

THE FIRE LINE

A Whitmore Fire Consultants, Inc. Publication

December 10, 2015

By Robert B. Whitmore, CFI

So What Is NFPA 921?



During my 40+ year career in the fire service and investigating fires throughout North America, nothing has changed the fire investigation process more profoundly than what we call "NFPA 921."

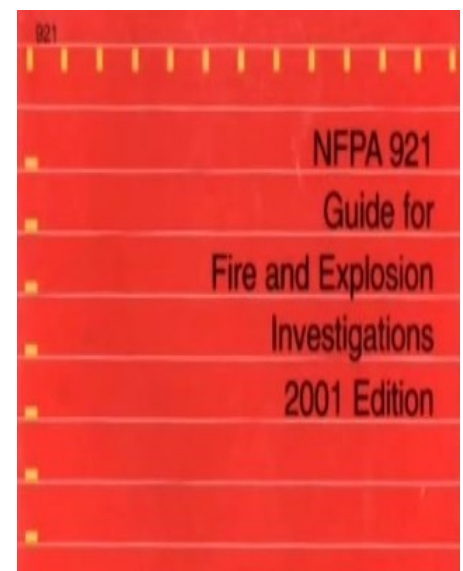
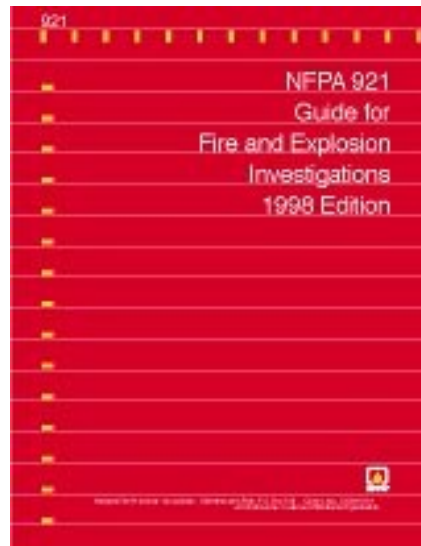
So what is this

"document" that has created so much conversation among fire professionals since 1992? First, the National Fire Protection Association, which I discussed in the last issue of "The Fire Line" publishes this "guide" that was and/or is intended to provide assistance to those within the field of fire investigation to conduct fire/explosion investigations.

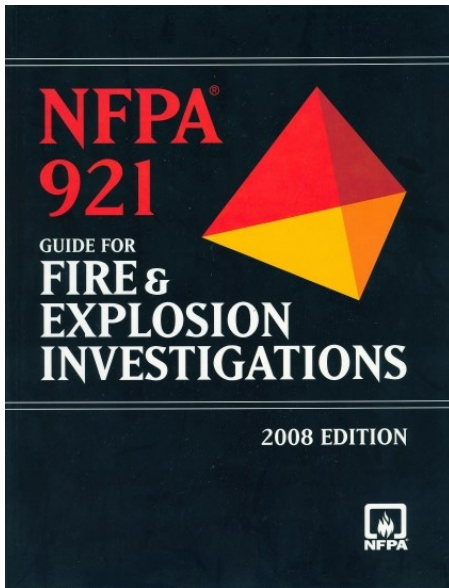
The first edition of NFPA 921 Guide for Fire and Explosion Investigations was published in 1992 and generated enormous discussion both inside and outside of the Association. During this time, I was an officer in the International Association of Arson Investigators (IAAI) and we had numerous members that worked diligently with the NFPA to draft this new document. The Technical Committee on Fire Investigations has committee members/alternates appointed from various fire-related organizations and industry that provide the framework for the working document. Changes are voted upon during meetings held at various sites typically on a three (3) year cycle. The 2014 Edition is the current edition in effect and is the eighth edition printed.

Remember, the NFPA publishes four types of documents; codes, standards, guides and recommended practices. Guides such as a NFPA 921 Guide for Fire and Explosion Investigations do not have language utilizing words such as "shall" and typically cannot be adopted into law. The age old argument that takes place during depositions, trials, hearings, mediations, etc. pertains

to whether NFPA is a "standard" and/or the "standard within the industry." During most trials/depositions, etc., invariably a line of questioning takes place asking you to agree that the guide is a "standard." I have always rejected that argument because of two reasons; first, according to NFPA, a standard is a "document, the main text of which contains only mandatory provisions using the word "shall" to indicate requirements and which is a form generally suitable for mandatory reference by another standard or code or for adoption into law." Something which is designated to "assist in improving the fire investigation process and the quality of information on fires resulting from the investigative process"



A Whitemore Fire Consultants, Inc. Publication



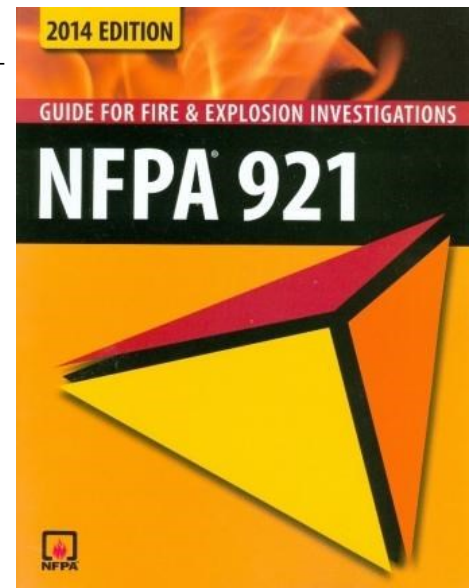
cannot be mandated into law requiring you to follow each and every component of NFPA 921.

Second, in 1994 the International Association of Arson Investigators (IAAI) passed a resolution in effect recognizing NFPA 921 and NFPA 1033 as guides and/or reference material within the field of fire investigation.

These documents were also recognized as it pertains to reference material for the Certified Fire Investigator (CFI) program. Later, in 1997 the IAAI inquired of NFPA regarding their position on the issue of NFPA 921 becoming a "standard" that would be capable of being enacted into law. In the letter dated April 15, 1997 to then President Alan Clark, Gary O. Tokle, Assistant Vice

President of NFPA, responded that "a guide is defined as a document that is advisory or informative in nature containing only non-mandatory provisions. A "Guide" is not suitable for adoption into law." For me, this clearly puts to rest the issue of the documents being a "standard" which could have significant implications, if enacted, within the fire investigation community.

Those of you close to this issue understand that NFPA 921 is one of the most published documents within the NFPA system. Literally, every fire investigator, engineer, attorney, fire department/law enforcement official has this document. It has literally "leveled the playing field" for everyone so that it is always necessary to keep abreast of not only the document, but any and all changes that may affect the manner in which we conduct our fire/explosion investigations.



WHITEMORE
FIRE CONSULTANTS, INC.

www.whitemorefire.com
952-461-7000