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From: Deputy Chief FJ Spinelli [FJSpinelli@hartsdalefire.org]
Sent: Saturday, February 14, 2009 3:46 PM
To: NIOSH Docket Office (CDC)
Subject: 141 - Draft NIOSH Alert: Preventing Deaths and Injuries of Fire Fighters When Fighting Fires in Unoccupied Structures

February 14, 2009

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NIOSH Mailstop: C-34
Robert A. Taft Lab.
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Dear Sirs;

The purpose of this letter is to offer my comments in regard to the draft NIOSH Alert regarding fighting fires in unoccupied structures. I commend the work of the NIOSH staff in the preparation of this document and your continued interest in reducing firefighter deaths and injuries. Nothing of what I am about to offer is intended to take away from your valuable program.

Firefighting is inherently dangerous as we all know. The safe return of our members from a structure fire is the primary objective of all firematic officers. The majority of structural responses that occur day to day in the United States do not result in a firefighter death or injury. Modern fire service officers conduct a risk/benefit analysis on every call, not just structural assignments.

The draft alert you have provided has taken the risk/benefit analysis component out of the hands of the firematic officer during structural fires. In your introductory page it is stated; "No offensive interior attacks should be made in unoccupied or unsafe structures." While I may agree that unsafe structures should not be entered for the purpose of fire extinguishment, I can not agree that an unoccupied structure should receive the same lack of response. Perhaps it is a definition issue here? An unsafe structure where I come from is a building or occupancy that is going to collapse, fall down, blow over or otherwise place my personnel and the public at an unacceptable risk of injury or death due to gravity winning. This definition may include known drug dens, factories full of toxics, abandoned buildings, and buildings where I feel there is the possibility of construction defects that could harm our members. An unoccupied

structure is simply one where all of the known occupants have left the structure. The structure is not "vacant" or "abandoned" as part of this definition.

While I may not be very happy with the components of new light weight building construction methods, and may feel that these components are "unsafe" for my personnel to operate under or over without a fire in the building, I am still obligated to investigate and extinguish a fire in these structures – while conducting an ongoing risk/benefit analysis. Obviously, if I have a suspicion that fire has involved the structural components of the structure it is time to withdraw our personnel. But to simply tell a homeowner that we are going to fight this fire from a distance while their 6000 square foot home burns to the ground due to a room and contents fire is unacceptable practice. *I do understand the reasoning that brought you to this conclusion.* I could not have been more devastated by the events that led to the death of two members of the Houston fire department on February 14, 2000 in an unoccupied McDonald's restaurant (F2000-13). In the Houston case there was a grossly negligent size-up performed and a fire attack made in a lightweight constructed building where there was obvious involvement of structural members (fire through the roof on arrival). There was no life hazard prior to the fire department entering the building. However, basic firefighting techniques and tactics failed to be utilized –for instance opening a ceiling tile by the entry door before advancing further into the structure, or utilizing a thermal imaging camera, or even following department SOPs - actions all adding insult to an already tragic event.

Situational awareness is a primary responsibility of everyone on the fireground. This awareness can not be delegated or assigned away and is one of the primary components that need to be stressed during educational programs, training and drills. Size-up of the fireground is everyone's responsibility, from probie to chief officer. This ongoing process cannot be delegated by the incident commander (IC) to another person. Suggesting that either the incident commander "OR" the incident safety officer do an initial size-up before beginning firefighting efforts is incorrect (pages 2 & 8). If the incident commander has not done a size-up, they are in no position to be in charge of firefighting operations. Again, size-ups are an ongoing process – a risk/benefit analysis that can not be delegated to another. The incident safety officer has the responsibility to conduct an independent size-up and to make recommendations to the incident commander in addition to stopping unsafe actions on the fireground. This again, is not something that can be delegated away.

On page 1 of this document you state;" Unoccupied structures, whether in current use, under construction, under renovation, or condemned, must be considered expendable in order to decrease the risk to firefighters." While I understand the underlying intent of this sentence, I believe that you have taken the concept of decreasing risk to firefighters to an extreme. Again, we need to rely on the incident commander and his/her risk benefit analysis to determine the course of action that will be taken at a structural fire, not a blanket statement that we are not going to enter a structure that is unoccupied to mitigate the situation.

Again, I appreciate the time and effort your agency has put into keeping our members out of harms way, but again ask you to review the overall mission of the fire service. You might also offer this draft to the insurance underwriters of the U.S. for input. I have included my information for you to contact me if I can be of further assistance.

Sincerely,

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