

National Construction Safety Team Act, PL 107-231

National Construction Safety Team Act
Advisory Committee
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Legislative Authorities

Structural Failures [P.L. 99-73, Sec. 7; 15 U.S.C. 281a]

The National Institute of Standards and Technology, on its own initiative but only after consultation with local authorities, may initiate and conduct investigations to determine the causes of structural failures in structures which are used or occupied by the general public. No part of any report resulting from such investigation shall be submitted as evidence or used in any suit or action for damages arising out of any matter mentioned in the report.

Fire Prevention and Control Act [P.L. 93-498, Sec.16, (a), (3)]

NIST conducts and supports research on all aspects of fire with the aim of providing scientific and technical knowledge applicable to the prevention and control of fires. The Act authorizes NIST to conduct "...operation tests, demonstration projects and fire investigations in support of the activities set forth in this section."

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Issue: No one had the responsibility to derive lessons learned.

An “NTSB-like” body...

- Independent, objective, fact, not fault-finding
- Ability to collect, analyze, make public critical information

National Construction Safety Team Act:

- Introduced by Boehlert in House, Clinton in Senate
- Signed into law October 1, 2002
- Establish Federal Advisory Committee
- Applies to WTC investigation as well.

Tasks NIST Director to establish teams, develop reports, track outcomes:

- Launched within 48 hours
- Include at least one NIST employee

National Construction Safety Team Act (cont.)

Purpose of Act:

“...to provide for the establishment of investigative teams to assess building performance and emergency response and evacuation procedures in the wake of any building failure that has resulted in substantial loss of life or that posed the potential for substantial loss of life.”

Purpose of Investigations:

“...to improve the safety and structural integrity of buildings in the United States.”

National Construction Safety Team Act (cont.)

Team Duties:

1. Establish likely technical cause or causes of building failure;
2. Evaluate technical aspects of evacuation and emergency response procedures;
3. Recommend as necessary, specific improvements to building standards, codes and practices based on findings made pursuant to the above;
4. Recommend any research or other appropriate actions needed to improve the structural safety of buildings.

National Construction Safety Team Act (cont.)

Composition of Teams:

- At least one employee of NIST
- Other experts
- May include private sector experts, experts from academe, professional organizations, Federal, State or Local officials

Functions of Teams:

Conduct investigations

Disclosure of information

Resource requirements

Coordination with search and rescue efforts

Regular public briefings

Coordination with other authorities, e.g. Earthquake Investigations

Procedures to be Published in 3 months:

(to be addressed at 3:15 pm by Dr. Hill)

National Construction Safety Team Act (cont.)

Authorities:

- Entry and Inspection
 - does not unnecessarily interfere with services provided by Owner/operator
 - preserves evidence related to building failure
- Coordination (MOUs with other agencies with related authorities)
- Priority over other investigations except: NTSB, Criminal
- Briefings, Hearings, Witnesses
- Subpoenas
- Additional powers (procure, request, confer, accept, contract, compensate)

NIST Actions:

- Launch investigation teams
- Conduct, enable or encourage research recommended by Team
- Promote appropriate adoption of recommendations

NCST Advisory Committee

- Director appoints in consultation with Administrator of USFA, and heads of other appropriate agencies
- Functions...
 - review procedures
 - evaluate activities of teams
 - assess implementation of recommendations
 - annual report to Congress

Advisory Committee Members

- Dr. Charles Thornton, Co-Chairman, Thornton-Tomasetti.
- Dr. Robert Hanson, Professor Emeritus, University of Michigan.

- Mr. Philip DiNenno, President, Hughes Associates.
- Dr. John Bryan, Professor Emeritus, University of Maryland.
- Professor Glenn Corbett, Associate Professor, John-Jay College, NYC.

- Dr. Kathleen Tierney, Professor, University of Delaware.

- Mr. Paul Fitzgerald, Executive Vice President FM Global, (retired).

- Mr. David Collins, President, The Preview Group.

- Dr. Forman Williams, Professor, University of California at San Diego.
- Dr. John Barsom, President, Barsom Consulting.

Thank You.

Questions?