqueous film-forming foam (AFFF)
 - b. Alcohol-resistant concentrates
 - c. Fluoroprotein
 - d. High-expansion foam
3. Given the required tools and equipment, demonstrate how to perform the following control activities:
 - a. Absorption
 - b. Adsorption
 - c. Damming
 - d. Diking
 - e. Dilution
 - f. Diversion
 - g. Retention
 - h. Remote valve shutoff
 - i. Vapor dispersion
 - j. Vapor suppression
4. Identify the location and describe the use of emergency remote shutoff devices on MC/DOT-306/406, MC/DOT-307/407, and MC-331 cargo tanks containing flammable liquids or gases.
5. Describe the use of emergency remote shutoff devices at fixed facilities.

603-6.6.4.2 The operations level responder assigned to perform product control shall describe local procedures for going through the technical decontamination process.

603-6.6.5 ***Competencies — Evaluating Progress (Reserved)***

603-6.6.6 ***Competencies — Terminating the Incident.(Reserved)***

603-6.7 ***Mission-Specific Competencies: Air Monitoring and Sampling***

603-6.7.1 ***General***

603-6.7.1.1 ***Introduction***

603-6.7.1.1.1 The operations level responder assigned to perform air monitoring and sampling shall be that person, competent at the operations level, who is assigned to implement air monitoring and sampling operations at hazardous materials/WMD incidents.

603-6.7.1.1.2 The operations level responder assigned to perform air monitoring and sampling at hazardous materials/WMD incidents shall be trained to meet all competencies at the awareness level (Section 601), all core competencies at the operations level (Section 602), all mission-specific competencies for personal protective equipment (Section 603-6.2), and all competencies in this section.

603-6.7.1.1.3 The operations level responder assigned to perform air monitoring and sampling at hazardous materials/WMD incidents shall operate under the guidance of a hazardous materials technician, an allied professional, or standard operating procedures.

1. Direct guidance: operations level responder working under the control of a hazardous material technician or allied professional who can:
 - a. Continually assess and/or observe their actions
 - b. Provide immediate feedback
2. Written guidance: standard operating procedures or “rules of engagement” that emphasize:
 - a. Task expected operations level responders
 - b. Task beyond the capability of operations level responders
 - c. Required PPE and other equipment to perform the expected task
 - d. Procedures for ensuring coordination within the ICS

603-6.7.1.1.4 The operations level responder assigned to perform air monitoring and sampling at hazardous materials/WMD incidents shall receive the additional training necessary to meet specific needs of the jurisdiction.

1. Monitoring and detection equipment may include:
 - a. Carbon monoxide meter
 - b. Colorimetric tubes
 - c. Combustible gas indicator
 - d. Oxygen meter
 - e. Passive dosimeters
 - f. pH indicators and/or pH meters
 - g. Photoionization and/or flame ionization detectors
 - h. Radiation detection instruments
 - i. Reagents
 - j. Test strips
 - k. WMD detectors (chemical and/or biological)
 - l. Other equipment provided by the AHJ
2. Evidence sampling and collection equipment is addressed in Section 603-6.5
3. Sampling equipment that may be used by operations trained responders may be required by the AHJ may include but is not limited to:
 - a. Any tool designated to remove liquid or solid product from a container for the purpose of environmental sampling and testing
 - b. Any container suitable for the collection of a liquid or solid sample based on the type and quantity

603-6.7.1.2 **Goal**

603-6.7.1.2.1 The goal of the competencies in this section shall be to provide the operations level responder assigned to air monitoring and sampling at hazardous materials/WMD incidents with the knowledge and skills to perform the tasks in 6.7.1.2.2 safely and effectively.

603-6.7.1.2.2 When responding to hazardous materials/WMD incidents, the operations level responder assigned to perform air monitoring and sampling shall be able to perform the following tasks:

1. Plan the air monitoring and sampling activities within the capabilities and competencies of available personnel, personal protective equipment, and control equipment and in accordance with the emergency response plan or standard operating procedures describe the air monitoring and sampling options available to the operations level responder.
2. Implement the air monitoring and sampling activities as specified in the incident action plan.

603-6.7.2 **Competencies - Analyzing the Incident (Reserved)**

603-6.7.3 **Competencies - Planning the Response**

603-6.7.3.1 Given the air monitoring and sampling equipment provided by the AHJ, the operations level responder assigned to perform air monitoring and sampling shall select the detection or monitoring equipment suitable for detecting or monitoring solid, liquid, or gaseous hazardous materials/WMD.

603-6.7.3.2 Given detection and monitoring device(s) provided by the AHJ, the operations level responder assigned to perform air monitoring and sampling shall describe the operation, capabilities and limitations, local monitoring procedures, field testing, and maintenance procedures associated with each device.

603-6.7.3.3 **Selecting Personal Protective Equipment (PPE)**
Given the PPE provided by the AHJ, the operations level responder assigned to perform air monitoring and sampling shall **select the** ~~identify the local procedures for selecting~~ personal protective equipment **required** to support air monitoring and sampling at hazardous materials/WMD incidents **based on local procedures (see Section 603-6.2)**.

603-6.7.3.4 **Selecting Personal Protective Equipment**
The operations level responder assigned to perform air monitoring and sampling shall select the personal protective equipment required to support air monitoring and sampling at hazardous materials/WMD incidents based on local procedures (see Section 603-6.2).

603-6.7.4 **Competencies - Implementing the Planned Response**

603-6.7.4.1 Given a scenario involving hazardous materials/WMD and detection and monitoring devices provided by the AHJ, the operations level responder assigned to perform air monitoring and sampling shall demonstrate the field test and operation of each device and interpret the readings based on local procedures.

1. Personnel must be able to identify:
 - a. Solids
 - b. Liquids
 - c. Gases
2. Hazards need to be identified based on:
 - a. Corrosivity
 - b. Flammability
 - c. Oxygen concentration
 - d. Radioactivity
 - e. Toxicity
 - f. Pathogenicity

3. Monitoring and detection equipment may include:
 - a. Carbon monoxide meter
 - b. Colorimetric tubes
 - c. Combustible gas indicator
 - d. Oxygen meter
 - e. Passive dosimeters
 - f. pH indicators and/or pH meters
 - g. Photoionization and/or flame ionization detectors
 - h. Radiation detection instruments
 - i. Reagents
 - j. Test strips
 - k. WMD detectors (chemical and/or biological)
 - l. Other equipment provided by the AHJ

603-6.7.4.2 The operations level responder assigned to perform air monitoring and sampling shall describe local procedures for decontamination of themselves and their detection and monitoring devices upon completion of the air monitoring mission.

603-6.7.5 **Competencies – Evaluating Progress (Reserved)**

603-6.7.6 **Competencies – Terminating the Incident (Reserved)**

603-6.8 **Mission-Specific Competencies: Victim Rescue and Recovery**

603-6.8.1 **General**

603-6.8.1.1 **Introduction**

603-6.8.1.1.1 The operations level responder assigned to perform victim rescue and recovery shall be that person, competent at the operations level, who is assigned to rescue and recover exposed and contaminated victims at hazardous materials/WMD incidents.

603-6.8.1.1.2 The operations level responder assigned to perform victim rescue and recovery at hazardous materials/WMD incidents shall be trained to meet all competencies at the awareness level (Section 601), all core competencies at the operations level (Section 602), all mission-specific competencies for personal protective equipment (Section 603-6.2), and all competencies in this section.

603-6.8.1.1.3 The operations level responder assigned to perform victim rescue and recovery at hazardous materials/WMD incidents shall operate under the guidance of a hazardous materials technician, an allied professional, or standard operating procedures.

1. Direct guidance: operations level responder working under the control of a hazardous materials technician or allied professional who can:
 - a. Continually assess and/or observe their actions
 - b. Provide immediate feedback
2. Written guidance: standard operating procedures or “rules of engagement” that emphasize:
 - a. Task expected operations level responders
 - b. Task beyond the capability of operations level responders
 - c. Required PPE and other equipment to perform the expected task
 - d. Procedures for ensuring coordination within the ICS

603-6.8.1.1.4 The operations level responder assigned to perform victim rescue and recovery at hazardous materials/WMD incidents shall receive the additional training necessary to meet specific needs of the jurisdiction.

603-6.8.1.2 **Goal**

603-6.8.1.2.1 The goal of the competencies in this section shall be to provide the operations level responder assigned victim rescue and recovery at hazardous materials/WMD incidents with the knowledge and skills to perform the tasks in 6.8.1.2.2 safely and effectively.

603-6.8.1.2.2 When responding to hazardous materials/WMD incidents, the operations level responder assigned to perform victim rescue and recovery shall be able to perform the following tasks:

1. Plan a response for victim rescue and recovery operations involving the release of hazardous materials/WMD agent within the capabilities of available personnel and personal protective equipment.
2. Implement the planned response to accomplish victim rescue and recovery operations within the capabilities of available personnel and personal protective equipment.

603-6.8.2 **Competencies – Analyzing the Incident (Reserved)**

603-6.8.3 **Competencies – Planning the Response**

603-6.8.3.1 Given scenarios involving hazardous materials/WMD incidents, the operations level responder assigned to victim rescue and recovery shall determine the feasibility of conducting victim rescue and recovery operations at an incident involving a hazardous material/WMD and shall be able to perform the following tasks:

1. Determine the feasibility of conducting rescue and recovery operations.
2. Describe the safety procedures, tactical guidelines, and incident response considerations to effect a rescue associated with each of the following situations:
 - a. Line-of-sight with ambulatory victims
 - b. Line-of-sight with nonambulatory victims
 - c. Non-line-of-sight with ambulatory victims
 - d. Non-line-of-sight with nonambulatory victims
 - e. Victim rescue operations versus victim recovery operations
 - a. Additional victim rescue hazard considerations include:
 - i. Hostile human threats
 - ii. Improvised explosive devices (IEDs)
 - iii. Agent type and possible harm
 - ii. Operational considerations may include:
 - a) The emergency responders will enter potentially contaminated areas only to perform rescue of known live victims or to perform rescue of known live victims or to perform an immediate reconnaissance to determine if live victims exist
 - b) Emergency responders will immediately exit any area where they encounter evidence of chemical contamination and cannot identify any living victims

- c) Emergency responders will avoid contact with any unidentified materials
 - d) Emergency responders and rescued victims will undergo an emergency decontamination immediately upon exit from the potentially hazardous area
 - e) Immediate medical assistance such as that provided by EMS providers is immediately available
 - f) Emergency responders, when finding conditions in excess of immediately dangerous to life or health (IDLH) should attempt to change the environment (ventilation, vapor dispersion/suppression, etc.) to enable others to respond to assist
 - g) While reducing the hazards to create a safer environment in which to operate is always a good work practice, it is essential when performing victim recovery
3. Determine if the options are within the capabilities of available personnel and personal protective equipment.
 4. Describe the procedures for implementing victim rescue and recovery operations within the incident command system.

603-6.8.3.2

Selecting Personal Protective Equipment (PPE)

Given the PPE provided by the AHJ, the operations level responder assigned to perform victim rescue and recovery shall select the personal protective equipment required to support victim rescue and recovery at hazardous materials/WMD incidents based on local procedures (*see Section 603-6.2*).

603-6.8.4

Competencies – Implementing the Planned Response

603-6.8.4.1

Given a scenario involving a hazardous material/WMD, the operations level responder assigned to victim rescue and recovery shall perform the following tasks:

1. Identify the different team positions and describe their main functions.
2. Select and use specialized rescue equipment and procedures provided by the AHJ to support victim rescue and recovery operations.
3. Demonstrate safe and effective methods for victim rescue and recovery.
4. Demonstrate the ability to triage victims.
5. Describe local procedures for performing decontamination upon completion of the victim rescue and removal mission.

603-6.8.5

Competencies – Evaluating Progress (Reserved)

603-6.8.6

Competencies – Terminating the Incident (Reserved)

603-6.9

Mission-Specific Competencies: Response to Illicit Laboratory Incidents

603-6.9.1

General

603-6.9.1.1

Introduction

603-6.9.1.1.1 The operations level responder assigned to respond to illicit laboratory incidents shall be that person, competent at the operations level, who, at hazardous materials/WMD incidents involving potential violations of criminal statutes specific to the illegal manufacture of methamphetamines, other drugs, or WMD, is assigned to secure the scene, identify the laboratory or process, and preserve evidence at hazardous materials/WMD incidents involving potential violations of criminal statutes specific to the illegal manufacture of methamphetamines, other drugs, or WMD.

603-6.9.1.1.2 The operations level responder who responds to illicit laboratory incidents shall be trained to meet all competencies at the awareness level (Section 601), all core competencies at the operations level (Section 602), all mission-specific competencies for personal protective equipment (Section 603-6.2), and all competencies in this section.

603-6.9.1.1.3 The operations level responder who responds to illicit laboratory incidents shall operate under the guidance of a hazardous materials technician, an allied professional, or standard operating procedures.

1. Direct guidance: operations level responder working under the control of a hazardous material technician or allied professional who can:
 - a. Continually assess and/or observe their actions
 - b. Provide immediate feedback
2. Written guidance: standard operating procedures or “rules of engagement” that emphasize:
 - a. Task expected operations level responders
 - b. Task beyond the capability of operations level responders
 - c. Required PPE and other equipment to perform the expected task
 - d. Procedures for ensuring coordination within the ICS

603-6.9.1.1.4 The operations level responder who responds to illicit laboratory incidents shall receive the additional training necessary to meet specific needs of the jurisdiction.

603-6.9.1.2 **Goal**

603-6.9.1.2.1 The goal of the competencies in this section shall be to provide the operations level responder assigned to respond to illicit laboratory incidents with the knowledge and skills to perform the tasks in 6.9.1.2.2 safely and effectively.

603-6.9.1.2.2 When responding to hazardous materials/WMD incidents, the operations level responder assigned to respond to illicit laboratory incidents shall be able to perform the following tasks:

1. Analyze a hazardous materials/WMD incident to determine the complexity of the problem and potential outcomes and whether the incident is potentially a criminal illicit laboratory operation.
2. Plan a response for a hazardous materials/WMD incident involving potential illicit laboratory operations in compliance with evidence preservation operations within the capabilities and competencies of available personnel, personal protective equipment, and control equipment after notifying the responsible law enforcement agencies of the problem.

3. Implement the planned response to a hazardous materials/WMD incident involving potential illicit laboratory operations utilizing applicable evidence preservation guidelines.

603-6.9.2

Competencies – Analyzing the Incident

603-6.9.2.1

Determining if a Hazardous Materials/WMD Incident is an Illicit Laboratory Operation

Given examples of hazardous materials/WMD incidents involving illicit laboratory operations, the operations level responder assigned to respond to illicit laboratory incidents shall identify the potential drugs/WMD being manufactured **by completing** and shall meet the following related requirements:

1. **Given examples of illicit drug manufacturing methods, describe the operational considerations, hazards, and products involved in the illicit process.** ~~Illicit laboratories can be designed to produce many different products including:~~
 - a. Illegal drugs (e.g., methamphetamines)
 - b. Chemical modification (e.g., distilled pesticides)
 - c. Biological toxins or pathogens (e.g., ricin, anthrax, tuleremia)
 - d. Explosives (e.g., ANFO, pipe bombs)
2. Given examples of illicit **chemical WMD** ~~drug manufacturing~~ methods, describe the operational considerations, hazards, and products involved in the illicit process.
3. Given examples of illicit **biological** ~~chemical~~ WMD methods, describe the operational considerations, hazards, and products involved in the illicit process.
4. Given examples of illicit **laboratory operations** ~~biological WMD methods~~, describe the **potential booby traps that have been encountered by response personnel** ~~operational considerations, hazards, and products involved in the illicit process.~~
5. Given examples of illicit laboratory operations, describe the **agencies that have investigative authority and operational responsibility to support the response** ~~potential booby traps that have been encountered by response personnel.~~
6. ~~Given examples of illicit laboratory operations, describe the agencies that have investigative authority and operational responsibility to support the response.~~

603-6.9.3

Competencies – Planning the Response

603-6.9.3.1

Determining the Response Options

Given an analysis of hazardous materials/WMD incidents involving illicit laboratories, the operations level responder assigned to respond to illicit laboratory incidents shall identify possible response options.

603-6.9.3.2

Identifying Unique Aspects of Criminal Hazardous Materials/WMD Incidents

603-6.9.3.2.1

The operations level responder assigned to respond to illicit laboratory incidents shall identify the unique operational aspects associated with illicit drug manufacturing and illicit WMD manufacturing.

603-6.9.3.2.2 Given an incident involving illicit drug manufacturing or illicit WMD manufacturing, the operations level responder assigned to illicit laboratory incidents shall describe the following tasks:

1. Law enforcement securing and preserving the scene
 - a. Tasks include neutralization of tactical threat
 - b. Safe rendering of explosive devices or booby traps
 - c. Maintain accountability and identification of all personnel in the crime scene
 - d. Crime scene documentation
 - e. Safeguarding/protecting evidence
2. Joint hazardous materials and EOD personnel site reconnaissance and hazard identification
3. Determining atmospheric hazards through air monitoring and detection
 - a. At a minimum, monitoring should include:
 - i. Flammability – combustible gas indicator
 - ii. Oxygen level – oxygen meter
 - iii. Toxicity – photoionization detector
 - iv. Corrosivity – pH paper
 - v. Radiological – radiological survey meter
 - b. Other monitoring devices as determined by the AHJ
4. Mitigation of immediate hazards while preserving evidence
5. Coordinated crime scene operation with the law enforcement agency having investigative authority
6. Documenting personnel and scene activities associated with incident

603-6.9.3.3

Identifying the Law Enforcement Agency That Has Investigative Jurisdiction

The operations level responder assigned to respond to illicit laboratory incidents shall identify the law enforcement agency having investigative jurisdiction **by completing** and shall meet the following requirements:

1. Given scenarios involving illicit drug manufacturing or illicit WMD manufacturing, identify the law enforcement agency(s) with investigative authority for the following situations:
 - a. Illicit drug manufacturing
 - b. Illicit WMD manufacturing
 - c. Environmental crimes resulting from illicit laboratory operations
2. Identify the role of law enforcement agencies at the following levels:
 - a. Federal
 - b. State
 - c. Local

603-6.9.3.4

Identifying Unique Tasks and Operations at Sites Involving Illicit Laboratories

603-6.9.3.4.1

The operations level responder assigned to respond to illicit laboratory incidents shall identify and describe the unique tasks and operations encountered at illicit laboratory scenes.

603-6.9.3.4.2 Given scenarios involving illicit drug manufacturing or illicit WMD manufacturing, describe the following:

1. Hazards, safety procedures, and tactical guidelines for this type of emergency
2. Factors to be evaluated in selection of the appropriate personal protective equipment for each type of tactical operation
 - a. Selection of PPE is based upon:
 - a. Available intelligence
 - b. Outward warning signs
 - c. Detection clues
 - d. Activity of animals
 - e. Interviews with neighbors/witnesses
 - b. Explosive ordnance disposal (EOD) operations will require an appropriate level of EOD protective gear to augment chemical protective clothing based on the hazard risk assessment
3. Factors to be considered in selection of appropriate decontamination procedures
4. Factors to be evaluated in the selection of detection devices
5. Factors to be considered in the development of a remediation plan

603-6.9.3.5 **Selecting Personal Protective Equipment**

The operations level responder assigned to respond to illicit laboratory incidents shall select the personal protective equipment required to respond to illicit laboratory incidents based on local procedures.

603-6.9.4 **Competencies – Implementing the Planned Response**

603-6.9.4.1 **Implementing the Planned Response**

Given scenarios involving an illicit drug/WMD laboratory operation involving hazardous materials/WMD, the operations level responder assigned to respond to illicit laboratory incidents shall implement or oversee the implementation of the selected response options safely and effectively.

603-6.9.4.1.1 Given a simulated illicit drug/WMD laboratory incident, the operations level responder assigned to respond to illicit laboratory incidents shall be able to perform the following tasks:

1. Describe safe and effective methods for law enforcement to secure the scene.
2. Demonstrate decontamination procedures for tactical law enforcement personnel (SWAT or K-9) securing an illicit laboratory.
3. Demonstrate methods to identify and avoid potential unique safety hazards found at illicit laboratories such as booby traps and releases of hazardous materials.
4. Demonstrate methods to conduct joint hazardous materials/EOD operations to identify safety hazards and implement control procedures.
 - a. At a minimum, monitoring should include:
 - a. Flammability – combustible gas indicator
 - b. Oxygen level – oxygen meter

- c. Toxicity – photoionization detector
- d. Corrosivity – pH paper
- e. Radiological – radiological survey meter
- b. Other monitoring devices as determined by the AHJ

603-6.9.4.1.2 Given a simulated illicit drug/WMD laboratory entry operation, the operations level responder assigned to respond to illicit laboratory incidents shall **describe** ~~demonstrate~~ methods of identifying the following during reconnaissance operations:

1. ~~The~~ Potential manufacture of illicit drugs
2. ~~The~~ Potential manufacture of illicit WMD materials
3. Potential environmental crimes associated with the manufacture of illicit drugs/WMD materials

603-6.9.4.1.3 Given a simulated illicit drug/WMD laboratory incident, the operations level responder assigned to respond to illicit laboratory incidents shall describe joint agency crime scene operations, including support to forensic crime scene processing teams.

603-6.9.4.1.4 Given a simulated illicit drug/WMD laboratory incident, the operations level responder assigned to respond to illicit laboratory incidents shall describe the policy and procedures for post-crime scene processing and site remediation operations.

603-6.9.4.1.5 The operations level responder assigned to respond to illicit laboratory incidents shall ~~be able to~~ describe local procedures for performing decontamination upon completion of the illicit laboratory mission.

603-6.9.5 **Competencies – Evaluating Progress (Reserved)**

603-6.9.6 **Competencies – Terminating the Incident (Reserved)**

6.3-6.10 **Mission-Specific Competencies: Disablement/Disruption of Improvised Explosives Devices (IEDs), Improvised WMD Dispersal Devices, and Operations at Improvised Explosives Laboratories**

603-6.10.1 **General**

603-6.10.1.1 **Introduction**

603-6.10.1.1.1 **The operations level responder assigned to perform disablement/disruption of IEDs, improvised WMD dispersal devices, and operations at improvised explosives laboratories shall be that person, competent at the operations level, who is assigned to interrupt the functioning of an IED or an improvised WMD dispersal device or conduct operations at improvised explosives laboratories.**

603-6.10.1.1.2 **The operations level responder assigned to perform disablement/disruption of IEDs, improvised WMD dispersal devices, and operations at improvised explosives laboratories shall possess current certification as a Hazardous Device Technician from the FBI Hazardous Devices School, Department of Defense, or equivalent certifying agency as determined by the AHJ and be functioning as a member of a bomb squad or recognized military unit.**

1. **Potential training/credentialing sources**
 - a. **Department of Defense (DoD)**

- b. Department of Homeland Security (DHS)
- c. Bureau of Alcohol, Tobacco and Firearms (ATF)
- d. Federal Bureau of Investigation (FBI)
- e. Texas Commission on Law Enforcement (TCOLE)
- f. Texas Engineering Extension Services (TEEX)

603-6.10.1.1.3 The operations level responder assigned to perform disablement/disruption of IEDs, improvised WMD dispersal devices, and operations at improvised explosives laboratories shall be trained to meet all competencies at the awareness level (see Section 601), all core competencies at the operations level (see Section 602), all mission-specific competencies for personal protective equipment (see Section 603), mission-specific competencies for response to illicit laboratories (see Section 603), and all competencies in this section.

603-6.10.1.1.4 The operations level responder assigned to perform disablement/disruption of IEDs, improvised WMD dispersal devices, and operations at improvised explosives laboratories shall operate under the guidance of an allied professional or standard operating procedures.

1. Direct guidance: operations level responder working under the control of an allied professional who can:
 - a. Continually assess and/or observe their actions
 - b. Provide immediate feedback
2. Written guidance: standard operating procedures or "rules of engagement" that emphasize:
 - a. Task expected operations level responders
 - b. Task beyond the capability of operations level responders
 - c. Required PPE and other equipment to perform the expected task
 - d. Procedures for ensuring coordination within the ICS

603-6.10.1.1.5 The operations level responder assigned to perform disablement/disruption of IEDs, improvised WMD dispersal devices, and operations at improvised explosives laboratories shall receive the additional training necessary to meet the specific needs of the jurisdiction and/or agency.

1. Operations Mission-Specific Competency: Technical Decontamination (603-6.4)
2. Operations Mission-Specific Competency: Evidence Preservation and Sampling (603-6.5)
3. Operations Mission-Specific Competency: Air Monitoring and Sampling (603-6.7)
4. Additional training per AHJ

603-6.10.1.2 Goal

603-6.10.1.2.1 The goal of the competencies in this section shall be to provide the operations level responder assigned to perform disablement/disruption of IEDs, improvised WMD dispersal devices, and operations at improvised explosives laboratories with the knowledge and skills to perform the tasks in 6.10.1.2.2 and 6.10.1.2.3 safely and effectively.

603-6.10.1.2.2 **When responding to hazardous materials/WMD incidents involving a potential IED or improvised WMD dispersal device, the operations level responder assigned to perform disablement/disruption of IEDs, improvised WMD dispersal devices, and operations at improvised explosives laboratories shall be able to perform the following tasks:**

- 1. Analyze a hazardous materials/WMD incident involving an improvised WMD dispersal device to determine the complexity of the problem and potential outcomes by completing the following tasks:**
 - a. Determine if an IED or WMD dispersal device is potentially present**
 - b. Categorize the device by its delivery method**
- 2. Plan a response for a hazardous materials/WMD incident where there is a potential improvised WMD dispersal device within the capabilities and competencies of available personnel, personal protective equipment, and control equipment by completing the following tasks:**
 - a. Determine if response options can be effectively employed to conduct a disablement/disruption of the device**
 - b. Describe the actions to be taken and the resources to be requested if the incident exceeds the available capabilities**
- 3. Implement the planned response to a hazardous materials/WMD incident involving an IED or WMD dispersal device by completing the following tasks under the guidance of the senior hazardous devices technician (HDT) present:**
 - a. Employ disablement/disruption techniques in accordance with the FBI Hazardous Devices School "logic tree," the current edition of the National Bomb Squad Commanders Advisory Board (NBSCAB) "A Model for Bomb Squad Standard Operating Procedures," established protocol of military units, or the AHJ**

603-6.10.1.2.3 **When responding to hazardous materials/WMD incidents involving potential improvised explosives laboratories, the operations level responder assigned to perform disablement/disruption of IEDs, improvised WMD dispersal devices, and operations at improvised explosives laboratories shall be able to perform the following tasks:**

- 1. Analyze a hazardous materials/WMD incident involving a potential improvised explosives laboratory to determine the complexity of the problem and potential outcomes and whether the incident is potentially an improvised explosives laboratory operation**
- 2. Plan a response to a hazardous materials/WMD incident involving a potential improvised explosives laboratory in compliance with mitigation techniques and evidence recovery within the capabilities and competencies of available personnel, personal protective equipment, and control equipment, after notifying the responsible investigative agencies of the problem**
- 3. Implement the planned response to a hazardous materials/WMD incident involving a potential improvised explosives laboratory utilizing applicable standard operating procedures and/or technical advice from qualified allied professionals**

603-6.10.2 **Competencies - Analyzing the Incident**

603-6.10.2.1 **Determining if the incident involves the potential presence of an improvised WMD dispersal device.**

1. **Given examples of hazardous materials/WMD incidents involving an IED or improvised WMD dispersal device, the operations level responder assigned to perform disablement/disruption of IEDs, improvised WMD dispersal devices, and operations at improvised explosives laboratories shall identify and/or categorize the hazard by completing the following:**
 - a. **Letter/package-based improvised dispersal device**
 - b. **Briefcase backpack-based improvised dispersal device**
 - c. **Transportation-borne WMD dispersal device**
 - d. **Fixed location hazards where an IED has been placed to cause the deliberate release of a material**

603-6.10.2.2 **Determining if the hazardous materials/WMD incident involves an improvised explosives laboratory operation.**

Given examples of hazardous materials/WMD incidents involving improvised explosives laboratories, the operations level responder assigned to perform disablement/disruption of IEDs, improvised WMD dispersal devices, and operations at improvised explosives laboratories shall identify the potential explosives/WMD being manufactured by completing the following related requirements:

1. **Given examples of improvised explosives manufacturing methods, describe the operational considerations, hazards, and products involved in the process**
2. **Given examples of improvised explosives laboratory operations, describe the potential booby traps that have been encountered by response personnel**
 - a. **Potential secondary devices**
 - b. **Explosives (including grenades and dynamite)**
 - c. **Wires attached to explosives or alerting devices**
 - d. **Weapons tied to doors**
 - e. **Bottles that will break thereby mixing chemicals to produce toxic fumes**
 - f. **On/off switches that have been reversed**
 - g. **Holes in floors (trap doors to snake pits)**
 - h. **Electrified door handles**
 - i. **Exposed wiring**
 - j. **Animals (such as dogs and poisonous snakes)**
 - k. **Spikes**
 - l. **Hooks**
 - m. **Acid**
3. **Given examples of improvised explosives laboratory operations, describe the agencies that have investigative authority and operational responsibility to support the response**
 - a. **Department of Defense (DoD)**
 - b. **Department of Homeland Security (DHS)**
 - c. **Bureau of Alcohol, Tobacco and Firearms (ATF)**
 - d. **Federal Bureau of Investigation (FBI)**
 - e. **Joint Terrorism Task Force (JTTF)**
 - f. **Drug Enforcement Administration (DEA)**
 - g. **Environmental Protection Agency (EPA)**
 - h. **Postal Inspection Service**
 - i. **National Park Service (NPS)**

- j. Texas Department of Public Safety (DPS)
- k. Local law enforcement (i.e. County Sheriff and/or local PD)
- l. Public health agencies

603-6.10.3 **Competencies – Planning the Response**

603-6.10.3.1 **Identifying unique aspects of improvised WMD dispersal device related hazardous materials/EMD incidents.**

When responding to hazardous materials/WMD incidents, the operations level responder assigned to perform disablement/disruption of IEDs, improvised WMD dispersal devices, and operations at improvised explosives laboratory incidents shall be capable of identifying the unique aspects associated with such incidents by completing the following requirements:

1. **Given an incident involving a nonvehicle based WMD dispersal device, shall be able to perform the following tasks:**
 - a. **Describe the hazards, safety procedures, and tactical guidelines for this type of incident**
 - b. **Describe the factors to be evaluated in selecting the personal protective equipment**
 - c. **Describe the procedure for identifying and obtaining the appropriate emergency response elements to support disablement/disruption activities**
2. **Given an incident involving a vehicle-borne WMD dispersal device, shall be able to perform the following tasks:**
 - a. **Describe the hazards, safety procedures, and tactical guidelines for this type of incident**
 - b. **Describe the factors to be evaluated in selecting the personal protective equipment**
 - c. **Describe the procedure for identifying and obtaining the appropriate emergency response elements to support disablement/disruption activities**
3. **Given examples of different types of incidents involving an improvised WMD dispersal device, shall identify and describe the application use and limitations of various types of field screening tools that can be utilized for determining the presence of the following materials:**
 - a. **Gamma and neutron radiation**
 - b. **Explosive materials (commercial and home-made explosives (HME)]**

603-6.10.3.2 **Identifying unique aspects of improvised explosives laboratory related hazardous materials/WMD incidents.**

When responding to conduct mitigation procedures on energetic materials at an improvised explosive laboratory, the operations level responder assigned to perform disablement/ disruption of IEDs, improvised WMD dispersal devices, and operations at improvised explosives shall be capable of identifying the unique aspects associated with such incidents by completing the following requirements:

1. **Given a scenario involving an improvised explosive laboratory and detection devices provided by the AHJ, complete the following:**
 - a. **Describe the hazards, safety procedures, and tactical guidelines for this type of incident**
 - b. **Describe the factors to be evaluated in selecting the personal protective equipment**

- c. Describe the application, use, and limitations of various types of field screening tools that can be utilized for determining the presence of the following materials:
 - i. Radioactive materials that emit alpha, beta, gamma, or neutron radiation, including radionuclide identification of gamma emitting radioactive materials
 - ii. Explosive materials (commercial and HME)
- a. Demonstrate the field test and operation of each detection device and interpret the readings based on local procedures
- b. Describe local procedures for decontamination of themselves and their detection devices upon completion of the material detection mission
- c. Describe the procedure for identifying and obtaining the appropriate emergency response elements to support disablement/disruption or mitigation activities

603-6.10.3.3 Identifying Potential Response Options

603-6.10.3.3.1 Given scenarios involving a potential IED or improvised WMD materials dispersal device, the operations level responder assigned to perform disablement/disruption of IEDs, improvised WMD dispersal devices, and operations at improvised explosives laboratories incident shall identify possible response options

1. Law enforcement securing and preserving the scene
 - a. Tasks include neutralization of tactical threat
 - b. Safe rendering of explosive devices or booby traps
 - c. Maintain accountability and identification of all personnel in the crime scene
 - d. Crime scene documentation
 - e. Safeguarding/protecting evidence
2. Joint hazardous materials and EOD personnel site reconnaissance and hazard identification
3. Determining atmospheric hazards through air monitoring and detection
 - a. At a minimum, monitoring should include:
 - i. Flammability - combustible gas indicator
 - ii. Oxygen level - oxygen meter
 - iii. Toxicity - photoionization detector
 - iv. Corrosivity - pH paper
 - v. Radiological - radiological survey meter
 - b. Other monitoring devices as determined by the AHJ
4. Mitigation of immediate hazards while preserving evidence
5. Coordinated crime scene operation with the law enforcement agency having investigative authority
6. Documenting personnel and scene activities associated with incident

603-6.10.3.3.2 Given scenarios involving a potential improvised explosives laboratories, the operations level responder assigned to perform disablement/disruption of IEDs, improvised WMD dispersal devices, and operations at improvised explosives laboratories incident shall identify possible response options

1. Offensive operations
2. Defensive operations
3. Non intervention

603-6.10.3.4 Selecting Personal Protective Equipment

Given the personal protective equipment provided by the AHJ, the operations level responder assigned to perform disablement/ disruption of IEDs, improvised WMD dispersal devices, and operations at improvised explosives laboratories incident, shall select the personal protective equipment required to support such operations at hazardous materials/WMD incidents based on the National Guidelines for Bomb Technicians adopted by the National Bomb Squad Commanders Advisory Board (NBSCAB) (see Section 6.2).

603-6.10.4 Competencies – Implementing the Planned Response

603-6.10.4.1 Given scenarios involving a potential IED or improvised WMD dispersal device, the operations level responder assigned to perform disablement/disruption of IEDs, improvised WMD dispersal devices, and operations at improvised explosives laboratory incident shall be able to complete the following tasks:

1. Using detection and monitoring devices provided by the AHJ, demonstrate the field test and operation of each device and interpret the readings based on local or agency procedures
2. Perform diagnostics based on procedures instructed by a nationally accredited hazardous devices school or program
3. Perform disablement/disruption techniques in accordance with the FBI Hazardous Devices School “logic tree,” the NBSCAB A Model for Bomb Squad Standard Operating Procedures, established protocol for military units, or established protocol of the AHJ
4. Assist in planning the air monitoring and sampling activities within the capabilities and competencies of available personnel, personal protective equipment, and control equipment; and in accordance with the AHJ, describe the air monitoring and sampling options available
5. Given the air monitoring and sampling equipment provided by the AHJ, shall complete the following:
 - a. Select the detection or monitoring equipment suitable for detecting or monitoring of the IED or improvised WMD dispersal device
 - b. Describe the operation, capabilities, limitations, local monitoring procedures, field-testing, and maintenance procedures associated with each device provided by the AHJ
 - c. Describe local procedures for decontamination of the detection and monitoring devices upon completion of the mission

603-6.10.4.2 Given a simulated improvised explosives laboratory incident, the operations level responder assigned to perform disablement/disruption of IEDs, improvised WMD dispersal devices, and operations at improvised explosives laboratory incident shall be able to perform the following tasks:

1. Describe the safe and effective methods for law enforcement to secure the scene
 - a. Situation dependent
 - b. AHJ
2. Demonstrate methods to identify and avoid unique safety hazards at improvised explosives laboratories such as booby traps, releases of hazardous materials, and initiating components
 - a. Anticipate the presence of hazards
 - b. Visually search
 - c. Limit access
 - d. Avoiding touching or moving any hazards
 - e. Scene control
 - f. Evacuate victims and non-essential personnel
 - g. Scene preservation
3. Using detection and monitoring devices provided by the AHJ, demonstrate the field test and operation of each device and interpret the readings based on local or agency procedures
4. Describe the methods that could be utilized to mitigate the hazards identified
 - a. Per federal requirements
 - b. Per state requirements
 - c. Per local AHJ requirements

603-6.10.4.3 The operations level responder assigned to perform disablement/disruption of IEDs, improvised WMD dispersal devices, and operations at improvised explosives laboratories shall demonstrate the ability to wear an appropriate combination of chemical protective clothing, respiratory protection, and ballistic protection for the hazards identified in 6.10.2.1 and 6.10.2.2.

603-6.10.4.4 The operations level responder assigned to perform disablement/disruption of IEDs, improvised WMD dispersal devices, and operations at improvised explosives laboratories shall describe the local procedures for the technical decontamination process.

1. Per federal requirements
2. Per state requirements
3. Per local AHJ requirements

603-6.10.5 Competencies – Evaluating Progress (Reserved)

603-6.10.6 Competencies – Terminating the Incident (Reserved)

**CHAPTER 6
SECTION 603
HAZARDOUS MATERIALS OPERATIONS - MISSION SPECIFIC COMPETENCIES
CURRICULUM OUTLINES**

***Sections 603-6.2 Mission Specific Competencies: Personal Protective Equipment and 603-6.6 Mission Specific Competencies: Product Control are required for TCFP Basic Structure Fire Fighter curriculum training. All other Hazardous Materials Operations-Mission Specific Competencies are provided for optional training use by the AHJ.**

SECTION	SUBJECT	RECOMMENDED HOURS
603-6.1	General - Introduction - Laws, Regulations, and National Consensus Standards	1
603-6.2	Mission Specific Competencies: Personal Protective Equipment*	8
603-6.3	Mission Specific Competencies: Mass Decontamination	8
603-6.4	Mission Specific Competencies: Technical Decontamination	8
603-6.5	Mission Specific Competencies: Evidence Preservation and Sampling	8
603-6.6	Mission Specific Competencies: Product Control*	8
603-6.7	Mission Specific Competencies: Air Monitoring and Sampling	8
603-6.8	Mission Specific Competencies: Victim Rescue and Recovery	8
603-6.9	Mission Specific Competencies: Response to Illicit Laboratory Incidents	16
603-6.10	<u>Mission Specific Competencies: Disablement/Disruption of Improvised Explosives Devices (IEDs), Improvised WMD Dispersal Devices, and Operations at Improvised Explosives Laboratories</u>	16

Mission Specific - Personal Protective Equipment*		
SECTION	SUBJECT	RECOMMENDED HOURS
603-6.2	Mission Specific Competencies: Personal Protective Equipment	
603-6.2.1	General - Introduction - Laws, Regulations, and National Consensus Standards	1
603-6.2.2	Analyzing the Incident - Reserved - None Required at this Level	
603-6.2.3	Planning the Response	3
603-6.2.4	Implementing the Planned Response	3
603-6.2.5	Terminating the Incident	1
	TOTAL RECOMMENDED HOURS	8

Mission Specific - Mass Decontamination		
SECTION	SUBJECT	RECOMMENDED HOURS
603-6.3	Mission Specific Competencies: Mass Decontamination	
603-6.3.1	General - Introduction - Laws, Regulations, and National Consensus Standards	1
603-6.3.2	Analyzing the Incident - Reserved - None Required at this Level	
603-6.3.3	Planning the Response	2
603-6.3.4	Implementing the Planned Response	3
603-6.3.5	Evaluating Progress	1
603-6.3.6	Terminating the Incident	1
	TOTAL RECOMMENDED HOURS	8

Mission Specific - Technical Decontamination		
SECTION	SUBJECT	RECOMMENDED HOURS
603-6.4	Mission Specific Competencies: Technical Decontamination	
603-6.4.1	General - Introduction - Laws, Regulations, and National Consensus Standards	1
603-6.4.2	Analyzing the Incident - Reserved - None Required at this Level	
603-6.4.3	Planning the Response	2
603-6.4.4	Implementing the Planned Response	3
603-6.4.5	Evaluating Progress	1
603-6.4.6	Terminating the Incident	1
	TOTAL RECOMMENDED HOURS	8

Mission Specific - Evidence Preservation and Sampling		
SECTION	SUBJECT	RECOMMENDED HOURS
603-6.5	Mission Specific Competencies: Evidence Preservation and Sampling	
603-6.5.1	General - Introduction - Laws, Regulations, and National Consensus Standards	1
603-6.5.2	Analyzing the Incident	1
603-6.5.3	Planning the Response	2
603-6.5.4	Implementing the Planned Response	4
603-6.5.5	Evaluating Progress - Reserved - None Required at this Level	
603-6.5.6	Terminating the Incident - Reserved - None Required at this Level	
	TOTAL RECOMMENDED HOURS	8

Mission Specific - Product Control*		
SECTION	SUBJECT	RECOMMENDED HOURS
603-6.6	Mission Specific Competencies: Product Control	
603-6.6.1	General - Introduction - Laws, Regulations, and National Consensus Standards	1
603-6.6.2	Analyzing the Incident - Reserved - None Required at this Level	
603-6.6.3	Planning the Response	2
603-6.6.4	Implementing the Planned Response	5
603-6.6.5	Evaluating Progress - Reserved - None Required at this Level	
603-6.6.6	Terminating the Incident - Reserved - None Required at this Level	
	TOTAL RECOMMENDED HOURS	8

Mission Specific - Air Monitoring and Sampling		
SECTION	SUBJECT	RECOMMENDED HOURS
603-6.7	Mission Specific Competencies: Air Monitoring and Sampling	
603-6.7.1	General - Introduction - Laws, Regulations, and National Consensus Standards	1
603-6.7.2	Analyzing the Incident - Reserved - None Required at this Level	
603-6.7.3	Planning the Response	4
603-6.7.4	Implementing the Planned Response	3
603-6.7.5	Evaluating Progress - Reserved - None Required at this Level	
603-6.7.6	Terminating the Incident - Reserved - None Required at this Level	
	TOTAL RECOMMENDED HOURS	8

Mission Specific – Victim Rescue and Recovery		
SECTION	SUBJECT	RECOMMENDED HOURS
603-6.8	Mission Specific Competencies: Victim Rescue and Recovery	
603-6.8.1	General - Introduction - Laws, Regulations, and National Consensus Standards	1
603-6.8.2	Analyzing the Incident - Reserved - None Required at this Level	
603-6.8.3	Planning the Response	3
603-6.8.4	Implementing the Planned Response	4
603-6.8.5	Evaluating Progress - Reserved - None Required at this Level	
603-6.8.6	Terminating the Incident - Reserved - None Required at this Level	
	TOTAL RECOMMENDED HOURS	8

Mission Specific – Response to Illicit Laboratory Incidents		
SECTION	SUBJECT	RECOMMENDED HOURS
603-6.9	Mission Specific Competencies: Response to Illicit Laboratory Incidents	
603-6.9.1	General - Introduction - Laws, Regulations, and National Consensus Standards	1
603-6.9.2	Analyzing the Incident	4
603-6.9.3	Planning the Response	6
603-6.9.4	Implementing the Planned Response	5
603-6.9.5	Evaluating Progress - Reserved - None Required at this Level	
603-6.9.6	Terminating the Incident - Reserved - None Required at this Level	
	TOTAL RECOMMENDED HOURS	16

Mission Specific – Disablement/Disruption of Improvised Explosives Devices (IEDs), Improvised WMD Dispersal Devices, and Operations at Improvised Explosives Laboratories		
SECTION	SUBJECT	RECOMMENDED HOURS
603-6.10	Mission Specific Competencies: Disablement/Disruption of Improvised Explosives Devices (IEDs), Improvised WMD Dispersal Devices, and Operations at Improvised Explosives Laboratories	
603-6.10.1	General - Introduction - Laws, Regulations, and National Consensus Standards	1
603-6.10.2	Analyzing the Incident	4
603-6.10.3	Planning the Response	6
603-6.10.4	Implementing the Planned Response	5
603-6.10.5	Evaluating Progress - Reserved - None Required at this Level	
603-6.10.6	Terminating the Incident - Reserved - None Required at this Level	
	TOTAL RECOMMENDED HOURS	16

The recommended hours include time for skills evaluation and are based on 12 students. Hours needed depend on the actual number of students.

REFERENCE LIST FOR THE HAZARDOUS MATERIALS OPERATIONS - MISSION SPECIFIC COMPETENCIES CURRICULUM

This Reference List is provided as a general guide for both instructors and students to locate information pertaining to the specific objectives in the TCFP Curriculum. This list is **not** all-inclusive and does not in any way limit TCFP development and use of questions to test the objectives of the curriculum:

Required References

Texts

- Certification Curriculum Manual.* Texas Commission on Fire Protection. (Most current edition). Austin, TX: Texas Commission on Fire Protection.
- Code of Federal Regulations, Title 29 Part 1910.120, Appendix A.* United States. U.S. Department of Labor, Occupational Safety & Health Administration.
http://edocket.access.gpo.gov/cfr_2007/julqtr/pdf/29cfr1910.120.pdf
- Emergency Response Guidebook.* United States. (Most current edition). Washington, DC: U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration.
- Essentials of Fire Fighting and Fire Department Operations, 5th 6th edition.* International Fire Service Training Association. (~~2008~~ **2013**). Stillwater, OK: Fire Protection Publications, Oklahoma State University.
- ~~*Firefighter's Handbook: Essentials of Firefighting and Emergency Response, 3rd edition.* Delmar Publishers. (2008). Clifton Park, NY: Delmar, Cengage Learning.~~
- Fundamentals of Fire Fighter Skills, 2nd 3rd edition.* International Association of Fire Chiefs, & National Fire Protection Association. (~~2008~~ **2014**). Sudbury, MA: Jones and Bartlett.
- Hazardous Materials Awareness and Operations, 2nd Edition.* ~~DeBebes, L.J.~~ **Schnepf** (~~2009~~ **2014**). Sudbury, MA: Jones & Bartlett.
- Hazardous Materials for First Responders, 3rd 4th edition.* International Fire Service Training Association. (~~2004~~ **2010**). Stillwater, OK: Fire Protection Publications, Oklahoma State University.
- Hazardous Materials: Managing the Incident, 4th edition.* Noll, G. G., Hildebrand, M. S., Schnepf, R. & Rudner, G.D. & Yvorra, J. G. (~~2005~~ **2014**). MD: Red Hat Publishing, Inc. **Burlington, MA: Jones and Bartlett.**
- Hazardous Materials/Weapons of Mass Destruction Response Handbook, 5th 6th/2013 edition.* ~~Trebisacci, D.-G.~~ **McGowan, T.** (~~2008~~ **2012**). Quincy, MA: National Fire Protection Association.
- NFPA 472: Standard for Professional Competence of Responders to Hazardous Materials Incidents.* (~~2008~~ **13** ed.). Quincy, MA: NFPA Publications. National Fire Protection Association
- NIOSH Pocket Guide to Chemical Hazards.* National Institute for Occupational Safety and Health. (Most current edition). Cincinnati, OH: US Department of Health and Human Services, Public Health Service, Centers for Disease Control and Prevention, National Institute for Occupational Safety and Health. <http://www.cdc.gov/niosh/npg/>
- Standards Manual for Fire Protection Personnel.* Texas Commission on Fire Protection. (Most current edition). Austin, TX: Texas Commission on Fire Protection.

Recommended References

The most current edition of the following publications and media are recommended (not required) supplemental material for program use.

Texts

Bretherick's Handbook of Reactive Chemical Hazards. Urben, P. G., Pitt, M. J., & Bretherick, L. (2007). Amsterdam: Elsevier.

CHRIS: Chemical Hazards Response Information System. United States. (1992). COMDTINST, M16465.11B. Washington, DC: U.S. Dept. of Transportation, U.S. Coast Guard.

Emergency Care for Hazardous Materials Exposure. Currance, P., Bronstein, A. C., & Clements, B. (2005). St. Louis, MO: Mosby.

Emergency Handling of Hazardous Materials in Surface Transportation. Association of American Railroads. (2009). Washington, DC: Association of American Railroads.

Field Guide to Tank Cars Identification. Association of American Railroads **Bureau of Explosives**. (2009 **2010**). Washington, DC: **Pueblo, Colorado**: Association of American Railroads.

Fire Protection Guide to Hazardous Materials. **2010 edition**. National Fire Protection Association. (2001). Quincy, MA: National Fire Protection Association.

Hawley's Condensed Chemical Dictionary. **15th edition**. Lewis, R. J., & Hawley, G. G. (2007). West Sussex: Wiley.

Hazardous Materials Air Monitoring and Detection Devices. Hawley, C. (2002). Albany, NY: Delmar/Thomson Learning.

Hazardous Materials Field Guide, 2nd edition. Bevelacqua, A. S., & Stilp, R. H. (2007). Albany, NY: Delmar Publications.

Hazardous Materials: Managing the Incident Field Operations Guide. **2nd edition**. ~~Chester~~ Bevelacqua, A. S., Hildebrand, M. S., & Noll, G. G. (2005 **2014**). MD: Red Hat Publishing, Inc. **Jones and Bartlett**.

Symbol Seeker: Hazard Identification Manual. **Edition II**. Burns, P. P. (2002 **new date?**). Preston, England: Symbol Seeker.

Media

Chlorine Emergencies: An Overview for First Responders. Chlorine Institute. (2007). Arlington, VA: The Chlorine Institute.

Hazardous Materials Containment Series. Action Training Systems. [4 Disc DVD Set] Hazardous materials containment - series of 4 titles. Seattle, WA: Action Training Systems.

Hazardous Materials: Managing the Incident DVD Series. Massingham, G., Noll, G. G., Hildebrand, M. S., & Noll, G. G. (2005). [8 Disc DVD Set] Edgartown, MA: Emergency Film Group.

How to Use the Chlorine Institute Emergency Kit "A" for 100 lb. and 150 lb. Chlorine Cylinders. Chlorine Institute. (1996 **Sept. 2013**). New York, NY: The Chlorine Institute. [DVD + pamphlet]

How to Use the Chlorine Institute Emergency Kit "B" for Chlorine Ton Containers. New Chlorine Institute. (~~1988~~ **Dec. 2013**). York, NY: The Chlorine Institute. [DVD + pamphlet]

How to Use the Chlorine Institute Emergency Kit "C" for Chlorine Tank Cars and Tank Trucks. Chlorine Institute. (~~1993~~ **Feb. 2014**). New York, NY: The Chlorine Institute. [DVD + pamphlet]

SECTION 604
HAZARDOUS MATERIAL TECHNICIAN

Hazardous Materials Technician Level Personnel are those who respond to hazardous materials/weapons of mass destruction (WMD) incidents and

- Use a risk based response process to analyze a problem involving hazardous materials/weapons of mass destruction (WMD),
- Select and implement applicable decontamination procedures,
- Control a release,
- Use specialized protective clothing, and
- Use specialized control equipment.

The Hazardous Materials Technician must first master all the job performance requirements and knowledge, skills and abilities pertaining to:

- Awareness Level Personnel,
- Operations Level Responders, and
- The competencies of this chapter

Response options for technician level responders may include offensive actions.

604-7.1

General

604-7.1.1

Introduction

604-7.1.1.1

The hazardous materials technician shall be that person who responds to hazardous materials/WMD incidents using a risk-based response process by which he or she analyzes a problem involving hazardous materials/WMD, selects applicable decontamination procedures, and controls a release using specialized protective clothing and control equipment [see 7.1.2.2(1)]

604-7.1.1.2

The hazardous materials technician shall be trained to meet all competencies at the awareness level (Section 601), all core competencies at the operations level (Section 602), and all competencies of this chapter

604-7.1.1.3

The hazardous materials technician shall receive additional training to meet applicable governmental occupational health and safety regulations

604-7.1.1.4

The hazardous materials technician shall be permitted to have additional competencies that are specific to the response mission, expected tasks, and equipment and training as determined by the AHJ

604-7.1.2

Goal

604-7.1.2.1

The goal of the competencies at this level shall be to provide the hazardous materials technician with the knowledge and skills to perform the tasks in 7.1.2.2 safely

604-7.1.2.2

In addition to being competent at both the awareness and the operations levels, the hazardous materials technician shall be able to perform the following tasks:

1. Analyze a hazardous materials/WMD incident to determine the complexity of the problem and potential outcomes by completing the following tasks:
 - a. Survey the hazardous materials/WMD incident to identify special containers involved, to identify or classify unknown materials, and to verify the presence and concentrations of hazardous materials through the use of monitoring equipment
 - b. Collect and interpret hazard and response information from printed and technical resources, computer databases, and monitoring equipment
 - c. Describe the type and extent of damage to containers
 - d. Predict the likely behavior of released materials and their containers when multiple materials are involved
 - e. Estimate the size of an endangered area using computer modeling, monitoring equipment, or specialists in this field
2. Plan a response within the capabilities of available personnel, personal protective equipment, and control equipment by completing the following tasks:
 - a. Describe the response objectives for hazardous materials/WMD incidents
 - b. Describe the potential response options available by response objective
 - c. Select the personal protective equipment required for a given action option
 - d. Select a technical decontamination process to minimize the hazard
 - e. Develop an incident action plan for a hazardous materials/WMD incident, including a site safety and control plan, consistent with the emergency response plan or standard operating procedures and within the capability of the available personnel, personal protective equipment, and control equipment
3. Implement the planned response to favorably change the outcomes consistent with the standard operating procedures and site safety and control plan by completing the following tasks:
 - a. Perform the duties of an assigned hazardous materials branch or group position within the local Incident Command System (ICS)
 - b. Don, work in, and doff personal protective clothing, including, but not limited to, both liquid splash- and vapor-protective clothing with correct respiratory protection
 - c. Perform the control functions identified in the incident action plan
 - d. Perform the decontamination functions identified in the incident action plan
4. Evaluate the progress of the planned response by completing the following tasks:
 - a. Evaluate the effectiveness of the control functions
 - b. Evaluate the effectiveness of the decontamination process
5. Terminate the incident by completing the following tasks:
 - a. Assist in the incident debriefing
 - b. Assist in the incident critique
 - c. Provide reports and documentation of the incident

604-7.2

Competencies — Analyzing the Incident

604-7.2.1

Surveying Hazardous Materials/WMD Incidents

Given examples of hazardous materials/WMD incidents, the hazardous materials technician shall identify containers involved and, given the necessary equipment, identify or classify unknown materials involved, verify the identity of the hazardous

materials/WMD involved, **and** determine the concentration of hazardous materials, ~~and shall meet~~ **by completing** the requirements of 7.2.1.1 through 7.2.1.5

- 604-7.2.1.1** Given examples of various containers for hazardous materials/WMD, the hazardous materials technician shall identify each container by name and specification and identify the typical contents by name and hazard class
- 604-7.2.1.1.1** Given examples of the following railroad cars, the hazardous materials technician shall identify the container by name and specification and identify the typical contents by name and hazard class:
1. Cryogenic liquid tank cars
 2. Nonpressure tank cars
 3. Pneumatically unloaded hopper cars
 4. Pressure tank cars
- 604-7.2.1.1.2** Given examples of the following intermodal tanks, the hazardous materials technician shall identify the container by name and specification and identify the typical contents by name and hazard class:
1. Nonpressure intermodal tanks
 - a. IM-101 portable tanks (IMO Type 1 internationally)
 - b. IM-102 portable tanks (IMO Type 2 internationally)
 2. Pressure intermodal tank (DOT Specification 51; IMO Type 5 internationally)
 3. Specialized intermodal tanks
 - a. Cryogenic intermodal tanks (~~DOT Specification 51~~; IMO Type 7 internationally)
 - b. Tube modules
- 604-7.2.1.1.3** Given examples of the following cargo tanks, the hazardous materials technician shall identify the container by name and specification and identify the typical contents by name and hazard class:
1. Compressed gas tube trailers
 2. Corrosive liquid tanks
 3. Cryogenic liquid tanks
 4. Dry bulk cargo tanks
 5. High-pressure tanks
 6. Low-pressure chemical tanks
 7. Nonpressure liquid tanks
- 604-7.2.1.1.4** Given examples of the following facility storage tanks, the hazardous materials technician shall identify the container by name and identify the typical contents by name and hazard class:

1. Cryogenic liquid tank
2. Nonpressure tank
3. Pressure tank

604-7.2.1.1.5 Given examples of the following nonbulk packaging, the hazardous materials technician shall identify the package by name and identify the typical contents by name and hazard class:

1. Bags
2. Carboys
3. Cylinders
4. Drums

604-7.2.1.1.6 Given examples of the following radioactive materials packages, the hazardous materials technician shall identify the container/package by name and identify the typical contents by name:

1. Excepted
2. Industrial
3. Type A
4. Type B
5. Type C

604-7.2.1.1.7 **Given examples of the following packaging, the hazardous materials technician shall identify the package by name and identify the typical contents by name and hazard class:**

1. **Intermediate bulk container (IBC)**
 - a. **Rigid intermediate bulk containers (RIBCs)**
 - b. **Flexible intermediate bulk containers (FIBCs)**
2. **Ton container**
 - a. **Convex**
 - b. **Concave**

604-7.2.1.2 Given examples of three facility and three transportation containers, the hazardous materials technician shall identify the approximate capacity of each container

604-7.2.1.2.1 Using the markings on the container, the hazardous materials technician shall identify the capacity (by weight or volume) of the following examples of transportation vehicles:

1. Cargo tanks
2. Tank cars

3. Tank containers

604-7.2.1.2.2 Using the markings on the container and other available resources, the hazardous materials technician shall identify the capacity (by weight or volume) of each of the following facility containers:

1. Cryogenic liquid tank
2. Nonpressure tank (general service or low-pressure tank)
3. Pressure tank

604-7.2.1.3 Given at least three unknown hazardous materials/WMD, one of which is a solid, one a liquid, and one a gas, the hazardous materials technician shall identify or classify by hazard each unknown material

604-7.2.1.3.1 The hazardous materials technician shall identify the steps in an analysis process for identifying unknown solid and liquid materials

1. Approach from up wind
2. Wear appropriate level of Chemical Protective Clothing (CPC)
3. Work in pairs
4. Have backup team
5. Monitor in the following order:
 - a. Radioactivity
 - b. Oxygen availability
 - c. pH (if a liquid or soluble solid)

604-7.2.1.3.2 The hazardous materials technician shall identify the steps in an analysis process for identifying an unknown atmosphere

1. Approach from up wind
2. Wear appropriate level of CPC
3. Work in pairs
4. Have backup team
5. Monitor in the following order:
 - a. Radioactivity
 - b. Combustibility
 - c. Oxygen
 - i. Deficiency
 - ii. Enriched
 - d. pH (if possible corrosive)
 - e. Hydrogen sulfide
 - f. Carbon monoxide
 - g. Organic vapor

604-7.2.1.3.3 The hazardous materials technician shall identify the type(s) of monitoring technology used to determine the following hazards:

1. Corrosivity
2. Flammability
3. Oxidation potential
4. Oxygen deficiency
5. Pathogenicity
6. Radioactivity
7. Toxicity

604-7.2.1.3.4 The hazardous materials technician shall identify the capabilities and limiting factors associated with the selection and use of the following monitoring equipment, test strips, and reagents:

1. Biological immunoassay indicators
2. Chemical agent monitors (CAMs)
3. Colorimetric indicators [colorimetric detector tubes, indicating papers (pH paper and meters), reagents, test strips]
4. Combustible gas indicator
5. DNA fluoroscopy
6. Electrochemical cells (carbon monoxide meter, oxygen meter)
7. Flame ionization detector
8. Gas chromatograph/mass spectrometer (GC/MS)
9. Infrared spectroscopy
10. Ion mobility spectroscopy
11. ~~Mass channel analyzer~~ **Gamma spectrometer [radioisotope identification device (RIID)]**
12. Metal oxide sensor
13. Photoionization detectors
14. Polymerase chain reaction (PCR)
15. Radiation detection and measurement instruments
16. Raman spectroscopy

17. Surface acoustical wave (SAW)

18. Wet chemistry

604-7.2.1.3.5 Given three hazardous materials/WMD, one of which is a solid, one a liquid, and one a gas, and using ~~the following monitoring~~ equipment, test strips, and reagents, **provided by the AHJ as applicable**, the hazardous materials technician shall select from the following equipment and demonstrate the correct techniques to identify the hazards (corrosivity, flammability, oxidation potential, oxygen deficiency, radioactivity, toxicity, and pathogenicity):

1. Carbon monoxide meter
2. Colorimetric tubes
3. Combustible gas indicator
4. Oxygen meter
5. Passive dosimeters
6. pH indicators and /or pH meters
7. Photoionization and flame ionization detectors
8. Radiation detection instruments
9. Reagents
10. Test strips
11. WMD detectors (chemical and biological)
12. Other equipment provided by the AHJ

604-7.2.1.3.6 Given monitoring equipment, test strips, and reagents provided by the AHJ, the hazardous materials technician shall demonstrate the field maintenance and testing procedures for those items

604-7.2.1.4 Given a label for a radioactive material, the hazardous materials technician shall identify the type or category of label, contents, activity, transport index, and criticality safety index as applicable, then describe the radiation dose rates associated with each label

604-7.2.1.5 The hazardous materials technician shall demonstrate methods for collecting samples of the following:

1. Gas
2. Liquid
3. Solid

604-7.2.2 **Collecting and Interpreting Hazard and Response Information**

Given access to printed and technical resources, computer databases, and monitoring equipment, the hazardous materials technician shall collect and interpret hazard and response information not available from the current edition of the DOT *Emergency Response Guidebook* or an MSDS and shall meet the requirements of 7.2.2.1 through 7.2.2.6

604-7.2.2.1

The hazardous materials technician shall identify and interpret the types of hazard and response information available from each of the following resources and explain the advantages and disadvantages of each resource:

1. Hazardous materials databases – examples include:
 - a. CAMEO (Computer Assisted Management of Emergency Operations)
 - b. MARPLOT (Mapping Applications for Response, Planning and Local Operational Tasks)
 - c. ALOHA (Aerial Locations Of Hazardous Atmospheres)
 - d. WISER (Wireless Informational Systems for Emergency Responders)
 - e. OREIS (Operational Response Emergency Informational System)
2. Monitoring equipment – examples include:
 - a. Combustible gas indicators
 - b. Colorimetric tubes
 - c. Photoionization detectors/flame ionization detectors
 - d. Radiological survey equipment
 - e. Oxygen meters
 - f. Toxic Gas Sensors
 - g. pH paper
 - h. Chemical test strips
3. Reference manuals
 - a. DOT Emergency Response Handbook
 - b. ARR Hazardous Materials Emergency Action Guides
 - ~~c. ARR General Handling of Hazardous Materials in Surface Transportation~~
 - d. Field Guide to Tank Guide Identification
 - e. Bretherick's Handbook of Reactive Substances
 - f. Emergency Care for Hazardous Materials Exposure
 - g. Hawley's Condensed Chemical Dictionary
 - h. NIOSH Pocket Guide
 - i. CHRIS Chemical Hazards Response Information System (USCG)
 - j. Dangerous Properties of Industrial Chemicals
 - k. NFPA Fire Protection Guide of Hazardous Materials
4. Technical information centers (i.e., CHEMTREC/CANUTEC/ SETIQ and local, state, and federal authorities) – examples include:
 - a. CHEMTREC
 - b. Chlorine Institute
 - c. US Coast Guard and DOT National Response Center
 - d. The Agency for Toxic Substance and Disease Registry (ATSDR)
 - e. National Animal Poison Control Center (NAPCC)
 - f. National Pesticide Informational Center (NPIC)
 - g. National Poison Control Center (Mr. Yuck)
 - h. US Army Operational Center
 - i. Defense Logistics Agency
5. Technical information specialists

6. Hazard Communication and Right To Know Reporting Requirements
 - a. OSHA Hazardous Communication Standard 29 CFR 1910.1200
 - b. Material Safety Data Sheets
 - c. Tier II Reports
 - d. EPA EPlan Database
 - e. Other federal, state and local reporting requirements

604-7.2.2.2

The hazardous materials technician shall describe the following terms and explain their significance in the analysis process:

1. ~~Acid, caustic~~ **Corrosive (acids and bases/alkaline)**
2. Air reactivity
3. Autorefrigeration
4. Biological agents and biological toxins
5. Blood agents
6. Boiling point
7. Catalyst
8. Chemical change
9. Chemical interactions
10. Compound, mixture
11. Concentration
12. Critical temperature and pressure
13. Dissociation and ~~corrosivity~~ **(acid/base)**
14. Dose
15. Dose response
16. Expansion ratio
17. Fire point
18. Flammable (explosive) range (LEL and UEL)
19. Flash point
20. Half-life
21. Halogenated hydrocarbon
22. Ignition (autoignition) temperature
23. Inhibitor

24. Instability
25. Ionic and covalent compounds
26. Irritants (riot control agents)
27. Maximum safe storage temperature (MSST)
28. Melting point and freezing point
29. Miscibility
30. Nerve agents
31. Organic and inorganic
32. Oxidation potential
33. Persistence
34. pH
35. Physical change
36. Physical state (solid, liquid, gas)
37. Polymerization
38. Radioactivity
39. Reactivity
40. Riot control agents
41. Saturated, unsaturated (straight and branched), and aromatic hydrocarbons
42. Self-accelerating decomposition temperature (SADT)
43. Solubility
44. Solution and slurry
45. Specific gravity
46. Strength
47. Sublimation
48. Temperature of product
49. Toxic products of combustion
50. Vapor density

51. Vapor pressure
52. Vesicants (blister agents)
53. Viscosity
54. Volatility

- 604-7.2.2.3** The hazardous materials technician shall describe the heat transfer processes that occur as a result of a cryogenic liquid spill
- 604-7.2.2.4** Given five hazardous materials/WMD scenarios and the associated reference materials, the hazardous materials technician shall identify the signs and symptoms of exposure to each material and the target organ effects of exposure to that material
- 604-7.2.2.5** The hazardous materials technician shall identify two methods for determining the pressure in bulk packaging or facility containers
1. Fixed pressure gauge
 2. Attach a pressure gauge
 3. Determine temperature of the product and use a vapor pressure/temperature conversion chart
- 604-7.2.2.6** The hazardous materials technician shall identify one method for determining the amount of lading remaining in damaged bulk packaging or facility containers
1. Shipping papers and related documents
 2. Fixed gauging devices
 3. Weigh small nonbulk cylinders
 4. Infrared cameras
 5. Visible frost line on liquefied gas containers
- 604-7.2.3** ***Describing the Condition of the Container Involved in the Incident.***
Given examples of container damage, the hazardous materials technician shall describe the damage and shall meet **by completing** the related requirements of 7.2.3.1 through 7.2.3.5
- 604-7.2.3.1** Given examples of containers, including the DOT specification markings for nonbulk and bulk packaging, and associated reference guides, the hazardous materials technician shall identify the basic design and construction features of each container
- 604-7.2.3.1.1** The hazardous materials technician shall identify the basic design and construction features, including closures, of the following bulk containers: NOTE: CGA=Compressed Gas Association, MC= Motor Carrier, TC=Transport Canada, DOT=Dept. of Transportation, SCT=Secretariat of Communications and Transportation [Mexico]]
8. Cargo tanks
 - a. Compressed gas tube trailers

- b. Corrosive liquid tanks
 - DOT 412, TC 412, SCT 312, MC 312, TC 312
 - c. Cryogenic liquid tanks
 - MC 338, TC 338, SCT 338, TC 341, CGA 341
 - d. Dry bulk cargo tanks
 - e. High pressure tanks
 - MC 331, TC 331, SCT 331
 - f. Low pressure ~~chemical~~ **liquid** tanks
 - DOT 407, TC 407, SCT 307, MC 307, TC 307
 - g. Non-pressure liquid tanks
 - DOT 406, TC 406, SCT 306, MC 306, TC 306
9. Fixed facility tanks
- a. Cryogenic liquid tank
 - i. Refrigerated storage tanks=less than 15 psi
 - ii. High pressure cryogenic tanks=greater than 15psi
 - b. Non-pressure tank (Atmospheric pressure=0-0.5 psi)
 - i. Horizontal tank
 - ii. Cone roof tank
 - iii. Floating roof tank
 - iv. Covered floating roof tank
 - v. Floating roof with geodesic dome
 - vi. Lifter roof tank
 - vii. Vapor dome roof tank
 - viii. Underground storage tanks
 - c. Pressure tank
 - i. Low Pressure (0.5-15 psi)
 - a) Vertical dome roof tanks
 - ii. High pressure (greater than 15 psi)
 - a) Horizontal pressure vessel
 - b) Spherical pressure vessel
 - c) Noded spheroid
 - d) Underground high pressure
10. Intermediate bulk containers (also known as tote tanks)
11. Intermodal tanks
- a. Nonpressure intermodal tanks
 - i. IM-101 portable tank (IMO Type 1 internationally)
 - 1. 25.4 – 100 psig
 - 2. 5,000 – 6,340 gallon normal capacity
 - ii. IM-102 portable tank (IMO Type 2 internationally)
 - 1. 14.5 – 24.4 psig
 - 2. 5,000 – 6,340 gallon normal capacity
 - b. Pressure intermodal tanks (DOT Specification 51; IMO Type 5 internationally)
 - i. 100 – 500 psi
 - ii. 4,500 – 5,500 gallon normal capacity

- c. Specialized intermodal tanks
 - i. Cryogenic intermodal tanks (DOT Specification 51; IMO Type 7 internationally)
 - 1. Insulated space is normally maintained under vacuum
 - 2. 4,500 – 5,500 gallons normal capacity
 - ii. Tube modules
 - 1. 2,400 – 5,000 psi
 - 2. Cylinders range from 9 – 48 inches in diameter

12. One-ton containers (pressure drums)

13. Pipelines

14. Railroad cars

- a. Cryogenic liquid tank cars
- b. Nonpressure tank cars (general service or low pressure cars)
- c. Pneumatically unloaded hopper cars
- d. Pressure tank cars
- e. Other specialized cars

604-7.2.3.1.2

The hazardous materials technician shall identify the basic design and construction features, including closures of the following nonbulk containers:

- 6. Bags
- 7. Carboys and Jerricans
- 8. Cylinders
- 9. Drums
 - a. Types
 - iii. Open head
 - iv. Closed head
 - b. Construction Materials
 - i. Metal
 - ii. Plastic
 - iii. Fiberboard
 - iv. Other suitable materials
 - c. Fittings
 - i. Bungs
 - ii. Chime ring
- 10. Dewar flask (cryogenic liquids)

604-7.2.3.1.3

The hazardous materials technician shall identify the basic design features and testing requirements on the following radioactive materials packages:

- 1. Excepted
- 2. Industrial
- 3. Type A
- 4. Type B

5. Type C – used in air shipments

604-7.2.3.2.1 The hazardous materials technician shall describe how a liquid petroleum product pipeline can carry different products

1. Co-mingling of products
2. Batching
3. Separation with a pig

604-7.2.3.3 Given an example of a pipeline, the hazardous materials technician shall identify the following:

1. Ownership of the line
2. Procedures for checking for gas migration
3. Procedure for shutting down the line or controlling the leak
4. Type of product in the line

604-7.2.3.4 Given examples of container stress or damage, the hazardous materials technician shall identify the type of damage in each example and assess the level of risk associated with the damage

1. Cracks
2. Scores
3. Gouges
4. Dents
5. Wheel burn
6. Rail burn
7. Street burn

604-7.2.3.5 Given a scenario involving radioactive materials, the hazardous materials technician, using available survey and monitoring equipment, shall determine if the integrity of any container has been breached

604-7.2.4 ***Predicting Likely Behavior of Materials and Their Containers Where Multiple Materials Are Involved***

Given examples of hazardous materials/WMD incidents involving multiple hazardous materials or WMD, the hazardous materials technician shall predict the likely behavior of the material in each case and meet the requirements of 7.2.4.1 through 7.2.4.3

604-7.2.4.1 The hazardous materials technician shall identify at least three resources available that indicate the effects of mixing various hazardous materials

1. Richard J. Lewis, Jr., *Hazardous Chemicals Desk Reference*

2. NOAA (National Oceanic Atmospheric Administration) Chemical Reactivity Worksheet
3. Bretherick's *Handbook of Reactive Chemical Hazards*
4. NFPA *Fire Protection Guide on Hazardous Materials*
5. ~~Material Safety Data Sheets~~ **SDS/MSDS**

604-7.2.4.2

The hazardous materials technician shall identify the impact of the following fire and safety features on the behavior of the products during an incident at a bulk liquid facility and explain their significance in the analysis process:

1. Fire protection systems
2. Monitoring and detection systems
3. Pressure relief and vacuum relief protection
4. Product spillage and control (impoundment and diking)
5. Tank spacing
6. Transfer operations

604-7.2.4.3

The hazardous materials technician shall identify the impact of the following fire and safety features on the behavior of the products during an incident at a bulk gas facility and explain their significance in the analysis process:

1. Fire protection systems
2. Monitoring and detection systems
3. Pressure relief protection
4. Transfer operations

604-7.2.5**Estimating the Likely Size of an Endangered Area**

Given examples of hazardous materials/WMD incidents, the hazardous materials technician shall estimate the likely size, shape, and concentrations associated with the release of materials involved in an incident by using computer modeling, monitoring equipment, or specialists in this field ~~and shall meet~~ **by completing** the requirements of 7.2.5.1 through 7.2.5.4

604-7.2.5.1

Given the emergency response plan, the hazardous materials technician shall identify resources for dispersion pattern prediction and modeling, including computers, monitoring equipment, or specialists in the field

604-7.2.5.2

Given the quantity, concentration, and release rate of a material, the hazardous materials technician shall identify the steps for determining the likely extent of the physical, safety, and health hazards within the endangered area of a hazardous materials/WMD incident

604-7.2.5.2.1

The hazardous materials technician shall describe the following terms and exposure values and explain their significance in the analysis process:

1. Counts per minute (cpm) and kilocounts per minute (kcpm)
2. Immediately dangerous to life and health (IDLH) value
3. Incubation period
4. Infectious dose
5. Lethal concentrations (LC₅₀)
6. Lethal dose (LD₅₀)
7. Parts per billion (ppb)
8. Parts per million (ppm)
9. Permissible exposure limit (PEL)
10. Radiation absorbed dose (rad)
11. Roentgen equivalent man (rem), millirem (mrem), microrem (μ rem)
12. Threshold limit value ceiling (TLV-C)
13. Threshold limit value short-term exposure limit (TLV-STEL)
14. Threshold limit value time-weighted average (TLV-TWA)
15. Health Hazard = Exposure + Toxicity
16. Dose = Concentration x Time
17. ALARA = As Low As Reasonably Achievable

604-7.2.5.2.2

The hazardous materials technician shall identify two methods for predicting the areas of potential harm within the endangered area of a hazardous materials/WMD incident

1. Determine the level of toxicity of the hazardous material that has been released in the endangered area
2. Determine the length of time that persons in the endangered area would be exposed to the hazard
3. Determine areas of potential harm using reference sources or direct monitoring instruments
 - a. *Emergency Response Guidebook*
 - b. Computer dispersion models
 - i. CAMEO (Computer Assisted Management of Emergency Operations)
 - ii. MARPLOT (Mapping Applications for Response, Planning and Local Operational Tasks)
 - iii. ALOHA (Aerial Locations Of Hazardous Atmospheres)
 - iv. WISER (Wireless Informational Systems for Emergency Responders)

c. Portable and fixed air-monitoring systems

604-7.2.5.3 The hazardous materials technician shall identify the steps for estimating the outcomes within an endangered area of a hazardous materials/WMD incident

1. Determining the dimensions of the endangered area
2. Estimating the number of exposures within the endangered area
3. Measuring or predicting the concentrations of materials in the endangered area
4. Estimating the physical, health, and safety hazards within the endangered area
5. Identifying the area of potential harm within the endangered area
6. Estimating the potential outcomes within the endangered area

604-7.2.5.4 Given three examples involving a hazardous materials/WMD release and the corresponding instrument monitoring readings, the hazardous materials technician shall determine the applicable public protective response options and the areas to be protected

604-7.3 **Competencies — Planning the Response**

604-7.3.1 **Identifying Response Objectives**

604-7.3.1.1 Given scenarios involving hazardous materials/WMD incidents, the hazardous materials technician shall describe the response objectives for each problem

604-7.3.1.2 Given an analysis of a hazardous materials/WMD incident, the hazardous materials technician shall be able to describe the steps for determining response objectives (defensive, offensive, and nonintervention)

1. Estimate exposures that could be saved
2. Determine the response objectives

604-7.3.2 **Identifying the Potential Response Options**

604-7.3.2.1 Given scenarios involving hazardous materials/WMD incidents, the hazardous materials technician shall identify the possible response options (defensive, offensive, and nonintervention) by response objective for each problem

1. Offensive
 - a. Rescue
 - b. Public Protective Actions
 - c. Spill Control
 - d. Leak Control
 - e. Fire Control
 - f. Clean up and recovery
2. Defensive
 - a. Public Protective Actions
 - b. Spill Control
 - c. Fire Control

- d. Clean up and recovery

3. Non intervention - Public Protective Actions

604-7.3.2.2

The hazardous materials technician shall be able to identify the possible response options to accomplish a given response objective.

The hazardous materials technician shall be able to identify concerns associated with the following event stages of the General Hazardous Materials Behavior Model:

1. Stress event
 - a. Thermal stress
 - b. Mechanical stress
 - c. Chemical stress
2. Breach event
 - a. Disintegration
 - b. Runaway Cracking
 - c. Failure of Container Attachments
 - d. Container Punctures
 - e. Container Splits or Tears
3. Release event
 - a. Detonation
 - b. Violent Rupture
 - c. Rapid Relief
 - d. Spills or Leaks
4. Engulfing event
 - a. Identify the hazardous material or the energy likely to engulf the area
 - b. What form is the energy or matter in?
 - c. What is making it move?
 - d. What path will it follow?
 - e. What type of dispersion pattern will it create?
 - i. Cloud
 - ii. Cone
 - iii. Plume
 - iv. Stream
 - v. Irregular
5. Impingement event (typically categorized based on duration)
 - a. Harmful characteristics of material
 - b. Concentration of the hazardous material
 - c. Duration of the impingement
 - d. Characteristics of the exposure
6. Harm event
 - a. Thermal
 - b. Toxicity/poison
 - c. Radiation
 - d. Asphyxiation
 - e. Corrosivity
 - f. Etiological
 - g. Mechanical

604-7.3.3**Selecting Personal Protective Equipment**

Given scenarios of hazardous materials/WMD incidents with known and unknown hazardous materials/WMD, the hazardous materials technician shall determine the personal protective equipment for the response options specified in the incident action plan in each situation and shall meet **by completing** the requirements of 7.3.3.1 through 7.3.3.4.7 **7.3.3.4.8**

604-7.3.3.1

The hazardous materials technician shall identify and describe the four levels **types** of personal protective equipment **that are available for response based on NFPA standards and how these items relate to EPA levels of protection** as specified by the Environmental Protection Agency (EPA) and the National Institute for Occupational Safety and Health (NIOSH)

1. Level A – Vapor Protective Chemical Protective Clothing (CPC)
 - i. Encapsulated garment
 - ii. Requires SCBA (positive pressure self contained breathing apparatus) or SAR (supplied air respirator) use
2. Level B – Splash Protective CPC
 - a. Encapsulated garment
 - b. Non-encapsulated garment
 - c. Requires SCBA or SAR use
3. Level C – Splash Protective CPC
 - a. Non-encapsulated garment
 - b. Utilizes APR (air purifying respirator) or PAPR (powered air purifying respirator)
4. Level D – Non-emergency/hazardous materials response work clothing
5. Chemical protective clothing for Level A, Level B or Level C ensembles should be selected based on one of the following applicable criteria:
 - a. NFPA 1991 *Standard on Vapor Protective Ensembles for Hazardous Materials Emergencies*
 - b. NFPA 1992 *Standard on Liquid Splash Protective Ensembles and Clothing for Hazardous Materials Emergencies*
 - c. NFPA 1994 *Standard on Protective Ensembles for First Responders to CBRN Terrorism Incidents*

604-7.3.3.2

The hazardous materials technician shall identify and describe personal protective equipment options available for the following hazards:

1. Thermal
2. Radiological
3. Asphyxiating
4. Chemical (liquids and vapors)
5. Etiological (biological)
6. Mechanical (explosives)

- 604-7.3.3.3** The hazardous materials technician shall identify the process to be considered in selecting respiratory protection for a specified action option
1. IDLH environments
 - a. Toxic environments
 - b. Flammable/explosive environments
 - c. Hazardous oxygen levels
 - d. Radiation exposure
 2. Non-IDLH Atmospheres
 - a. Toxic environments
 - b. Flammable/explosive environments
 - c. Hazardous oxygen levels
 - d. Radiation exposure
- 604-7.3.3.4** The hazardous materials technician shall identify the factors to be considered in selecting chemical-protective clothing for a specified action option
- 604-7.3.3.4.1** The hazardous materials technician shall describe the following terms and explain their impact and significance on the selection of chemical-protective clothing:
1. Degradation
 2. Penetration
 3. Permeation
- 604-7.3.3.4.2** The hazardous materials technician shall identify at least three indications of material degradation of chemical-protective clothing
1. Stiffness or excessive pliability
 2. Tears, cuts or abrasions
 3. Damage to zippers or other closures
- 604-7.3.3.4.3** The hazardous materials technician shall identify the different designs of vapor-protective and splash-protective clothing and describe the advantages and disadvantages of each type
1. Type I
 - i. Fully encapsulating air tight vapor protective suit
 - ii. With SCBA
 2. Type II
 - i. Non-encapsulating suit
 - ii. With SCBA worn on outside
 3. Type III
 - a. Fully encapsulating suit
 - b. With SAR
- 604-7.3.3.4.4** The hazardous materials technician shall identify the relative advantages and disadvantages of the following heat exchange units used for the cooling of personnel in personal protective equipment:

1. Air cooled
2. Ice cooled
3. Water cooled
4. Phase change cooling technology

604-7.3.3.4.5 The hazardous materials technician shall identify the process for selecting protective clothing at hazardous materials/WMD incidents

1. Perform site management control functions
2. Identify the problem
3. Perform hazard and risk analysis
4. Consult PPE compatibility charts and respiratory protection guidelines
5. Select appropriate PPE based on the above

604-7.3.3.4.6 Given three examples of various hazardous materials, the hazardous materials technician shall determine the protective clothing construction materials for a given action option using chemical compatibility charts

604-7.3.3.4.7 The hazardous materials technician shall identify the physiological and psychological stresses that can affect users of personal protective equipment

1. Physiological
 - a. Extreme heat or cold operating conditions
 - b. Noise
 - c. Reduced vision from fogging of CPC or SCBA face pieces
 - d. Operations in low-light or low-visibility environments
 - e. Reduced handling and dexterity due to the need to wear several layers of gloves
 - f. Adverse weather conditions
 - g. Physical hazards and the physical operating environment
2. Psychological
 - a. Lack of physical fitness and the physical ability to perform the required tasks
 - b. Response operations involving injuries, fatalities or high-risk operations
 - c. Operations within enclosed or confined space environments
 - d. Background and experience levels in both wearing CPC and operating in hostile environments
 - e. Fear of either suit or respiratory protection failure

604-7.3.3.4.8 **Given the personal protective equipment provided by the AHJ, the hazardous materials technician shall identify the process for inspecting, testing, and maintenance of personal protective equipment.**

1. **Inspection - in accordance with manufacturers' recommendations and AHJ policies**
 - a. **Acceptance**

- b. **Inspect before use**
 - c. **After each use**
 - d. **Periodic (i.e. monthly, quarterly or annually)**
 - e. **As needed**
2. **Testing- in accordance with manufacturers' recommendations and AHJ policies**
- a. **Visual**
 - b. **Tactile**
 - c. **Pressure test - ASTM1052 Standard test method for pressure testing vapor ensembles**
 - d. **Soap bubble test**
 - e. **Light bar test**
3. **Maintenance and storage- in accordance with manufacturers' recommendations and AHJ policies**
- a. **Protect from**
 - i. **Dust**
 - ii. **Moisture**
 - iii. **Sunlight**
 - iv. **Chemical exposures**
 - v. **Temperature extremes**
 - vi. **Impact**
 - b. **Documentation**
 - i. **Inspection**
 - ii. **Testing**
 - iii. **Maintenance**

604-7.3.4

Selecting Decontamination Procedures

Given a scenario involving a hazardous materials/WMD incident, the hazardous materials technician shall select a decontamination procedure that will minimize the hazard, shall determine the equipment required to implement that procedure, and shall complete the following tasks:

1. Describe the advantages and limitations of each of the following decontamination methods:
 - a. Absorption
 - b. Adsorption
 - c. Chemical degradation
 - d. Dilution
 - e. Disinfecting
 - f. Evaporation
 - g. Isolation and disposal
 - h. Neutralization
 - i. Solidification
 - j. Sterilization
 - k. Vacuuming
 - l. Washing

2. Identify three sources of information for determining the applicable decontamination procedure and identify how to access those resources in a hazardous materials/WMD incident
 - a. CHEMTREC
 - b. CHEM-TEL
 - c. Manufacturer
 - d. **SDS/MSDS**
 - e. National Response Center (NRC)

- f. CANUTEC
- g. SETIQ
- h. Local or regional poison control centers

604-7.3.5

Developing a Plan of Action

Given scenarios involving hazardous materials/WMD incidents, the hazardous materials technician shall develop a plan of action, including site safety and a control plan, that is consistent with the emergency response plan and standard operating procedures and within the capability of available personnel, personal protective equipment, and control equipment for that incident, ~~and shall meet~~ **by completing** the requirements of 7.3.5.1 through 7.3.5.5

A typical plan of action for a hazardous materials response would contain the following components:

1. Site description
2. Entry objective
3. On scene organization and coordination
4. On scene control
5. Hazard evaluation
6. Personal protective equipment
7. On scene work assignments
8. Communications procedures
9. Decontamination procedures
10. On scene safety and health considerations including designation of the safety officer, emergency medical care procedures, environmental monitoring, emergency procedures, and personnel monitoring

604-7.3.5.1

The hazardous materials technician shall describe the purpose of, procedures for, equipment required for, and safety precautions used with the following techniques for hazardous materials/WMD control:

1. Absorption
2. Adsorption
3. Blanketing
4. Covering
5. Damming
6. Diking
7. Dilution

8. Dispersion
9. Diversion
10. Fire suppression
11. Neutralization
 - a. For corrosive releases
 - i. Not for use on living tissue – use primarily on decon equipment or neutralize spills
 - ii. Process generates heat
 - iii. Final solution should be as close to pH 7 as possible
 - iv. pH disposal guidelines dependent on AHJ
 - b. For other chemical releases
 - i. Consult technical reference
 - ii. Process typically generates heat
 - iii. pH disposal guidelines dependent on AHJ
12. Overpacking
13. Patching
14. Plugging
15. Pressure isolation and reduction (flaring; venting; vent and burn; isolation of valves, pumps, or energy sources)
16. Retention
17. Solidification
18. Transfer
19. Vapor control (dispersion, suppression)

604-7.3.5.2

Given a scenario involving a hazardous materials/WMD incident, the hazardous materials technician shall develop the site safety and control plan that must be included as part of the incident action plan

In accordance with 29 CFR 1910.120 site safety and control plans should address the following:

1. Analysis of hazards on the site and a risk analysis of those hazards
2. Site map or sketch
3. Site work (control) zones
4. Use of buddy system
5. Site communications
6. Command post
7. Standard operating procedures and safe work practices

8. Medical Assistance and triage area

9. Other relevant topics

604-7.3.5.2.1 The hazardous materials technician shall list and describe the safety considerations to be included

604-7.3.5.2.2 The hazardous materials technician shall identify the points that should be made in a safety briefing prior to working at the scene

604-7.3.5.3 The hazardous materials technician shall identify the atmospheric and physical safety hazards associated with hazardous materials/WMD incidents involving confined spaces

Hazards associated with confined spaces that should continually be monitored include but are not limited to:

1. Atmospheric hazards
 - a. Oxygen deficient
 - b. Oxygen enriched
 - c. Flammable/explosive
 - d. Toxic
2. Physical hazards
 - a. Engulfment
 - b. Slips/falls
 - c. Electrical
 - d. Structural
 - e. Mechanical

604-7.3.5.4 The hazardous materials technician shall identify the pre-entry activities to be performed.

1. Initial activities would include:
 - a. Establish command
 - b. Appoint a Safety Officer
 - c. Establish hazard control zones
 - d. Identify escape routes
 - e. Designate a withdrawal signal
 - f. Identify safe locations (uphill, upwind, up stream)
2. Develop Incident Action Plan
3. Identify hazards
4. Prior to entry into a hazard area the following tasks should be complete:
 - a. Establish entry team(s) and back up team(s)
 - b. Conduct site safety briefing
 - c. Designate primary and emergency modes of communication
 - d. Establish decon corridor
 - e. Identification of task(s) to be performed
 - f. Identification of personal protective equipment/respiratory protection
 - g. Monitoring requirements

604-7.3.5.5 The hazardous materials technician shall identify the procedures, equipment, and safety precautions for preserving and collecting legal evidence at hazardous materials /WMD incidents

1. Evidence should be collected in accordance with AHJ.
2. All evidence collected must be appropriately documented and chain of custody maintained in accordance with AHJ.
3. Proper PPE must be utilized during collection process.

604-7.4 **Competencies — Implementing the Planned Response**

604-7.4.1 **Performing Incident Command Duties**

Given the emergency response plan or standard operating procedures and a scenario involving a hazardous materials/WMD incident, the hazardous materials technician shall demonstrate the duties of an assigned function in the hazardous materials branch or group within the incident command system and shall identify the role of the hazardous materials technician during hazardous materials/WMD incidents

604-7.4.1.1 **Describe the duties of an assigned function in the hazardous materials branch or group within the incident command system**

1. **Primary hazardous materials group or branch functions include:**
 - a. **Hazardous materials branch/group supervision (Hazardous Materials Branch Director/Group Supervisor)**
 - b. **Safety (Assistant Safety Officer - Hazardous Materials)**
 - c. **Site Access Control (Site Access Control Unit Leader)**
 - i. **Establishes Hazard Control Zones**
 - ii. **Manages Safe Refuge Area**
 - d. **Entry Team Operations (Entry Team Leader)**
 - i. **Recon team**
 - ii. **Entry team(s)**
 - iii. **Back-up team**
 - e. **Decontamination (Decon Team Leader)**
 - f. **Information/research coordination (Information/Research Team Leader)**
 - i. **Technical/Product Specialist**
 - ii. **Environmental/Remediation Contractors**
 - iii. **Governmental or External Agency Liaisons**
2. **Secondary hazardous materials group or branch functions include:**
 - a. **Resources/Logistics**
 - b. **Medical (Medical Unit Leader)**
 - c. **Incident rehabilitation (Rehabilitation Unit Leader)**
 - d. **The above secondary functions are performed by the Hazardous Materials Branch/Group only if they are not being performed by the Logistics section, i.e., Logistics section has not been activated**

604-7.4.1.2 **Identify the role of the hazardous materials technician during hazardous materials/WMD incidents**

1. **Implement the employer's emergency response plan**

2. **Use field survey instruments to verify and/or determine the nature of the release**
3. **Function within the ICS**
4. **Select and use PPE**
5. **Understand hazard and risk assessment techniques**
6. **Perform advanced product control, containment, and/or confinement techniques**
7. **Understand and implement decontamination procedures**
8. **Understand termination procedures**
9. **Understand basic chemical and toxicological terminology and behavior**

604-7.4.2

Using Protective Clothing and Respiratory Protection

The hazardous materials technician shall demonstrate the ability to don, work in, and doff liquid splash-protective, vapor-protective, and chemical-protective clothing and any other specialized personal protective equipment provided by the AHJ, including respiratory protection, and shall complete the following tasks:

1. Describe three safety procedures for personnel working in chemical-protective clothing
2. Describe three emergency procedures for personnel working in chemical-protective clothing
 - a. Loss of air supply
 - b. Loss of suit integrity
 - c. Loss of verbal communications
 - d. Victim/responder down in hazard area
3. Demonstrate the ability to don, work in, and doff self-contained breathing apparatus in addition to any other respiratory protection provided by the AHJ
4. Demonstrate the ability to don, work in, and doff liquid splash-protective, vapor-protective, and chemical-protective clothing in addition to any other specialized protective equipment provided by the AHJ

604-7.4.3

Performing Control Functions Identified in Incident Action Plan.

Given scenarios involving hazardous materials/WMD incidents, the hazardous materials technician shall select the tools, equipment, and materials for the control of hazardous materials/WMD incidents and identify the precautions for controlling releases from the packaging/containers and shall complete the following tasks:

1. Given a pressure vessel, select the material or equipment and demonstrate a method(s) to contain leaks from the following locations:
 - a. Fusible plug
 - b. Fusible plug threads
 - c. Side wall of cylinder
 - d. Valve blowout
 - e. Valve gland

- f. Valve inlet threads
 - g. Valve seat
 - h. Valve stem assembly blowout
2. Given the fittings on a pressure container, demonstrate the ability to perform the following:
 - a. Close valves that are open
 - b. Replace missing plugs
 - c. Tighten loose plugs
 3. Given a 55 gal (208 L) drum and applicable tools and materials, demonstrate the ability to contain the following types of leaks:
 - a. Bung leak
 - b. Chime leak
 - c. Forklift puncture
 - d. Nail puncture
 4. Given a 55 gal (208 L) drum and an overpack drum, demonstrate the ability to place the 55 gal (208 L) drum into the overpack drum using the following methods:
 - a. Rolling slide-in
 - b. Slide-in
 - c. Slip-over
 5. Identify the maintenance and inspection procedures for the tools and equipment provided for the control of hazardous materials releases according to the manufacturer's specifications and recommendations
 6. Identify three considerations for assessing a leak or spill inside a confined space without entering the area.

Use remote monitoring to evaluate for:

- a. Oxygen levels
 - b. Flammable atmospheres
 - c. Toxic atmospheres
7. Identify three safety considerations for product transfer operations
 - a. Grounding
 - b. Bonding
 - c. Elimination of ignition sources and shock hazards
 8. Given an MC-306/DOT-406 cargo tank and a dome cover clamp, demonstrate the ability to install the clamp on the dome
 9. Identify the methods and precautions used to control a fire involving an MC-306/DOT-406 aluminum shell cargo tank
 10. Describe at least one method for containing each of the following types of leaks in MC-306/DOT-406, MC-307/DOT-407, and MC-312/DOT-412 cargo tanks:
 - a. Dome cover leak
 - b. Irregular-shaped hole
 - c. Puncture
 - d. Split or tear

11. Describe three product removal and transfer considerations for overturned MC-306/DOT-406, MC-307/DOT-407, MC-312/DOT-412, MC-331, and MC-338 cargo tanks
 - a. Inherent risks associated with such operations
 - b. Procedures and safety precautions
 - c. Equipment required

604-7.4.4 Given MC-306/DOT-406, MC-307/DOT-407, MC-312/DOT-412, MC-331, and MC-338 cargo tanks, the hazardous materials technician shall identify the common methods for product transfer from each type of cargo tank.

604-7.4.5 **Performing Decontamination Operations Identified in the Incident Action Plan.**

The hazardous materials technician shall demonstrate the ability to set up and implement the following types of decontamination operations:

1. Technical decontamination operations in support of entry operations
2. Technical decontamination operations involving ambulatory and non-ambulatory victims
3. Mass decontamination operations involving ambulatory and non-ambulatory victims

604-7.5 **Competencies — Evaluating Progress**

604-7.5.1 **Evaluating the Effectiveness of the Control Functions**

Given scenarios involving hazardous materials/WMD incidents and the incident action plan, the hazardous materials technician shall evaluate the effectiveness of any control functions identified in the incident action plan.

604-7.5.2 **Evaluating the Effectiveness of the Decontamination Process**

Given an incident action plan for a scenario involving a hazardous materials/WMD incident, the hazardous materials technician shall evaluate the effectiveness of any decontamination procedures identified in the incident action plan.

604-7.6 **Competencies — Terminating the Incident**

604-7.6.1 **Assisting in the Debriefing**

Given a scenario involving a hazardous materials/WMD incident, the hazardous materials technician shall participate in the debriefing of the incident ~~and shall meet by~~ **completing** the following requirements:

An effective debriefing should address the following informational issues regarding response activities:

- Positive aspects – Identify strengths or things that went well that need to be maintained or continued
- Negative aspects – Identify weaknesses that went poorly and need to be corrected
- Unique aspects – Unusual or unsuspected conditions that may need to be addressed or planned for

1. Describe (at least) three components of an effective debriefing
 - a. Inform responders of the potential signs and symptoms of any possible hazardous materials exposures
 - b. Identify:
 - i. Damaged equipment

- ii. Expended supplies
 - iii. Items that need to be disposed
 - iv. Unsafe site conditions
 - c. Assign:
 - i. information gathering responsibilities for a post-incident analysis and critique
 - ii. Point of contact for any follow up on incident related issues
 - d. Assess the need for Critical Incident Stress Debriefing (CISD)
- 2. Describe the key topics of an effective debriefing
 - a. Health information
 - b. Equipment and apparatus exposure review
 - c. A follow-up contact person
 - d. Problems requiring immediate action
 - e. Thank you!
- 3. Describe when a debriefing should take place
 - a. As soon as the “emergency phase” of the incident is over
 - b. Should be before any responders leave the scene
- 4. Describe who should be involved in a debriefing.
 - a. Hazardous Materials Response Team
 - b. Incident Commander
 - c. Section Chiefs/Branch Directors/Division and Group Supervisors, etc.
 - d. Information Officer
 - e. Agency representatives or key players as determined by the Incident Commander (i.e. Safety Officer and Agency Liaisons)

604-7.6.2

Assisting in the Incident Critique

Given a scenario involving a hazardous materials/WMD incident, the hazardous materials technician shall provide operational observations of the activities that were performed in the hot and warm zones during the incident and shall complete the following tasks:

- 1. Describe three components of an effective critique
 - a. Direction
 - b. Participation
 - c. Solutions
- 2. Describe who should be involved in a critique
 - a. Hazardous Materials Response Team
 - b. Incident Commander
 - c. Section Chiefs/Branch Directors/Division and Group Supervisors, etc.
 - d. Information Officer
 - e. Agency representatives or key players as determined by the Incident Commander (i.e. Safety Officer and Agency Liaisons)
- 3. Describe why an effective critique is necessary after a hazardous materials/WMD incident
 - a. Develop recommendations for improving the emergency response team
 - b. Promotes systems-dependent operations rather than people-dependent organizations
 - c. Promotes a willingness to cooperate through teamwork
 - d. Promotes improvement of safe operating procedures

- e. Promotes sharing of information among emergency response organizations
4. Describe which written documents should be prepared as a result of the critique
 - a. Post-Critique Report
 - b. Formal-Critique Report
 5. Describe recommended methods for critiquing large-scale emergency responses
 - a. Participant-level critique
 - b. Operations-level critique
 - c. Group-level critique

604-7.6.3

Reporting and Documenting the Incident

Given a scenario involving a hazardous materials/WMD incident, the hazardous materials technician shall complete the reporting and documentation **as required by the AHJ** requirements consistent with the emergency response plan or standard operating procedures and shall meet **by completing** the following requirements:

1. Identify the reports and supporting documentation required by the emergency response plan or standard operating procedures
2. Demonstrate completion of the reports **and supporting documentation** required ~~by the emergency response plan or standard operating procedures~~
 - a. Incident action plan and all components
 - b. Site safety plan and all components
 - c. Other documentation required by AHJ
3. Describe the importance of personnel exposure records
4. Describe the importance of debriefing records
5. Describe the importance of critique records
6. Identify the steps in keeping an activity log and exposure records
 - a. Activity log
 - i. Record major event(s)
 - ii. Record time major event(s) occurred
 - iii. Briefly describe major event(s)
 - iv. Additional information to include
 - a) Information that may assist in the investigation or cost recovery process
 - b) Task assignments
 - c) Task completion
 - d) Injuries and exposures
 - b. Exposure records
 - i. General information
 - a) Name of exposed worker
 - b) Personal ID number
 - c) Assignment/station
 - d) Incident date
 - e) Incident number
 - f) Incident location
 - ii. Nature of incident
 - iii. Level of personal protection
 - iv. Emergency response activity

- v. Exposure data
 - a) Method of exposure
 - b) Duration of exposure
 - vi. Medical treatment provided
 - a) Signs and symptoms
 - b) On-scene medical treatment
 - c) Medical facility treatment
 - d) Follow-up action required
 - vii. Medical treatment provided
 - a) Comment section
 - b) Individual's signature and date
 - c) Officer's signature and date
7. Identify the steps to be taken in compiling incident reports that meet federal, state, local, and organizational requirements – AHJ
8. Identify the requirements for compiling hot zone entry and exit logs – AHJ
9. Identify the requirements for compiling personal protective equipment logs
- The compilation of personal protective equipment logs should follow the PPE manufacturer's recommended procedures and any additional guidance from the AHJ (Regulations, SOPs, SOGs, etc.).
10. Identify the requirements for filing documents and maintaining records – AHJ

**CHAPTER 6
SECTION 604
HAZARDOUS MATERIALS TECHNICIAN
CURRICULUM OUTLINE**

SECTION	SUBJECT	RECOMMENDED HOURS
604-7.1	General - Introduction - Laws, Regulations, and National Consensus Standards	4
604-7.2	Analyzing the Incident	24
604-7.3	Planning the Response	24
604-7.4	Implementing the Planned Response	16
604-7.5	Evaluating Progress	6
604-7.6	Terminating the Incident	6
	TOTAL RECOMMENDED HOURS	80

The recommended hours include time for skills evaluation and are based on 12 students. Hours needed depend on the actual number of students.

REFERENCE LIST FOR THE HAZARDOUS MATERIALS TECHNICIAN CURRICULUM

This Reference List is provided as a general guide for both instructors and students to locate information pertaining to the specific objectives in the TCFP Curriculum. This list is **not** all-inclusive and does not in any way limit TCFP development and use of questions to test the objectives of the curriculum:

Required References

Texts

Certification Curriculum Manual. Texas Commission on Fire Protection. (Most current edition). Austin, TX: Texas Commission on Fire Protection.

Code of Federal Regulations, Title 29 Part 1910.120, Appendix A. United States. U.S. Department of Labor, Occupational Safety & Health Administration.
http://edocket.access.gpo.gov/cfr_2007/julqtr/pdf/29cfr1910.120.pdf

Emergency Response Guidebook. United States. (Most current edition). Washington, DC: U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration.

~~*Hazardous Materials: Managing the Incident*. Chester Noll, G. G., Hildebrand, M. S., & Yvorra, J. G. (2005). MD: Red Hat Publishing, Inc.~~

Hazardous Materials: Managing the Incident, **4th edition**. Noll, G. G., Hildebrand, M. S., Schnepf, R. & Rudner, G.D. & Yvorra, J. G. (2005 **2014**). MD: Red Hat Publishing, Inc. **Burlington, MA: Jones and Bartlett.**

Hazardous Materials Technician, 1st edition. (2013) Stillwater, OK: International Fire Service Training Association.

Hazardous Materials/Weapons of Mass Destruction Response Handbook, 5th **6th/2013** edition. Trebisacci, D. G. **McGowan, T.** (2008 **2012**). Quincy, MA: National Fire Protection Association.

NFPA 472: Standard for Professional Competence of Responders to Hazardous Materials Incidents. (2008 **2013** ed.). Quincy, MA: NFPA Publications. National Fire Protection Association

NIOSH Pocket Guide to Chemical Hazards. National Institute for Occupational Safety and Health. (Most current edition). Cincinnati, OH: US Department of Health and Human Services, Public Health Service, Centers for Disease Control and Prevention, National Institute for Occupational Safety and Health.

Standards Manual for Fire Protection Personnel. Texas Commission on Fire Protection. (Most current edition). Austin, TX: Texas Commission on Fire Protection.

Recommended References

The most current edition of the following publications and media are recommended (not required) supplemental material for program use.

Texts

Bretherick's Handbook of Reactive Chemical Hazards. Urben, P. G., Pitt, M. J., & Bretherick, L. (2007). Amsterdam: Elsevier.

Chlorine Emergencies: An Overview for First Responders. Chlorine Institute. (2007). Arlington, VA: The Chlorine Institute.

CHRIS: Chemical Hazards Response Information System. United States. (1992). COMDTINST, M16465.11B. Washington, DC: U.S. Dept. of Transportation, U.S. Coast Guard.

Dangerous Properties of Industrial and Consumer Chemicals. New Cheremisinoff, N. P., King, J. A., & Boyko, R. (1994). York, NY: M. Dekker.

Emergency Care for Hazardous Materials Exposure. St. Currence, P., Bronstein, A. C., & Clements, B. (2005). Louis, MO: Mosby.

Emergency Handling of Hazardous Materials in Surface Transportation. Association of American Railroads. (2009 ~~2011~~). Washington, DC: Association of American Railroads.

Field Guide to Tank Cars Identification. Association of American Railroads, **Bureau of Explosives.** (2009 ~~2010~~). Washington, DC: **Pueblo, Colorado:** Association of American Railroads.

Fire Fighter's Handbook of Hazardous Materials, 7th edition. Baker, Charles T., (2006). Sudbury, MA: Jones and Bartlett.

Fire Protection Guide to Hazardous Materials. National Fire Protection Association. (2001 ~~2010 edition~~). Quincy, MA: National Fire Protection Association.

Hawley's Condensed Chemical Dictionary. Lewis, R. J., & Hawley, G. G. (2007). West Sussex, England: Wiley.

Hazardous Materials Air Monitoring and Detection Devices. Hawley, C. (2002). Albany, NY: Delmar/Thomson Learning.

Hazardous Materials Field Guide, 2nd edition. Bevelacqua, A. S., & Stilp, R. H. (2007). Albany, NY: Delmar Publications.

Hazardous Materials: Managing the Incident: Field Operations Guide. Chester Bevelacqua, A. S., Hildebrand, M. S., & Noll, G. G. **2nd Edition** (2007 ~~2013~~). MD: Red Hat Publishing, Inc. **Jones and Bartlett Publishing**

Hazardous Materials Technician. Weber, Chris (2013). Upper Saddle River, NJ: Pearson Education, Inc.

Symbol Seeker: Hazard Identification Manual. Burns, P. P. (2002). Preston, England: Symbol Seeker.

Media

Chlorine Emergencies: An Overview for First Responders. Chlorine Institute. (2007). Arlington, VA: The Chlorine Institute.

Hazardous Materials Containment Series. Action Training Systems. [4 Disc DVD Set] Hazardous materials containment - series of 4 titles. Seattle, WA: Action Training Systems.

Hazardous Materials: Managing the Incident DVD Series. Massingham, G., Noll, G. G., Hildebrand, M. S., & Noll, G. G. (2005). [8 Disc DVD Set] Edgartown, MA: Emergency Film Group.

How to Use the Chlorine Institute Emergency Kit "A" for 100 lb. and 150 lb. Chlorine Cylinders. Chlorine Institute. (1996 ~~Sept. 2013~~). New York, NY: The Chlorine Institute. [DVD + pamphlet]

How to Use the Chlorine Institute Emergency Kit "B" for Chlorine Ton Containers. New Chlorine Institute. (~~1988~~ **Dec. 2013**). York, NY: The Chlorine Institute. [DVD + pamphlet]

How to Use the Chlorine Institute Emergency Kit "C" for Chlorine Tank Cars and Tank Trucks. Chlorine Institute. (~~1993~~ **Feb. 2014**). New York, NY: The Chlorine Institute. [DVD + pamphlet]

Intermodal Containers. Noll, G. G., Hildebrand, M. S., & Donahue, M. L. (2002). [DVD] Edgartown, MA: Emergency Film Group.

Petroleum Storage Tanks. Hildebrand, M. S., & Noll, G. G. (2003). [DVD] Edgartown, MA: Emergency Film Group.

SECTION 605
HAZARDOUS MATERIALS INCIDENT COMMANDER

The Hazardous Materials Incident Commander is the person responsible for all hazardous materials/weapons of mass destruction (WMD) incident activities, including the development of strategies and tactics and the ordering and release of resources. The Hazardous Materials Incident Commander has overall authority and responsibility for conducting incident operations and is responsible for the management of all incident operations at the hazardous materials/weapons of mass destruction (WMD) incident site.

The Hazardous Materials Incident Commander must first master all the job performance requirements and knowledge, skills and abilities pertaining to:

- Awareness Level Personnel,
- Operations Level Responders and,
- The competencies of this chapter

The Hazardous Materials Incident Commander performs the following functions and is primarily responsible for:

- Having clear authority and knowledge of agency policy,
- Ensuring incident safety,
- Establishing the incident command post (ICP),
- Setting priorities, determining incident objectives and strategies to be followed,
- Establishing the incident command system (ICS) needed to manage the incident,
- Approving the incident action plan (IAP),
- Coordinating command and general staff functions,
- Approving resource order requests and the use of volunteers and auxiliary personnel,
- Ordering demobilization as needed,
- Ensuring after-action reports are completed.

605-8.1 **General**

605-8.1.1 **Introduction**

- 605-8.1.1.1** The incident commander (IC) shall be that person responsible for all incident activities, including the development of strategies and tactics and the ordering and release of resources **as designated by the authority having jurisdiction (AHJ)**.
- 605-8.1.1.2** The incident commander shall be trained to meet all competencies at the awareness level (Section 601), all core competencies at the operations level (Section 602), and all competencies in this chapter.
- 605-8.1.1.3** The incident commander shall receive any additional training necessary to meet applicable governmental **response and** occupational health and safety regulations.
- 605-8.1.1.4** The incident commander shall receive any additional training necessary to meet specific needs of the jurisdiction.

605-8.1.2 **Goal**

605-8.1.2.1 The goal of the competencies at this level **in this chapter** shall be to provide the incident commander with the knowledge and skills to perform the tasks in 8.1.2.2 safely.

605-8.1.2.2 In addition to being competent at the awareness and **all core competencies at the** operations levels, the incident commander shall be able to perform the following tasks:

1. Analyze a hazardous materials/WMD incident to determine the complexity of the problem and potential outcomes by completing the following tasks:
 - a. Collect and interpret hazard and response information from printed and technical resources, computer databases, and monitoring equipment
 - b. Estimate the potential outcomes within the endangered area at a hazardous materials/WMD incident
2. Plan response operations within the capabilities and competencies of available personnel, personal protective equipment, and control equipment by completing the following tasks:
 - a. Identify the response objectives for hazardous materials/WMD incidents
 - b. Identify the potential response options (defensive, offensive, and nonintervention) available by response objective
 - c. Approve the level of personal protective equipment required for a given action option
 - d. Develop an incident action plan, including site safety and control plan, consistent with the emergency response plan or standard operating procedures and within the capability of available personnel, personal protective equipment, and control equipment
3. Implement a response to favorably change the outcome consistent with the emergency response plan or standard operating procedures by completing the following tasks:
 - a. Implement an incident command system/~~unified command~~, including the specified procedures for notification and utilization of nonlocal resources (e.g., private, state, and federal government personnel)
 - b. Direct resources (private, governmental, and others) with task assignments and on-scene activities and provide management overview, technical review, and logistical support to those resources
 - c. Provide a focal point for information transfer to media and local elected officials through the incident command system structure
4. Evaluate the progress of the planned response to ensure the response objectives are being met safely, effectively, and efficiently and adjust the incident action plan accordingly.
5. Terminate the emergency phase of the incident by completing the following tasks:
 - a. Transfer command (control) when appropriate
 - b. Conduct an incident debriefing
 - c. Conduct a multiagency critique
 - d. Report and document the hazardous materials/WMD incident and submit the report to the designated entity

605-8.2 Competencies — Analyzing the Incident

605-8.2.1 Collecting and Interpreting Hazard and Response Information

605-8.2.1.1 Given access to printed and technical resources, computer databases, and monitoring equipment, the incident commander shall **ensure the collection and interpretation of**

hazard and response information not available from the current edition of the DOT *Emergency Response Guidebook* or an MSDS.

605-8.2.1.2 **Given access to printed and technical resources, computer databases, and monitoring equipment**, the incident commander shall be able to identify and interpret the types of hazard and response information available from each of the following resources and explain the advantages and disadvantages of each resource:

7. Hazardous materials databases – examples include:
 - c. CAMEO (Computer Assisted Management of Emergency Operations)
 - d. MARPLOT (Mapping Applications for Response, Planning and Local Operational Tasks)
 - e. ALOHA (Aerial Locations Of Hazardous Atmospheres)
 - f. WISER (Wireless Informational Systems for Emergency Responders)
 - g. OREIS (Operational Response Emergency Informational System)

8. Monitoring equipment – examples include:
 - i. Combustible gas indicators
 - j. Colorimetric tubes
 - k. Photoionization detectors/flame ionization detectors
 - l. Radiological survey equipment
 - m. Oxygen meters
 - n. Toxic Gas Sensors
 - o. pH paper
 - p. Chemical test strips

9. Reference ~~manuals~~ **materials**
 - l. DOT Emergency Response Handbook
 - ~~m. ARR Hazardous Materials Emergency Action Guides~~
 - ~~n. ARR General Handling of Hazardous Materials in Surface Transportation~~
 - o. Field Guide to Tank Guide Identification
 - p. Bretherick's Handbook of Reactive Substances
 - q. Emergency Care for Hazardous Materials Exposure
 - r. Hawley's Condensed Chemical Dictionary
 - s. NIOSH Pocket Guide
 - t. CHRIS Chemical Hazards Response Information System (USCG)
 - u. Dangerous Properties of Industrial Chemicals
 - v. NFPA Fire Protection Guide of Hazardous Materials

10. Technical information centers (i.e., CHEMTREC/CANUTEC/ SETIQ and local, state, and federal authorities) – examples include:
 - j. CHEMTREC
 - k. Chlorine Institute
 - l. US Coast Guard and DOT National Response Center
 - m. The Agency for Toxic Substance and Disease Registry (ATSDR)
 - n. National Animal Poison Control Center (NAPCC)
 - o. National Pesticide Informational Center (NPIC)
 - p. National Poison Control Center (Mr. Yuck)
 - q. US Army Operational Center
 - r. Defense Logistics Agency

11. Technical information specialists

605-8.2.2 **Estimating Potential Outcomes**

Given scenarios involving hazardous materials/WMD incidents, the surrounding conditions, and the predicted behavior of the container and its contents, the incident commander shall estimate the potential outcomes within the endangered area and shall complete the following tasks:

1. Identify the steps for estimating the outcomes within an endangered area of a hazardous materials/WMD incident.
 - a. Determining the dimensions of the endangered area
 - b. Estimating the number of exposures within the endangered area
 - c. Measuring or predicting the concentrations of materials in the endangered area
 - d. Estimating the physical, health, and safety hazards within the endangered area
 - e. Identifying the area of potential harm within the endangered area
 - f. Estimating the potential outcomes within the endangered area

2. Describe the following toxicological terms and exposure values and explain their significance in the analysis process:
 - a. Counts per minute (cpm) and kilocounts per minute (kcpm)
 - b. Immediately dangerous to life and health (IDLH) value
 - c. Infectious dose
 - d. Lethal concentrations (LC₅₀)
 - e. Lethal dose (LD₅₀)
 - f. Parts per billion (ppb)
 - g. Parts per million (ppm)
 - h. Permissible exposure limit (PEL)
 - i. Radiation absorbed dose (rad)
 - j. Roentgen equivalent man (rem); millirem (mrem); microrem (μ rem)
 - k. Threshold limit value ceiling (TLV-C)
 - l. Threshold limit value short-term exposure limit (TLV-STEL)
 - m. Threshold limit value time-weighted average (TLV-TWA)
 - n. **Other toxicological terms or exposure values as determined by the AHJ**

3. Identify two methods for predicting the areas of potential harm within the endangered area of a hazardous materials/WMD incident.
 - a. Determine the level of toxicity of the hazardous material that has been released in the endangered area
 - b. Determine the length of time that persons in the endangered area would be exposed to the hazard
 - c. Determine areas of potential harm using reference sources or direct monitoring instruments
 - i. *Emergency Response Guidebook*
 - ii. Computer dispersion models
 - v. CAMEO (Computer Assisted Management of Emergency Operations)
 - vi. MARPLOT (Mapping Applications for Response, Planning and Local Operational Tasks)
 - vii. ALOHA (Aerial Locations Of Hazardous Atmospheres)
 - viii. WISER (Wireless Informational Systems for Emergency Responders)
 - iii. Portable and fixed air-monitoring systems

4. Identify the methods available to the organization for obtaining local weather conditions and predictions for short-term future weather changes.

- a. National Weather Service
 - b. Local weather service
 - c. Internet weather resources, i.e. Weather Bug station locations
 - d. On-scene direct monitoring instrumentation, i.e. WeatherPak
5. Explain the basic toxicological principles relative to assessment and treatment of personnel exposed to hazardous materials, including the following:
 - a. Acute and delayed toxicity (chronic)
 - b. Dose response
 - c. Local and systemic effects
 - d. Routes of exposure
 - i. Inhalation
 - ii. Ingestion
 - iii. Absorption
 - iv. Injection
 - e. Synergistic effects
 6. Describe the health risks associated with the following:
 - a. Biological agents and biological toxins
 - b. Blood agents
 - c. Choking agents
 - d. Irritants (riot control agents)
 - e. Nerve agents
 - f. Radiological materials
 - g. Vesicants (blister agents)

605-8.3 Competencies — Planning the Response

605-8.3.1 Identifying Response Objectives

Given an analysis of a hazardous materials/WMD incident, the incident commander shall be able to describe the steps for determining response objectives (defensive, offensive, and nonintervention).

605-8.3.2 Identifying the Potential Response Options

Given scenarios involving hazardous materials/WMD, the incident commander shall identify the possible response options (defensive, offensive, and nonintervention) by response objective for each problem and shall complete the following tasks:

1. Identify the possible response options to accomplish a given response objective.
 - a. Offensive
 - i. Rescue
 - ii. Public Protective Actions
 - iii. Spill Control
 - iv. Leak Control
 - v. Fire Control
 - vi. Clean up and recovery
 - b. Defensive
 - i. Public Protective Actions
 - ii. Spill Control
 - iii. Fire Control
 - iv. Clean up and recovery
 - c. Non intervention - Public Protective Actions
2. Identify the purpose of each of the following techniques for hazardous materials control:

- a. Absorption
- b. Adsorption
- c. Blanketing
- d. Covering
- e. **Contamination isolation**
- f. Damming
- g. Diking
- h. Dilution
- i. Dispersion
- j. Diversion
- k. Fire suppression
- l. Neutralization
 - c. For corrosive releases
 - a. Not for use on living tissue – use primarily on decon equipment or neutralize spills
 - b) Process generates heat
 - c) Final solution should be as close to pH 7 as possible
 - d) pH disposal guidelines dependent on AHJ
 - d. For other chemical releases
 - ii. Consult technical reference
 - iii. Process typically generates heat
 - iv. pH disposal guidelines dependent on AHJ
- m. Overpacking
- n. Patching
- o. Plugging
- p. Pressure isolation and reduction (flaring; venting; vent and burn; isolation of valves, pumps, or energy sources)
- q. Retention
- r. Solidification
- s. Transfer
- t. Vapor control (dispersion, suppression)

605-8.3.3

Approving the Level of Personal Protective Equipment

Given scenarios involving hazardous materials/WMD with known and unknown hazardous materials/WMD, the incident commander shall approve the personal protective equipment for the response options specified in the incident action plan in each situation and shall complete the following tasks:

1. Identify the four levels of chemical protection (EPA/OSHA) and describe the equipment required for each level and the conditions under which each level is used.
 6. Level A – Vapor Protective Chemical Protective Clothing (CPC)
 - d. Encapsulated garment
 - e. Requires SCBA (positive pressure self contained breathing apparatus) or SAR (supplied air respirator) use
 7. Level B – Splash Protective CPC
 - i. Encapsulated garment
 - ii. Non-encapsulated garment
 - iii. Requires SCBA or SAR use
 8. Level C – Splash Protective CPC
 - i. Non-encapsulated garment
 - ii. Utilizes APR (air purifying respirator) or PAPR (powered air purifying respirator)
 9. Level D – Non-emergency/hazardous materials response work clothing

10. Chemical protective clothing for Level A, Level B or Level C ensembles should be selected based on one of the following applicable criteria:
 - i. NFPA 1991 *Standard on Vapor Protective Ensembles for Hazardous Materials Emergencies*
 - ii. NFPA 1992 *Standard on Liquid Splash Protective Ensembles and Clothing for Hazardous Materials Emergencies*
 - iii. NFPA 1994 *Standard on Protective Ensembles for First Responders to CBRN Terrorism Incidents*

2. Describe the following terms and explain their impact and significance on the selection of chemical-protective clothing:
 - a. Degradation
 - b. Penetration
 - c. Permeation

3. Describe three safety considerations for personnel working in vapor-protective, liquid splash-protective and high temperature-protective clothing.
 - a. Loss of dexterity
 - b. Limited vision
 - c. Reduced communications capability
 - d. Heat and/or cold stress
 - e. Need for rehabilitation

4. Identify the physiological and psychological stresses that can affect users of personal protective equipment.
 - a. Physiological
 - i. Extreme heat or cold operating conditions
 - ii. Noise
 - iii. Reduced vision from fogging of CPC or SCBA face pieces
 - iv. Operations in low-light or low-visibility environments
 - v. Reduced handling and dexterity due to the need to wear several layers of gloves
 - vi. Adverse weather conditions
 - vii. Physical hazards and the physical operating environment
 - b. Psychological
 - i. Lack of physical fitness and the physical ability to perform the required tasks
 - ii. Response operations involving injuries, fatalities or high-risk operations
 - iii. Operations within enclosed or confined space environments
 - iv. Background and experience levels in both wearing CPC and operating in hostile environments
 - v. Fear of either suit or respiratory protection failure

605-8.3.4 **Developing an Incident Action Plan**

Given scenarios involving hazardous materials/WMD incidents, the incident commander shall develop an incident action plan, including site safety and control plan, consistent with the emergency response plan or standard operating procedures and within the capability of the available personnel, personal protective equipment, and control equipment, and shall complete the tasks in 8.3.4.1 through 8.3.4.5.5.

605-8.3.4.1 The incident commander shall identify the steps for developing an incident action plan.

4. Analyze - Analyze the incident

5. Plan - Develop the Incident Action Plan including the following:
 - a. Site restrictions
 - b. Entry objectives
 - c. On-scene organization and control
 - d. Selection of personal protective equipment
 - e. Site safety plan (ICS 208HM)
 - f. Communications procedures
 - g. Emergency procedures and personnel accountability
 - h. Emergency medical care arrangements
 - i. Rehabilitation plan
 - j. Decontamination procedures
 - k. On-scene work assignments (branches)
 - l. Ensure debriefing and critiquing of the incident is conducted once the incident is terminated
 - m. Document the plan using:
 - i. Appropriate regulatory agency methods as necessary
 - ii. Department of Homeland Security – National Incident Management System/Incident Command System standardized forms
 - a) ICS 201 Incident Briefing Form
 - b) ICS 202 Incident Objectives Worksheet
 - c) ICS 203 Organization Assignment List
 - d) ICS 204 Division Assignment List
 - e) ICS 205 Communications Plan
 - f) ICS 206 Medical Plan
 - g) ICS 208HM Site Safety and Control Plan
 - h) ICS 211 Incident Check-in List
 - i) ICS 213 General Message
 - j) ICS 214 Unit Log
 - k) ICS 215 Incident Planning Worksheet
 - l) ICS 215A Incident Action Plan Safety Analysis

3. Implement - Implement the plan

4. Evaluate - Evaluate the plan's effectiveness and revise as necessary

605-8.3.4.2 The Incident Commander shall identify the factors to be evaluated in selecting public protective actions, including evacuation and sheltering-in-place.

1. The Hazardous Material Involved
 - a. Degree of health hazard
 - b. Chemical and physical properties
 - c. Amount involved
 - d. Containment/control of release
 - e. Rate of vapor movement
2. The Population Threatened
 - a. Location
 - b. Number of people
 - c. Time available to evacuate or shelter in-place
 - d. Ability to control evacuation or shelter-in-place
 - e. Building types and availability
 - f. Special institutions or populations, e.g., nursing homes, hospitals, prisons
3. Weather Conditions

- a. Effect on vapor and cloud movement
- b. Potential for change
- c. Effect on evacuation or protection in-place

605-8.3.4.3 Given the emergency response plan or standard operating procedures, the incident commander shall identify which agency entity will perform the following:

1. Receive the initial notification
2. Provide secondary notification and activation of response agencies
3. Make ongoing assessments of the situation
4. Command on-scene personnel (incident management system)
5. Coordinate support and mutual aid
6. Provide law enforcement and on-scene security (crowd control)
7. Provide traffic control and rerouting
8. Provide resources for public safety protective action (evacuation or shelter in-place)
9. Provide fire suppression services
10. Provide on-scene medical assistance (ambulance) and medical treatment (hospital)
11. Provide public notification (warning)
12. Provide public information (news media statements)
13. Provide on-scene communications support
14. Provide emergency on-scene decontamination
15. Provide operations-level hazard control services
16. Provide technician-level hazard mitigation services
17. Provide environmental remedial action (cleanup) services
18. Provide environmental monitoring
19. Implement on-site accountability
20. Provide on-site responder identification
21. Provide incident command post security
22. Provide incident or crime scene investigation
23. Provide evidence collection and sampling

605-8.3.4.4 The incident commander shall identify the process for determining the effectiveness of a response option based on the potential outcomes.

1. Evaluate the effectiveness of the response based on:
 - a. Are the IAP objectives being met?
 - b. What problems have arisen?
2. Revise or modify the incident action plan based on identified needs
3. Reevaluate the effectiveness of the revised IAP
4. Continually monitor the effectiveness of the IAP

605-8.3.4.5 The incident commander shall identify the safe operating practices and procedures that are required to be followed at a hazardous materials/WMD incident.

1. Approach cautiously from upwind, uphill and up stream
2. Secure the scene
 - a. Establish command
 - b. Implement ICS
 - c. Implement isolation zones
3. Identify the hazards
4. Assess the situation - perform hazard and risk analysis
5. Obtain help as needed
 - a. Ensure that all responders are only assigned to duties commensurate with their level of training
 - b. Awareness level personnel cannot intervene directly with the material
 - c. Operations level personnel can only perform defensive response tasks
 - d. Operations personnel trained to a mission specific competency may perform that task under the direct supervision of Technician level personnel
 - e. Technician level personnel may perform offensive response activities
 - f. Specialist personnel may provide technical assistance, advice or response support depending on their degree of training
 - g. Skilled support personnel may operate special equipment needed to support the response. They may not have any hazardous materials training and must be adequately briefed prior to being utilized.
6. Decide on site entry – if applicable
7. Respond
 - a. Develop IAP
 - b. Develop site safety plan
 - c. Implement IAP
8. Above all, do not come into contact with the material
 - a. Do not smell the material
 - b. Do not touch the material
 - c. Do not taste the material

605-8.3.4.5.1 The incident commander shall identify the importance of pre-incident planning relating to safety during responses to specific sites.

605-8.3.4.5.2 The incident commander shall identify the procedures for presenting a safety briefing prior to allowing personnel to work on a hazardous materials/WMD incident.

1. Orient personnel to the scene
2. Identify objectives
3. Identify scene safety and health considerations
4. Designate a safety officer
5. Identify emergency medical care procedures – ICS 206 Medical Plan
6. Establish environmental monitoring
7. Identify emergency procedures
 - a. Communications plan
 - b. Safe havens
 - c. Back-up team
 - d. Buddy system
 - e. Establish decon plan – have technical decon and emergency decon procedures in place
 - f. Identify SOPs and other safe work practices that apply
8. Conduct personnel monitoring
 - a. Pre and post entry medical screening
 - b. Personnel accountability

605-8.3.4.5.3 The incident commander shall identify at least three safety precautions associated with search and rescue missions at hazardous materials/WMD incidents.

1. Buddy system
2. Back up team
3. PPE requirements - based on scene size up and the hazard and risk analysis

605-8.3.4.5.4 The incident commander shall identify the advantages and limitations of the following and describe an example where each decontamination method would be used:

1. Absorption
2. Adsorption
3. Chemical degradation
4. Dilution
5. Disinfection
6. Evaporation

7. Isolation and disposal
8. Neutralization
9. Solidification
10. Sterilization
11. Vacuuming
12. Washing

605-8.3.4.5.5 The incident commander shall identify the atmospheric and physical safety hazards associated with hazardous materials/WMD incidents involving confined spaces.

1. Atmospheric hazards
 - a. Oxygen-deficient atmosphere
 - b. Oxygen-enriched atmosphere
 - c. Flammable and explosive atmospheres
 - d. Toxic atmosphere
2. Physical hazards
 - a. Engulfment hazards
 - b. Falls and slips
 - c. Electrical hazards
 - d. Structural hazards
 - i. Limited egress
 - ii. Extended travel distances
 - iii. Darkness
 - e. Mechanical hazards
 - f. Poor communications

605-8.4 **Competencies — Implementing the Planned Response**

605-8.4.1 **Implementing an Incident Command System**

Given a copy of the emergency response plan and annexes related to hazardous materials/WMD, the incident commander shall identify the requirements of the plan, including the procedures for notification and utilization of nonlocal resources (private, state, and federal government personnel), and shall meet **by completing** the following requirements:

1. Identify the role of the incident commander during a hazardous materials/WMD incident.
 - a. The incident commander (IC) shall be that person responsible for all incident activities, including the development of strategies and tactics and the ordering and release of resources.
 - b. The incident commander is the responder in charge of a single command ICS structure.
2. Describe the concept of unified command and its application and use at a hazardous materials/WMD incident.
 - a. Unified command involves establishing a unified command team of command-level representatives from each of the primary responding agencies that develop strategies and tactics and authorize the ordering and release of resources.

- b. Unified command team shares command responsibilities but the responsible party plays the lead role.
3. Identify the duties and responsibilities of the following hazardous materials branch/group functions within the incident command system:
 - a. Decontamination
 - b. Entry (backup)
 - c. Hazardous materials branch director or group supervisor
 - d. Hazardous materials safety
 - e. Information and research
4. Identify the steps for implementing the emergency response plans required under Title III Emergency Planning and Community Right-to-Know Act (EPCRA) of the Superfund Amendments and Reauthorization Act (SARA) Section 303, or other state and emergency response planning legislation.
 - a. An event occurs
 - b. The emergency management/response system is activated
 - c. Responders respond to the scene
 - d. The local, state, federal, or facility response plan is implemented per AHJ
5. Given the emergency response planning documents, identify the elements of each of the documents.
 - a. Facility emergency response plans
 - b. Pre-incident tactical plans
 - c. Published emergency response references
 - d. Shipping documents
6. Identify the elements of the incident management system/**incident command system (IMS/ICS)** necessary to coordinate response activities at hazardous materials/WMD incidents.
 - a. Command staff
 - i. Incident commander
 - ii. Incident Safety Officer
 - iii. Public Information Officer
 - iv. Liaison Officer
 - b. General Staff
 - i. Operations Section Chief – Hazardous Materials Branch or Group
 - a) Primary hazardous materials group or branch functions include:
 - i) Hazardous materials branch/group supervision (Hazardous Materials Branch Director/Group Supervisor)
 - ii) Safety (Assistant Safety Officer – Hazardous Materials)
 - iii) Site Access Control (Site Access Control Unit Leader)
 - (a) Establishes Hazard Control Zones
 - (b) Manages Safe Refuge Area
 - iv) Entry Team Operations (Entry Team Leader)
 - (a) Recon team
 - (b) Entry team(s)
 - (c) Back-up team
 - v) Decontamination (Decon Team Leader)
 - vi) Information/research coordination (Information/Research Team Leader)

- (a) Technical/Product Specialist
 - (b) Environmental/Remediation Contractors
 - (c) Governmental or External Agency Liaisons
 - b) Secondary hazardous materials group or branch functions include:
 - i) Resources/logistics
 - ii) Medical (Medical Unit Leader)
 - iii) Incident rehabilitation (Rehabilitation Unit Leader)
 - iv) The above secondary functions are performed by the Hazardous Materials Branch/Group only if they are not being performed by the logistics section, i.e., logistics section has not been activated.
 - ii. Planning Section Chief – as applicable
 - iii. Logistics Section Chief – as applicable
 - iv. Finance/Admin. Section Chief – as applicable
7. Identify the primary government agencies and identify the scope of their regulatory authority (including the regulations) pertaining to the production, transportation, storage, and use of hazardous materials and the disposal of hazardous wastes.
- a. Federal
 - i. DHS – Department of Homeland Security
 - ii. DOT – Department of Transportation
 - iii. EPA – Environmental Protection Agency
 - iv. FAA – Federal Aviation Administration
 - v. NRC – Nuclear Regulatory Commission
 - vi. OSHA – Occupational Safety and Health Administration
 - vii. USCG – United States Coast Guard
 - b. State
 - i. DPS – Department of Public Safety
 - ii. Railroad Commission
 - iii. TCEQ – Texas Commission on Environmental Quality
 - iv. TDSHS – Texas Department of State Health Services
 - v. TGLO – Texas General Land Office
 - vi. TXDOT – Texas Department of Transportation
 - c. Local
 - i. Local emergency management
 - ii. Local county/municipal agencies
8. Identify the governmental agencies and resources that can offer assistance during a hazardous materials/WMD incident and identify their role and the type of assistance or resources that might be available.
- a. Federal
 - i. DHS - Homeland Security Issues
 - ii. FBI - Crisis Management
 - iii. FEMA - Consequence Management
 - iv. EPA - Environmental Management
 - v. US Coast Guard - Navigable Waterway Management & Port Security
 - vi. DOD - Explosives, Munitions, Military Shipments Technical Assistance/Response

- vii. ATF - Explosives Technical Assistance
- b. State
 - i. DPS - District Disaster Chair (DDC)
 - ii. TDEM - Emergency Management
 - iii. TCEQ - Environmental Management
 - iv. TGLO - Water Quality
 - v. TRRC - Pipelines and Propane Storage
- c. Local
 - i. Local emergency management
 - ii. Local fire department
 - iii. Local police department
 - iv. EMS providers

605-8.4.2

Directing Resources (Private and Governmental)

Given a scenario involving a hazardous materials/WMD incident and the necessary resources to implement the planned response, the incident commander shall demonstrate the ability to direct the resources in a safe and efficient manner consistent with the capabilities of those resources.

Criteria and factors should include the following:

1. Task assignment (based on strategic and tactical options)
2. Operational safety
3. Operational effectiveness
4. Planning support
5. Logistics support
6. Administrative support

605-8.4.3

Providing a Focal Point for Information Transfer to the Media and Elected Officials

Given a scenario involving a hazardous materials/WMD incident, the incident commander shall identify information to be provided to the media and local, state, and federal officials and shall complete the following tasks:

1. Identify the local policy for providing information to the media. (AHJ)
2. Identify the responsibilities of the public information officer **and the liaison officer** at a hazardous materials/WMD incident.
3. Describe the concept of a joint information center (JIC) and its application and use at a hazardous materials/WMD incident.

605-8.5

Competencies — Evaluating Progress

605-8.5.1

Evaluating Progress of the Incident Action Plan

Given scenarios involving hazardous materials/WMD incidents, the incident commander shall evaluate the progress of the incident action plan to determine whether the efforts are accomplishing the response objectives and shall complete the following tasks:

1. Identify the procedures for evaluating whether the response options are effective in accomplishing the objectives.

- a. Evaluate the effectiveness of the response based on:
 - i. Are the IAP objectives being met?
 - ii. What problems have arisen?
 - b. Revise or modify the incident action plan based on identified needs
 - c. Reevaluate the effectiveness of the revised IAP
 - d. Continually monitor the effectiveness of the IAP
2. Identify the steps for comparing actual behavior of the material and the container to that predicted in the analysis process.

Identifying and predicting material and container behavior can be done utilizing the General Hazardous Materials Behavior Model which includes identifying the following:

7. Stress event
 - v. Thermal stress
 - vi. Mechanical stress
 - vii. Chemical stress
8. Breach event
 - f. Disintegration
 - g. Runaway Cracking
 - h. Failure of Container Attachments
 - i. Container Punctures
 - j. Container Splits or Tears
9. Release event
 - i. Detonation
 - ii. Violent Rupture
 - iii. Rapid Relief
 - iv. Spills or Leaks
10. Engulfing event
 - f. Identify the hazardous material or the energy likely to engulf the area
 - g. What form is the energy or matter in?
 - h. What is making it move?
 - i. What path will it follow?
 - j. What type of dispersion pattern will it create?
 - vi. Cloud
 - vii. Cone
 - viii. Plume
 - ix. Stream
 - x. Irregular
11. Impingement event (typically categorized based on duration)
 - i. Harmful characteristics of material
 - ii. Concentration of the hazardous material
 - iii. Duration of the impingement
 - iv. Characteristics of the exposure
12. Harm event
 - h. Thermal
 - i. Toxicity/poison
 - j. Radiation
 - k. Asphyxiation
 - l. Corrosivity
 - m. Etiological
 - n. Mechanical

3. Determine the effectiveness of the following:

- a. Control, containment, or confinement operations
 - b. Decontamination process
 - c. Established control zones
 - d. Personnel being used
 - e. Personal protective equipment
4. Make modifications to the incident action plan as necessary.

605-8.5.2 **Transferring Command and Control Both During the Response Phase and the Post-Response Phase**

Given a scenario involving a hazardous materials/WMD incident, the emergency response plan, and standard operating procedures, the incident commander shall be able to identify the steps to be taken to transfer command and control of the incident

1. **Transfer of Command briefings should include the following information**
 - a. **Nature of the emergency**
 - b. **Actions taken to stabilize and resolve the emergency**
 - c. **Resource(s) status**
 - d. **Name and amount of hazardous material(s) involved**
 - e. **Hazards and risks that were mitigated and those that still exist**
 - f. **Safety procedures**
 - g. **Relevant documentation and points of contact**
 - h. **Parties responsible for the spill**
 - i. **Law enforcement agencies responsible for traffic control**
 - j. **State, municipal, or other regulatory authority having jurisdiction**

605-8.6 **Competencies — Terminating the Incident**

605-8.6.1 **Transferring Command and Control Terminating Response Operations**

Given a scenario involving a hazardous materials/WMD incident in which the incident action plan objectives have been achieved, the emergency response plan, and standard operating procedures, the incident commander shall be able to identify the steps to be taken to transfer command and control of the incident and shall be able to demonstrate the transfer of command and control the hazardous materials incident commander shall describe the steps taken to terminate the incident consistent with the emergency response plan and/or standard operating procedures and shall complete the following tasks:

1. **Identify the steps required for terminating the hazardous materials/WMD incident**
 - a. **Conduct debriefings**
 - b. **After action review or critique**
 - c. **Post incident analysis**
 - d. **Incident reporting/documentation**
2. **Identify the procedures for conducting incident debriefings at a hazardous materials/WMD incident**
 - a. **Select a facilitator**
 - b. **Inform responders of potential exposures**
 - c. **Signs and symptoms of potential exposures**
 - d. **Identify damaged equipment**
 - e. **Identify expended supplies**
 - f. **Identify equipment decontamination or disposal needs**
 - g. **Identify unsafe site conditions**
 - h. **Assign information gathering responsibilities**

- i. **Assess need for critical incident stress management (formerly CISD)**
- j. **Assign a point of contact**

605-8.6.2 **Conducting a Debriefing**

Given scenarios involving a hazardous materials/WMD incident, the incident commander shall conduct a debriefing of the incident and shall complete the following tasks:

An effective debriefing should address the following informational issues regarding response activities:

- Positive aspects – Identify strengths or things that went well that need to be maintained or continued
 - Negative aspects – Identify weaknesses that went poorly and need to be corrected
 - Unique aspects – Unusual or unsuspected conditions that may need to be addressed or planned for
1. Describe three components of an effective debriefing.
 - f. Inform responders of the potential signs and symptoms of any possible hazardous materials exposures
 - g. Identify:
 - i. Damaged equipment
 - ii. Expended supplies
 - iii. Items that need to be disposed
 - iv. Unsafe site conditions
 - d. Assign:
 - ii. information gathering responsibilities for a post-incident analysis and critique
 - iii. Point of contact for any follow up on incident related issues
 - e. Assess the need for Critical Incident Stress **Debriefing Management (formerly CISD)**
 2. Describe the key topics in an effective debriefing.
 - a. Health information
 - b. Equipment and apparatus exposure review
 - c. A follow-up contact person
 - d. Problems requiring immediate action
 - e. Thank you!
 3. Describe when a debriefing should take place.
 - a. As soon as the “emergency phase” of the incident is over
 - b. Should be before any responders leave the scene
 4. Describe who should be involved in a debriefing.
 - a. Hazardous Materials Response Team
 - b. Incident Commander
 - c. Section Chiefs/Branch Directors/Division and Group Supervisors, etc.
 - d. Information Officer
 - e. Agency representatives or key players as determined by the Incident Commander (i.e. Safety Officer and Agency Liaisons)
 5. Identify the procedures for conducting incident debriefings at a hazardous materials/WMD incident.

605-8.6.3 **Conducting a Critique**

Given details of a scenario involving a multiagency hazardous materials/WMD incident, the incident commander shall conduct a critique of the incident and shall complete the following tasks:

1. Describe three components of an effective critique.
 - a. Direction
 - b. Participation
 - c. Solutions
2. Describe who should be involved in a critique.
 - a. Hazardous Materials Response Team
 - b. Incident Commander
 - c. Section Chiefs/Branch Directors/Division and Group Supervisors, etc.
 - d. Information Officer
 - e. Agency representatives or key players as determined by the Incident Commander (i.e. Safety Officer and Agency Liaisons)
3. Describe why an effective critique is necessary after a hazardous materials/WMD incident.
 - a. Develop recommendations for improving the emergency response team
 - b. Promotes systems-dependent operations rather than people-dependent organizations
 - c. Promotes a willingness to cooperate through teamwork
 - d. Promotes improvement of safe operating procedures
 - e. Promotes sharing of information among emergency response organizations
4. Describe what written documents should be prepared as a result of the critique.
 - a. Post-Critique Report
 - b. Formal-Critique Report
5. Implement the procedure for conducting a critique of the incident.

605-8.6.4

Reporting and Documenting the Hazardous Materials/WMD Incident

Given a scenario involving a hazardous materials/WMD incident, the incident commander shall demonstrate the ability to report and document the incident consistent with local, state, and federal requirements and shall complete the following tasks:

1. Identify the reporting requirements of the federal, state, and local agencies.
 - a. Incident action plan and all components
 - b. Site safety plan and all components
 - c. Other documentation required by AHJ
2. Identify the importance of the documentation for a hazardous materials/WMD incident, including training records, exposure records, incident reports, and critique reports.
3. Identify the steps in keeping an activity log and exposure records for hazardous materials/WMD incidents.
 - a. Activity log
 - i. Record major event(s)
 - ii. Record time major event(s) occurred
 - iii. Briefly describe major event(s)
 - iv. Additional information to include

- a) Information that may assist in the investigation or cost recovery process
 - b) Task assignments
 - c) Task completion
 - d) Injuries and exposures
 - b. Exposure records
 - i. General information
 - a) Name of exposed worker
 - b) Personal ID number
 - c) Assignment/station
 - d) Incident date
 - e) Incident number
 - f) Incident location
 - ii. Nature of incident
 - iii. Level of personal protection
 - iv. Emergency response activity
 - v. Exposure data
 - a) Method of exposure
 - b) Duration of exposure
 - vi. Medical treatment provided
 - a) Signs and symptoms
 - b) On-scene medical treatment
 - c) Medical facility treatment
 - d) Follow-up action required
 - vii. Medical treatment provided
 - a) Comment section
 - b) Individual's signature and date
 - c) Officer's signature and date
4. Identify the requirements for compiling hazardous materials/WMD incident reports found in the emergency response plan or standard operating procedures.
 5. Identify the requirements for filing documents and maintaining records found in the emergency response plan or standard operating procedures.
 6. Identify the procedures required for legal documentation and chain of custody and continuity described in the standard operating procedures or the emergency response plan.

**CHAPTER 6
SECTION 605
HAZARDOUS MATERIALS INCIDENT COMMANDER
CURRICULUM OUTLINE**

SECTION	SUBJECT	RECOMMENDED HOURS
605-8.1	General - Introduction - Laws, Regulations, and National Consensus Standards	1
605-8.2	Analyzing the Incident	4
605-8.3	Planning the Response	9
605-8.4	Implementing the Planned Response	4
605-8.5	Evaluating Progress	2
605-8.6	Terminating the Incident	4
	TOTAL RECOMMENDED HOURS	24

The recommended hours include time for skills evaluation and are based on 12 students. Hours needed depend on the actual number of students.

REFERENCE LIST FOR THE HAZARDOUS MATERIALS INCIDENT COMMANDER CURRICULUM

This Reference List is provided as a general guide for both instructors and students to locate information pertaining to the specific objectives in the TCFP Curriculum. This list is **not** all-inclusive and does not in any way limit TCFP development and use of questions to test the objectives of the curriculum:

Required References

Texts

- Certification Curriculum Manual*. Texas Commission on Fire Protection. (Most current edition). Austin, TX: Texas Commission on Fire Protection.
- Code of Federal Regulations, Title 29 Part 1910.120, Appendix A*. United States. U.S. Department of Labor, Occupational Safety & Health Administration.
http://edocket.access.gpo.gov/cfr_2007/julqtr/pdf/29cfr1910.120.pdf
- Emergency Response Guidebook*. United States. (Most current edition). Washington, DC: U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration.
- Hazardous Materials: Managing the Incident, 4th edition*. Noll, G. G., Hildebrand, M. S., Schnepf, R. & Rudner, G.D. & Yvorra, J. G. (2005 ~~2014~~). MD: Red Hat Publishing, Inc. **Burlington, MA: Jones and Bartlett.**
- Hazardous Materials/Weapons of Mass Destruction Response Handbook, 5th ~~6th~~/2013 edition*. Trebisacci, D.-G. **McGowan, T.** (2008 ~~2012~~). Quincy, MA: National Fire Protection Association.
- NFPA 472: Standard for Professional Competence of Responders to Hazardous Materials Incidents. (2008 ~~2013~~ ed.)*. Quincy, MA: NFPA Publications. National Fire Protection Association
- NIOSH Pocket Guide to Chemical Hazards*. Cincinnati National Institute for Occupational Safety and Health. (Most current edition). OH: US Department of Health and Human Services, Public Health Service, Centers for Disease Control and Prevention, National Institute for Occupational Safety and Health.
<http://www.cdc.gov/niosh/npg/>
- Standards Manual for Fire Protection Personnel*. Texas Commission on Fire Protection. (Most current edition). Austin, TX: Texas Commission on Fire Protection.

Recommended References

The most current edition of the following publications and media are recommended (not required) supplemental material for program use.

Texts

- Bretherick's Handbook of Reactive Chemical Hazards*. Urben, P. G., Pitt, M. J., & Bretherick, L. (2007). Amsterdam: Elsevier.
- CHRIS: Chemical Hazards Response Information System*. United States. (1992). COMDTINST, M16465.11B. Washington, DC: U.S. Dept. of Transportation, U.S. Coast Guard.
- Dangerous Properties of Industrial and Consumer Chemicals*. Cheremisinoff, N. P., King, J. A., & Boyko, R. (1994). New York, NY: M. Dekker.

Emergency Care for Hazardous Materials Exposure. Currance, P., Bronstein, A. C., & Clements, B. (2005). St. Louis, MO: Mosby.

Emergency Handling of Hazardous Materials in Surface Transportation. Association of American Railroads. (~~2009~~ **2011**). Washington, DC: Association of American Railroads.

Fire Fighter's Handbook of Hazardous Materials, Baker, Charles T., 7th edition. (2006). Sudsbury, MA: Jones and Bartlett.

Fire Protection Guide to Hazardous Materials. National Fire Protection Association. (~~2001~~ **2010 edition**). Quincy, MA: National Fire Protection Association.

Hawley's Condensed Chemical Dictionary. Lewis, R. J., & Hawley, G. G. (2007). West Sussex, England: Wiley.

Hazardous Materials: Managing the Incident: Field Operations Guide. ~~Chester Bevelacqua, A. S., Hildebrand, M. S., & Noll, G. G.~~ **2nd Edition** (~~2007~~ **2013**). MD: ~~Red Hat Publishing, Inc.~~ **Jones and Bartlett Publishing**

Symbol Seeker: Hazard Identification Manual. Burns, P. P. (2002). Preston, England: Symbol Seeker.

Media

Chlorine Emergencies: An Overview for First Responders. Chlorine Institute. (2007). Arlington, VA: The Chlorine Institute.

Hazardous Materials Containment Series. Action Training Systems. [4 Disc DVD Set]. Hazardous materials containment - series of 4 titles. Seattle, WA: Action Training Systems.

Hazardous Materials: Managing the Incident DVD Series. Massingham, G., Noll, G. G., Hildebrand, M. S., & Noll, G. G. (2005). [8 Disc DVD Set]. Edgartown, MA: Emergency Film Group.

12. Report from Ad Hoc committee regarding title 37 TAC, Chapter 403, Criminal Convictions and Eligibility for Certification.

13. Discussion and possible action on matters from the Executive Director.

A. Report on decisions of the Executive Director in contested cases and consent orders.

13. Discussion and possible action on matters from the Executive Director.

B. Status of division functions.

Overview and Executive Office Activities

All agency functional areas began the new fiscal year with full schedules and workloads. Recent Executive Office activities of note include:

- ❖ Activities in preparation for the upcoming 2015 legislative session:
 - September 3rd: The executive office met with the Governor's liaison on September 3rd in preparation for the **joint budget hearing**.
 - September 4th: The Executive Director, Financial Services Manager, and Presiding Officer of the Commission attended the agency's **joint budget hearing**. Also in attendance were representatives from the Governor's Office, Lt. Governor's Office, Speaker of the House, Senate Finance Committee, House Appropriations Committee, the Legislative Budget Board, and Rep. Ron Simmons' Office.
 - October 15th: The Executive Director attended an **Urban Affairs Committee** meeting to serve as an information resource as needed.

- ❖ The **TCFP Administrative Attachment Study** team completed its analysis of data gathered during the study, and drafted its report in Late November. (The final report was completed and distributed in December.)

- ❖ Conferences:
 - The Executive Director conducted presentations at –
 - **Fire Instructors' Association of North Texas**, Grapevine, October 1st
 - **The Fire Chiefs' Academy**, Garland, October 6th
 - **The State Fire Marshals' Conference**, Austin, October 24th

- ❖ October 7th – 8th: Members of staff and several Commissioners attended **NFPA 1970/1851 Technical Committee** meetings in San Antonio. At issue for the agency was how it is currently managing requirements for departments to provide personnel with structure and/or proximity fire fighting protective equipment.

- ❖ The Commission's Presiding Officer directed the establishment of a **Structure/Proximity PPE work group** to discuss and provide recommendations regarding the agency's management of protective clothing requirements. The work group met on November 13th, and established recommendations to be presented to the Commissioners at their January meeting. Members of the work group included: Steve Tull, Robert Moore, Jim Reidy, Mike Wisko, Jessie Gentry (DFW Airport), Ron Krusleski (Houston Fire Dept), Paul Maldonado, and Tim Rutland.

- ❖ Other activities:
 - The Executive Director participated on the committee to determine award and distribution of **Hazardous Materials Emergency Preparedness (HMEP)** grant funds to Texas fire departments.
 - The Executive Director attended the annual **TIFMAS stakeholders' meeting** in College Station on October 23rd.

Certification, Renewal and Curriculum 1st Quarter Report, FY 2015

Certification/Renewal

- 2,118 certificates issued
- 1075 IFSAC seals issued
- 255 training facilities holding 1,470 active certifications
- 3,302 active individual certificate holders
- 29,656 certificate holders renewed
- 30 training facilities renewed
- 24 training facility certificates issued to 12 different entities

Other Activities:

- The continuing education audit program was on hiatus while the renewal of all certified personnel was being processed. We starting the program with the goal of auditing 50% of the individual certificate holders. There were 592 individuals audited in the 4rd qtr with a total of 1,390 audits completed so far this year.
- Prepared & notified all certified training facilities of upcoming renewal expiration date and the requirements.
- Amended HOD rules and presented to Advisory committee at December Meeting

Curriculum Development

Meetings

9/25/14 – FF Advisory Committee – discussed rule changes related to new levels of certification for Head of Department

10/6 - 10/7/14 – Hazmat Ad Hoc committee

10/8 - 10/10/14 – Curriculum and Testing Committee

10/16/14 – Commission: did not adopt suggested rule changes related to new levels of certification for Head of Department; approved some minor updates to all four Fire Officer reference lists

Committees

- **Hazmat Ad Hoc committee** – Committee met in October to finalize the updates to all levels of hazmat certification offered by the TCFP. The updated curricula will be reviewed by the commission in January of 2015. The tentative effective date for these updates is June 1, 2015. The committee has now begun the review of all hazmat test questions:
 - Awareness
 - Operations
 - Operations – Mission Specific Competencies
 - Technician
 - HM Incident Commander
- **Curriculum and Testing Committee**
 - Reviewed and approved curriculum updates to all hazmat levels
 - Reviewed the changes to NFPA 1031 (2014 Edition) and determined that an ad hoc committee would be formed in 2015 to update the Inspector I, II and Plans Examiner I curricula. (These curricula must be updated by June of 2016.)
 - Reviewed new test question banks created for Fire Officer I and II
- **Head Of Department** – proposed rules were submitted by the ad hoc committee to the FF Advisory Committee and were approved, but were not approved by the commission. The commission sent the rules back to the ad hoc committee for further review and adjustments.
- **Investigator** – no meetings were scheduled during this time, however committee members worked independently on updating test questions for a new test bank.

Test Development and Test Bank Maintenance

- Created 147 monthly certification exams.
- Continued regular review of test questions as required.
- Began updating several test question banks to new NFPA standard editions, new textbook editions, and/or new curricula becoming effective in 2015:
 1. Fire Officer I, II, III and IV
 2. Investigator
 3. Driver/Operator

Compliance Report for First Quarter FY 2015

Compliance Officer Position Vacancy

- Rick Wallace is the new Region 2, West Texas Plains Compliance Officer working out of Abilene. He started his fire service career with the Forest Hill Fire Department later moved to the Keller Fire Department then to the Lewisville Fire Department. After 25 years he retired. He had a short stint with TCFP then became the Fire Academy Coordinator for Weatherford College before becoming the Region 2 Compliance Officer. Rick has a Fire Science degree from Tarrant County College and is working towards his masters in Occupational Safety and Health from Columbia Southern University.

Large Department Inspections

- The Compliance officers working as a team successfully completed two large department inspections during this quarter. The 2014 Fort Worth Fire Department inspection file is closed and the 2014 Austin Fire Department biennial inspections file is tentatively closed pending the Commissioner's decision regarding the Proximity PPE related to NFPA 1851 requirements.

Training

- Each agency program area staff assisted with training the new compliance officer by providing program specific orientation and instruction. The Regional Compliance Officers provided Compliance program specific instruction to the new employee then he completed ride outs with Regional offices to learn the fire department inspection processes.

October NFPA 1851 Committee Meeting in San Antonio

- The Compliance Manager & Region 7 Compliance Officer accompanied the Executive Director in attendance at a NFPA 1851 Committee meeting. The agency staff attended with a particular interest in issues surrounding the risk assessment required for the selection of structural and proximity fire fighters ensembles. Agency staff also benefited by gaining familiarity with the processes and procedures employed by NFPA in the development of the standards adopted by the Commission and enforced by the agency.

Miscellaneous

- The Compliance Manager participated in the Structure and Proximity PPE Work Group meeting in preparation for discussion with the Commissioners at the next quarterly meeting.
- The Compliance Manager assisted with the drafting of revision recommendations to TAC 445, Administrative Inspections and Penalties for the purpose of streamlining and consistency of the processes used for enforcement.

**Commission Report
First Quarter FY 2015**

Training Approval and Testing Section

- **Test Administration, Training Approvals, Record Reviews, and Training and Skill Testing Audits Statistics – 1st Quarter, FY 2015**
 - Test Administration – 1777 exams were administered during this quarter with an average grade of 81.09% and a pass rate of 89.03%.
 - Training Approvals – Total of 202 training approvals were submitted during this quarter in the commission’s Training Facility Management System.
 - Record Reviews – Eighty-one (81) record reviews for equivalency were conducted (Twenty one paid) and 399 test packets were distributed in the 1st quarter. Eighty-two (82) Qual #s were issued in the Training Facility Management System.
 - Training and Skill Testing Audits –
 - Thirty (38) onsite training, record, and skill audits were conducted during this quarter. Three (3) deficiencies were found. The deficiencies identified dealt with incomplete records and failure to submit deviations as required. All deficiencies have been addressed.
 - Seventy-two (72) online training audits were conducted in which a few minor deficiencies were identified. These deficiencies dealt with expired passwords for online access and were quickly resolved.

- **Activities for the Next Quarter**
 - Continue to work with IT staff on the online test scheduling procedures, payment processes, and web-based testing project.
 - Continue working in conjunction with the Compliance Officers to focus on conducting more on-site training, record, and skill audits within their respective regions. The transition of the issuance of new training facilities certifications to the Training Approval and Testing Section has been completed.

FY 2015 Injury Reporting Program

	1Q	2Q	3Q	4Q	Totals
Reported Injuries	889				889
Burns	29				29
SOP-related*	9				9
Environmental-related	34				34

*Injuries involving SOP violations

<i>Publications/postings</i>					
AvoidInjury! blog posts	4				4

FY 2015 Library Program

	1Q	2Q	3Q	4Q	Totals
<i>Items loaned</i>					
AV items	71				71
Print items	14				14
<i>Research and reference requests</i>					
Internal	3				3
External	26				26
New library borrowers (new users)	8				8
Responses to borrower follow-up surveys	11				11
<i>Items cataloged</i>					
AV items	4				4
Print items	0				0
Desk copy items ordered and processed	3				3
<i>Publications/postings</i>					
Library newsletter	3				3

FY 2015 Other Public Information and Outreach Activities

	1Q	2Q	3Q	4Q	Totals
Fire department job postings	134				134
Number of departments requesting postings	122				122
Website home page articles	3				3
Facebook posts	20				20
Twitter "tweets"	25				25
Open records requests	10				10

13. Discussion and possible action on matters from the Executive Director.

- C. Report regarding discussion with Texas Department of Insurance on transfer of fire protection personnel injury information between the Commission and the Texas Department of Insurance (TDI).**

§ 419.048 Fire Protection Personnel Injury Data; Recommendations to Reduce Injuries

(a) Pursuant to Section 417.004, the commission and the commissioner of insurance as necessary to allow the agencies to perform their statutory duties, shall transfer information between the two agencies, including injury information from the Texas Fire Incident Reporting System and workers' compensation data showing claims filed by fire protection personnel.

(b) Personally identifiable information received by the commission under this section relating to injured fire protection personnel is confidential. The commission may not release, and a person may not gain access to, any information that could reasonably be expected to reveal the identity of injured fire protection personnel.

(c) The commission shall evaluate information and data on fire protection personnel injuries and develop recommendations for reducing fire protection personnel injuries. The commission shall forward the recommendations to the state fire marshal not later than September 1 of each year for inclusion in the annual report required by Section 417.0075.

(d) The commission shall establish criteria for evaluating fire protection personnel injury information to determine the nature of injuries that the commission should investigate. Based on these investigations, the commission shall identify fire departments in need of assistance in reducing injuries and may provide assistance to those fire departments.

- 14. Executive session pursuant to Section 551.074, Texas Government Code for the discussion of personnel matters: the appointment, employment, compensation, evaluation, reassignment, duties, discipline, or dismissal of the Executive Director, and the appointment, employment, reassignment, or duties of personnel acting on an Interim basis in this position.**

15. Open session for further discussion and possible action regarding preceding agenda item.

16. Adjourn meeting.