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**TITLE 655 BOARD OF FIREFIGHTING
PERSONNEL STANDARDS AND EDUCATION**

LSA Document #03-186

December 16, 2003

VIA HAND DELIVERY

Administrative Rules Oversight Committee
c/o Legislative Services Agency
State House, Room 301
Indianapolis, IN 46204
Attn: George Angelone

Re: LSA Doc. #03-186

Dear Members of the Committee,

Pursuant to the provisions of IC 4-22-2-19(c), this letter shall serve as written notification that section 19 of the above-captioned rule does not comply with IC 4-22-2-19(c)(1). This section creates a new certification of Hazardous Materials-Incident Command. The reasons for the noncompliance are as follows:

1. Pursuant to IC 22-14-2-7(c)(7), the Board of Firefighting Personnel Standards and Education is authorized to adopt rules to create a program of voluntary certification for fire service personnel and programs. This statute was effective in 1987.

2. The addition to the Board's rules contained in the section cited above creates a classification based on the growing importance of qualified personnel to take command of incidents involving the use of chemical and biological weapons, and the rapidly increasing number of incidents associated with the discovery and destruction of clandestine drug (e.g. methamphetamine) laboratories. This classification was not contemplated at the time of the 1987 statute, and is extremely important to ensure that appropriately trained fire and emergency response personnel are able to respond effectively and efficiently to the emergency needs of Indiana in the 21st century.

Please feel free to call me at (317) 232-2226 should you have any questions or require further information concerning these certifications.

Sincerely,

M. Tracy Boatwright
State Fire Marshal
Board of Firefighting Personnel
Standards and Education