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OFFICE OF THE STATE FIRE COMMISSIONER

December 4, 2009

Arthur Coccodrilli, Chairman  
Independent Regulatory Review Commission  
333 Market Street, 14<sup>th</sup> Floor  
Harrisburg, Pennsylvania 17101

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INDEPENDENT REGULATORY  
REVIEW COMMISSION

Dear Chairman Coccodrilli:

As the Pennsylvania State Fire Commissioner, I am writing to support the adoption of the Pennsylvania Department of Labor and Industry Regulation 12-89.

Regulation 12-89 addresses numerous items related to the adoption of the latest changes to the Uniform Construction Code as promulgated by the International Code Council. As Fire Commissioner, I support the Department of Labor and Industry's position that none of the triennial updates to the code be excluded from Pennsylvania's Uniform Construction Code.

Specifically, I fully support the inclusion of automatic fire sprinklers for town homes beginning January 1, 2010 and the inclusion of automatic fire sprinklers in new 1 and 2 family residential occupancies beginning January 1, 2011. This issue has been voted on and approved on a national basis by the ICC on two different occasions. Additionally, the Pennsylvania Uniform Construction Code Review and Advisory Committee considered the issue on two occasions and voted not to exclude the automatic fire sprinkler requirement. As the state official appointed by the Governor with the responsibility to report to the Governor on all matters related to fire safety in this Commonwealth, I believe that automatic fire sprinklers will save the lives of civilians and firefighters for generations to come. Attached to this letter is my testimony from the October 6, 2009 hearing before the Senate Labor and Industry Committee regarding automatic fire sprinklers which further details my position on the matter.

The bottom line is simple -- "Sprinklers save lives." Therefore, I respectfully ask that you will approve Regulation 12-89 as submitted by the Department of Labor and Industry.

Sincerely,

Edward Mann  
Pennsylvania State Fire Commissioner

## **Statement for the Senate Labor & Industry Committee**

**October 6, 2009**

### **OFFICE OF THE STATE FIRE COMMISSIONER**

**Edward A. Mann, State Fire Commissioner**

Chairman Gordner, Chairwoman Tartaglione, and Members of the Committee, thank you for the opportunity to testify regarding Senate Bill (S.B.) 1001.

It is my responsibility as State Fire Commissioner to advise the Administration on all matters of fire safety within the Commonwealth. As many of you know, in 2000, Governor Tom Ridge appointed me Fire Commissioner. When Governor Rendell was elected, he asked me to stay on as Fire Commissioner. I would like to think that I have been able to serve as Fire Commissioner in both Republican and Democratic Administrations for one main reason – I care deeply about the safety of our firefighters. Ensuring their safety has been my top priority from the first day I took this job.

The matter before this Committee in S.B. 1001 is whether to exclude from the Pennsylvania Uniform Construction Code (“UCC”) the requirement for fire suppression sprinklers in residential homes beginning January 2011. In my nine years as Fire Commissioner, this is one of the most significant firefighter and fire safety issues that have come before the General Assembly. As Fire Commissioner, I vehemently oppose S.B. 1001 because -- simply put -- this residential fire sprinkler matter is about saving the lives of our firefighters and our citizens.

It is undisputed that fire sprinklers save lives and control property damage so quickly that they significantly reduce property damage. Even proponents of S.B. 1001 concede those facts. I agree with, and support, all the rationale that substantiates the need for residential fire sprinklers. That said, as State Fire Commissioner, my primary focus regarding residential fire sprinklers is the undeniable fact that they enhance firefighter safety.

All residential structures will burn – whether old or new. However, homes built with new types of building material significantly increase the risk of structural collapse and increase the likelihood of injury or death to firefighters responding to fires in those homes. It has been proven that fires in homes today burn faster, more intensely, and kill quicker because the contents of homes and the construction material are made of new “lightweight and engineered products.”

Underwriters Laboratories, Inc. (“UL”) is probably the most trusted product safety certification organization in the world. UL has done extensive testing of lightweight construction material used in new homes and has reported that because the lightweight components burn more rapidly than solid wood construction, catastrophic failure and collapse of building occurs quicker than ever before. What this means is that firefighters are being exposed to the possibility of being trapped, injured, and killed when engaged in fire and rescue operations in those buildings. Most fires begin in the contents of a home (for example, a chair) and quickly spread to the structure of the building. In a home with fire sprinklers, the activation of the sprinklers will severely limit the propagation of heat and flames, thereby reducing the likelihood of structural collapse and injury or death to firefighters responding to the incident.

Two leading authorities on fire safety have voiced strong support for residential fire sprinklers. In 2008, the International Association of Fire Chiefs issued a resolution stating: *“No other action can possibly be more responsible for saving citizen and firefighter lives and personal property*

*than adding residential sprinkler protection to our homes.” In addition, a major report issued by the Federal Emergency Management Agency (FEMA) “America Burning Recommissioned, America at Risk: Findings and Recommendations on the Role of the Fire Service in the Prevention and Control of Risks in America” recommended: “No tactic or strategy should detract from the requirement for sprinklers” and “Smoke alarms should always be the locality’s second option.”*

Fixed fire protection in the form of fire sprinklers is an integral part of a community’s fire service delivery system. It is increasingly difficult to recruit and retain volunteer firefighters who comprise the majority of the state’s fire service. At the same time, many of our career fire departments are having stations closed or operating with fewer firefighters. These factors negatively impact the delivery of fire protection. Requiring sprinklers in new residential homes would greatly reduce the risk to firefighters simply because the fire would either be contained or extinguished, thus reducing the danger to the public and the firefighters.

In addition to protecting our firefighters, sprinklers systems in homes saves the lives of our fellow citizens. In Pennsylvania in 2008, there were 176 deaths in residential home fires. In 2009, through mid-September, there have been 94 deaths in residential home fires. Nationally in 2008, there were 403,000 residential fires resulting in 2,780 deaths, 13,560 injuries and \$8.55 billion in damages. From 1999 to 2008, nationally there has been an average of 2,995 deaths and 14,600 injuries from residential fires each year. These deaths and injuries are tragic but preventable. One of our neighboring states, Maryland, passed statewide legislation requiring (beginning in 1992) sprinklers in newly built townhomes. Since 1992 there have been no fire deaths in those sprinkler protected homes. Clearly, sprinklers save lives and reduce fire-related injuries.

Members of the Committee, as I stated at the beginning, this residential fire sprinkler issue is about saving lives. I came here today because I care deeply about the safety of our firefighters. Over the course of my term as Fire Commissioner, I have attended over 70 funerals for firefighter who have died in the line of duty. It has not been easy offering condolences to the widows or the children of those brave firefighters who died. Imagine how I'd feel if I did nothing on a matter that we all know can and will prevent future deaths of firefighter. That is why I testified so strongly before the Department of Labor and Industry's Review and Advisory Council (RAC) in April against excluding the residential fire sprinkler requirement from the Pennsylvania UCC. When I testified, I told the RAC that it had the ability to prevent future firefighter deaths. I asked the members of the RAC that, when they voted, to ask themselves: "what is the right thing to do?" I believe the members of the RAC – after hearing all the facts on the matter -- did the right thing when they voted not to exclude residential fire sprinklers from Pennsylvania UCC.

Therefore, as State Fire Commissioner, I respectfully oppose S.B. 1001 and that the requirement for residential fire sprinklers not be excluded from Pennsylvania's UCC as the RAC previously decided in April 2009.