



**Statement of the National Association of State Fire Marshals
to the
National Construction Safety Team (NCST) Advisory Committee
The National Institute of Standards and Technology**

April 29, 2003

My name is Robert Polk. I am here on behalf of the National Association of State Fire Marshals (NASFM) and the Partnership for Safer Buildings. We regard this meeting as the beginning of a dialogue as you review NIST's proposed implementation plan, and begin your critical work.

NASFM represents the senior fire officials in the 50 states and District of Columbia. Our mission is to protect human life, property and the environment from fire. The Partnership includes experts with decades of experience in fire protection engineering, fire and building code enforcement, public policy, architecture, building materials design and manufacturing, standards development, insurance and risk management, and academia. The Partnership for Safer Buildings was formed under the auspices of NASFM's Catastrophic Fire Prevention Task Force.

Together, our Association and the Partnership have been addressing a fundamental question. Are our nation's model building codes sufficient to save lives and property from fire? The answer is that they are not. We are now seeking specific changes to the model building codes that will eliminate some of their most obvious failings. Everything that we find will be shared with you, and we intend to draw heavily on what you learn.

We are bringing specific inadequacies to the attention of the people who own and operate specific buildings, and we have been asked to keep Congress informed of what we learn.

America knows a great deal about how to make buildings and their contents safe. But as a nation, we have chosen economics over safety. We do not begin to use the technologies we have.

America reacts to tragedy. Rachel Carson predicted today's cancer rates, and now we are spending billions to remove decades of pollution from rivers. Law enforcement officers tried but failed to raise concerns about the men who hijacked jets and attacked the World Trade Center and Pentagon. Who is ever surprised by fires like The Station, the Happyland Social Club or any of the other preventable disasters that we experience? Who is not aware that polyurethane foam is flammable and can kill, and that sprinklers suppress fires before fire departments even receive an alarm? Who is surprised to see fiber-based fire resistant coatings crumble from steel structures?

The horrific tragedies of the past few years have focused America on the issues before us. We have found dangerous conditions in health care facilities, schools, tall buildings and other places where special care has been taken. The standard response is that “we meet the code.” But, we are finding that, too often, this standard response has no meaning.

In the interest of science and public safety, you must ask the tough, politically incorrect questions as you determine what happened each time you launch an inquiry. We urge you to go beyond engineering and attempt to understand the economic and legal reasoning that inevitably contributes to each disaster.

Your study of the World Trade Center cannot look at the condition of fire-resistant steel coatings without understanding the history of the structures’ fire inspections, and the fire protection decisions made by the Center’s management. If the World Trade Center towers were in compliance with the codes, you should be free to ask the same question we are: Are the codes adequate?

Your study of The Station fire must go beyond the bizarre set of conditions that existed that night. American taxpayers do not need a study that says that a non-sprinklered nightclub full of people is dangerous when indoor pyrotechnics are used near polyurethane foam wall coverings. But America needs to understand how fire can spread so fast when highly flammable materials are on the wall of a nightclub, in a couch or in a bathrobe. Focusing on indoor pyrotechnics has no real meaning to the safety of Americans.

We regard your mission the same as we view that of the National Transportation Safety Board. The NTSB investigates the most important and interesting transportation accidents; they consider all factors; they do not mince words; nor do they protect commercial or political interests. What the NTSB has done for transportation safety, the NCST must do for building safety. If your statutory authority is insufficient to ask the most important questions -- and to require truthful answers -- you must say so. We can and will encourage Congress to give you the tools you require.

We all understand the importance of redundancy when we are attempting to make something safe. Airlines are given no choice, but we congratulate ourselves on creating economic incentives with fire protection tradeoffs for the buildings where we live, work, learn, receive care, and worship. We accept the reasoning that one cannot escape a jetliner at 35,000 feet. Is it any easier to escape a serious fire in a one-story non-sprinklered building with blocked exits?

Look to NASFM and the Partnership as resources. If it is within our power to help, we will do so.

We have great confidence in the integrity and competence of NIST. We look forward to the plan you will adopt with NIST's support, and the leadership and courage we that know you will exert. It is time that we took building safety as seriously as we do the safety of what we eat, drink, and breathe, and of the ways we travel.