

STATE OF WEST VIRGINIA



WILLIAM D. SITES
Chairman

BILL SPENCER
Vice-Chairman

RONALD A. KYLE
Secretary

ARCH A. MOORE, JR.
Governor

STATE FIRE COMMISSION
Capitol Complex

Charleston, West Virginia 25305
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ARNETT B. CORLEY, JR.
State Fire Administrator

WALTER SMITTLE, III
State Fire Marshal

NOTICE OF AGENCY APPROVAL

LEGISLATIVE RULE: Hazardous Substance Emergency Response Training Program

The attached legislative rule constitutes the official rule approved by the West Virginia State Fire Commission on 27th of June, 1986 and filed pursuant to law with the West Virginia Secretary of State and the Legislative Rule-Making Review Committee.

A handwritten signature in cursive script that reads "Arnett B. Corley, Jr.".

Arnett B. Corley, Jr.
State Fire Administrator

Date: August 1, 1986

FILED
1986 AUG - 1 PM 12:54
SECRETARY OF STATE

HAZARDOUS SUBSTANCE EMERGENCY RESPONSE TRAINING PROGRAMS

Legislative Rule
of the
The State Fire Commission

Series 3

FISCAL NOTE
(Submit 4 copies)

HD NO. _____ DRAFT NO. _____

EXPLAIN IN A CLEAR, CONCISE MANNER WHAT EFFECT THIS MEASURE WILL HAVE ON THE COSTS AND REVENUES OF STATE GOVERNMENT.

FISCAL NOTE TO HAZARDOUS SUBSTANCE EMERGENCY RESPONSE TRAINING PROGRAM

(GIVE BILL OR RESOLUTION NUMBER WHEN AVAILABLE. OTHERWISE IDENTIFY BY SUBJECT, CODE REFERENCE, ETC.)

As currently envisioned, the only funding required for the operation of this program will be the amount of \$ 2,500.00 needed to provide overhead support for the administration of the program.

DATE

05/20/86

AGENCY

STATE FIRE COMMISSION

AUTHORIZED REPRESENTATIVE

James E. Wall
ADMINISTRATIVE ASSISTANT

FISCAL NOTE WORKSHEET

(Submit 4 copies)

D NO _____ DRAFT NO _____ BILL NO _____ RESOLUTION NO _____

SUBJECT Hazardous Substance Emergency Response Training Programs General Revenue

SOURCE OF REVENUE: GENERAL FUND SPECIAL OTHER (SPECIFY) None Non-Revenue Producing

COST ESTIMATE BASED ON: AN ORIGINAL ESTIMATE BUDGET BILL OTHER (SPECIFY) _____

INCOME ESTIMATE BASED ON: AN ORIGINAL ESTIMATE BUDGET BILL OTHER (SPECIFY) _____

SHOW OVER-ALL EFFECT IN ITEMS 1 AND 2 AND IN ITEM 3 GIVE EXPLANATION OF BREAKDOWN BY FISCAL YEAR INCLUDING LONG-RANGE EFFECT

EFFECT OF PROPOSAL	ANNUAL		FISCAL YEAR		
	INCREASE	DECREASE	CURRENT	NEXT	THEREAFTER
1. ESTIMATED TOTAL COST	\$ 2,500	\$	\$ None	\$ 2,500	\$ 2,500
PERSONAL SERVICES	\$	\$	\$	\$	\$
CURRENT EXPENSES	2,500		None	2,500	2,500
REPAIRS AND ALTERATIONS					
EQUIPMENT					
OTHER					
2. ESTIMATED TOTAL REVENUES	\$	\$	\$	\$	\$
	<u>Non-Revenue Producing</u>				

3. EXPLANATION OF ABOVE ESTIMATES (INCLUDING LONG-RANGE EFFECT):

The funds requested represent the estimated amounts required to handle the "overhead" activities associated with the training program. We estimate the funds will be needed for such activities as office supplies and printing; limited travel expenses, and for diskettes and computer paper incidental to the program.

DATE
05/20/86

AGENCY
STATE FIRE COMMISSION

AUTHORIZED REPRESENTATIVE
James E. Wall
ADMINISTRATIVE ASSISTANT

WEST VIRGINIA LEGISLATIVE RULE
STATE FIRE COMMISSION
CHAPTER 29-3-5A
SERIES 3

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Fire Commission
Leg. Rule, 29-3-5A
Series 3, Sec. 1

FILED ..
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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

SECTION 1. GENERAL

1.1 Scope - These regulations establish the rules and regulations deemed necessary by the State Fire Commission for establishing criteria for qualified training programs in hazardous substance emergency response activities and procedures for such qualified training programs to be certified by the state fire marshal.

1.2 Authority - These rules and regulations are issued under authority of West Virginia Code, Chapter 29, Article 3, Section 5a.

1.3 Effective Date - These rules and regulations were adopted by The State Fire Commission on 16 MAY 1986, 1986, passed on _____ by the Legislature on _____, 1987 and signed by the Governor on _____, 1987. The effective date of these rules and regulations is _____, 1987.

SECTION 2. CRITERIA FOR QUALIFIED TRAINING PROGRAM IN HAZARDOUS SUBSTANCE EMERGENCY RESPONSE ACTIVITIES

2.1 SCOPE. The hazardous substance emergency response training programs (HSERTP) must encompass the assessment of hazardous materials/substances emergency threat to people, property, and systems through an analytical study of general hazardous materials emergency behaviors.

2.2 GOAL. The goal of every HSERTP is to provide emergency personnel with basic knowledge necessary to analyze a hazardous materials incident before selecting appropriate action alternatives.

2.3 DEFINITIONS.

2.3.1 "Hazardous substance" means any "hazardous substance" as defined in subsection (g), section three, article thirty-one, chapter sixteen of this code, any "chemical substance and materials" listed in the rules and regulations promulgated by the commissioner of labor pursuant to section eighteen, article three, chapter twenty-one of this code, and any "hazardous waste" as defined in subdivision (7), section three, article five-e, chapter 20 of this code.

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Leg. Rule, 29-3-5A
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2.3.2 First Response Personnel means the earliest in time or succession of the arrival of personnel at the scene of an incident involving a hazardous substance(s).

2.3.3 Hazardous Substance Emergency Response Program means a structured program which provides instruction to Personnel on the response capabilities for mitigation of a hazardous substance(s) incident.

2.4 FIRST RESPONSE PERSONNEL PROGRAM

2.4.1 The instructional program curriculum shall provide knowledge of the following sequence of events common to most hazardous material incidents:

2.4.1.1 APPROACH TO THE SITE: Develop the ability to identify clues of hazardous substances that indicates a potential danger which requires first response personnel to approach the incident cautiously.

2.4.1.2 IDENTIFICATION OF HAZARDS: Understands the methodology for identifying hazardous substances and use of available resources for identification.

2.4.1.3 SECURITY OF THE SITE: Knowledge of the procedures for isolating the site to assure the safety of persons and the environment.

2.4.1.4 OBTAINING HELP: Develop familiarity with the procedures for requesting assistance from responsible agencies, CHEMTREC, etc.

2.4.1.5 ENTRY TO THE SITE: Knowledge of the principal facts relating to the use of personal protective equipment and rescue of persons, without compounding the problem.

2.5 INDUSTRIAL HAZARDOUS MATERIAL RESPONSE PROGRAMS

2.5.1 The industrial training program shall provide:

2.5.1.1 Knowledge of the chemical properties or reference sources to obtain the chemical properties of the substance such as:

2.5.1.2 Flammability

2.5.1.3 Health Risks (To emergency response personnel)

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Leg. Rule, 29-3-5A
Series 3, Sec 2

- 2.5.1.4 Reactivity
- 2.5.1.5 Environmental concerns
- 2.5.1.6 Fire extinguishment methods
- 2.5.1.7 Synonyms, trade names, etc.
- 2.5.2 General knowledge of shipping containers:
 - 2.5.2.1 Design criteria
 - 2.5.2.2 Recommended materials of container construction
 - 2.5.2.3 Valve locations & operation
 - 2.5.2.4 Container Markings (identification)
- 2.5.3 Appropriate personal protective equipment such as:
 - 2.5.3.1 Self contained breathing apparatus, respirators, etc.
 - 2.5.3.2 Chemical Suits (if necessary)
 - 2.5.3.3 Others as required
- 2.5.4 Use of monitoring equipment:
 - 2.5.4.1 Toxic gas or vapor detection devices
 - 2.5.4.2 Combustible gas measuring devices
 - 2.5.4.3 Other appropriate test equipment
- 2.5.5 Hazard mitigation techniques such as:
 - 2.5.5.1 Diking/Containment
 - 2.5.5.2 Container patching/repair
 - 2.5.5.3 Sorbent materials
 - 2.5.5.4 Neutralizing agents
 - 2.5.5.4 Use of water fog patterns
 - 2.5.5.5 Fire fighting foam and special additives
 - 2.5.5.6 Transloading
- 2.5.6 Decontamination of:
 - 2.5.6.1 Personnel
 - 2.5.6.2 Equipment
 - 2.5.6.3 Environment

SECTION 3. RECORD OF PARTICIPATION - The individual organization, agency, department or enterprise is responsible for maintaining a record of those individuals receiving the appropriate training.

Fire Commission
Leg. Rule, 29-3-5A
Series 3, Sec. 4

SECTION 4. PROCEDURES FOR CERTIFICATION OF TRAINING PROGRAMS

4.1 Any person, firm, corporation, or governmental entity may request certification of their hazardous material response training program by submitting a copy of the program to the State Fire Marshal.

4.2 The desired level of certification such as first response or industrial must be designated.

4.3 The instructional program curriculum must address each of the topics as outlined in Section 2: D and E.

4.4 State Fire Marshal shall approve the program contingent upon compliance with Section 2 of these rules and regulations.

REGISTRATION OF PUBLIC
AT
STATE FIRE COMMISSION MEETINGS

Meeting: Public Hearing; June 27, 1986; Training Program Hazardous Materials Response
Room 260 M, State Capitol Building

NAME	ADDRESS	REPRESENTING	PLEASE CHECK (X) IF YOU DESIRE TO MAKE A STATEMENT
Please print or write plainly <i>Paul Horn</i>		<i>State Fire Marshall</i>	
<i>R.T. Clark</i>	<i>P.O. Box 68 Washington WV</i>	<i>Borg Warner Chemicals</i>	
<i>D.R. McCullough</i>	<i>P.O. Box 235 BELFIRE, OH</i>	<i>SHELL CHEMICAL CO</i>	
<i>Yvonne Ferguson</i>	<i>1 Timmy Ct, Murren WV</i>	<i>State Dept of Ed</i>	
<i>WAYNE LEWIS</i>	<i>209 PERCENT ST. PETERSBURG</i>	<i>PET. VOL. FIRE CO.</i>	1
<i>MARK WALFORD</i>	<i>808 Virginia ST. WEST</i>	<i>Chas. F. D. / K.U.E.P.C.</i>	
<i>Viola Stallard Jr</i>	<i>Box 336 Winfield W.V.</i>	<i>Putnam Co Fire Serv.</i>	
<i>CHARLES T. ALSUP</i>	<i>4204 JAPONICA CA CARKIN</i>	<i>DUPONT - BELLE</i>	

STATE OF WEST VIRGINIA
FIRE COMMISSION

In re: Promulgation of legislative rules and regulations by the State Fire Commission regarding the hazardous substance response training program, as authorized by House Bill 1266 in the year 1986.

Transcript of proceedings had at a hearing held in the above-styled matter before the State Fire Commission on the 27th day of June, 1986, commencing at 10:15 a.m., in Room 260M, State Capitol Building, Charleston, Kanawha County, West Virginia, pursuant to notice.

CHAIRMAN: WILLIAM D. SITES, Commissioner

MEMBERS: GAIL C. ASH, Commissioner
PAUL ED BLACKWELL, Commissioner
JAMES W. FIFE, Commissioner
DAVID L. GODDARD, Commissioner
RONALD A. KYLE, Commissioner
JOHN LANDFRIED, Commissioner
JAMES S. RICHMOND, Commissioner
BILL SPENCER, Commissioner
WALTER STRICKER, Commissioner

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P R O C E E D I N G S

MR. SITES: May I have your attention, please. I wish to apologize for the delay.

At this time I would like to ask that the Fire Administrator have the roll call of all the Commissioners present, please.

FIRE ADMINISTRATOR: Mr. Ash.

MR. ASH: Here.

FIRE ADMINISTRATOR: Mr. Blackwell.

MR. BLACKWELL: Here.

FIRE ADMINISTRATOR: Mr. Fife.

MR. FIFE: Here.

FIRE ADMINISTRATOR: Mr. Goddard.

MR. GODDARD: Here.

FIRE ADMINISTRATOR: Mr. Kyle.

MR. KYLE: Here.

FIRE ADMINISTRATOR: Mr. Landfried.

MR. LANDFRIED: Here.

FIRE ADMINISTRATOR: Mr. Richmond.

MR. RICHMOND: Here.

FIRE ADMINISTRATOR: Mr. Sites.

MR. SITES: Here.

FIRE ADMINISTRATOR: Mr. Spencer.

MR. SPENCER: Here.

FIRE ADMINISTRATOR: Mr. Stricker.

MR. STRICKER: Here.

FIRE ADMINISTRATOR: Mr. Supan.

Ten members present.

MR. SITES: Has everyone present signed in on the guest register? Okay; fine.

Ladies and gentlemen, this public hearing is being called and concerns the promulgation of legislative rules and regulations by the State Fire Commission regarding the hazardous substance response training program, as authorized by House Bill 1266 in the year 1986.

Copies of the said proposed rules have been filed with the Secretary of State and have been available in the Commission's office for inspection.

The purpose of this hearing is that any individual or group desiring to bring any matters before the Commission would have occasion to do so.

At this time, according to the guest register, no one present desires to speak. We have had no written

response to be entered into the records.

So at this time, under the power of my authority as Chairman of the State Fire Commission, I adjourn this hearing.

(WHEREUPON, at 10:17 a.m.
the hearing was adjourned.)

REPORTER'S CERTIFICATE

STATE OF WEST VIRGINIA,
FIRE COMMISSION, to wit:

I, N. Jean Payne, a Certified Court Reporter and Notary Public in and for the State of West Virginia, do hereby certify that the foregoing is, to the best of my skill and ability, a true and accurate transcript of all the proceedings as set forth in the caption hereof.

Given under my hand this 28th day of June, 1986.

My commission expires July 5, 1993.



N. Jean Payne
Certified Court Reporter
Notary Public