SOUTH CAROLINA DEPARTMENT OF LABOR, LICENSING, & REGULATION BEFORE THE OFFICE OF THE STATE FIRE MARSHAL DIVISION OF FIRE, LIFE, & SAFETY

In the Matter of:

NATIONAL FIRE PROTECTION COMPANY,

License Number: 000176,

CONSENT AGREEMENT

OGC Case No.: 2013-01

Respondent.

By agreement of the Office of the State Fire Marshal (hereinafter referred to as the "SFM") and the above-named Respondent, the following disposition of this matter is entered pursuant to the provisions of S.C. Code Ann. § 1-23-320(F) (1976, as amended), in lieu of, *inter alia*, a hearing before the SFM. Respondent, admitting the allegations herein and agreeing to the sanctions as set forth below, agrees to waive the authorization, filing, and service of a Formal Complaint and formal hearing procedures.

FINDINGS OF FACT

- 1. Respondent admits that it was licensed as a Class A & Class D Fire Equipment Company in the State of South Carolina. Respondent was duly licensed during all times relevant to this matter. Respondent further admits that the SFM has jurisdiction over him and over the subject matter contained herein; and
- 2. Respondent admits that it was hired to service and maintain portable fire extinguishers (hereinafter referred to as "PFE's") at the Mountainview Nursing Home (hereinafter referred to as "Mountainview", which is located in Spartanburg, South Carolina; and
- Respondent admits that it was hired to perform semi-annual inspections of the preengineered fire suppression system (hereinafter referred to as a "Fire System") for Spartanburg County School District Two (hereinafter referred to as the "School District") in January 2012 and August 2012; and
- 4. Respondent admits that it was hired to service and maintain PFE's at Village Greens Golf Club (hereinafter referred to as the "Golf Club"), which is located in Gramling, South Carolina. Respondent was also hired to perform semi-annual inspections of the Fire System at the Golf Club; and

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- 5. The SFM received a complaint from a member of the public. The SFM investigated the allegations in the complaint. As part of that investigation, the SFM performed an audit of the Respondent's work at Mountainview, and it issued a report detailing the results of the audit. A copy of Mountainview audit is attached hereto and incorporated herein as <u>EXHIBIT#1</u>. The audit revealed that Respondent improperly serviced twenty eight (28) PFE's at Mountainview, including the following violations:
 - a. PFE scrial number ZW-902140
 - i. Respondent failed to properly identify the person performing the work in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and the National Fire Protection Association 10: Standard for Portable Fire Extinguishers (hereinafter referred to as "NFPA 10"), §7.3.3; and
 - Respondent failed to remove the tamper seal by pulling the pull pin or locking device in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA 10, §7.3.2.2; and
 - Respondent failed to install an approved tamper seal imprinted with the year matching the date on the maintenance tag per S.C. Regs §71-8303.8(c) (1976, as amended); and
 - iv. Respondent failed to identify the PFE serial number or extinguisher location on the maintenance tag in accordance with the Department of Fire, Life, and Safety memorandum dated September 13, 2004 (hereinafter referred to as the "Memo," a copy of which is attached hereto and incorporated herein as <u>EXHIBIT #2</u>); and
 - b. PFE serial number XL-624743
 - i. Respondent failed to properly identify the person performing the work in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA 10, §7.3.3; and
 - ii. Respondent failed to provide evidence that the PFE has successfully passed the 6-year maintenance requirement in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA 10, §7.3.3.1; and
 - iii. Respondent installed an improper Verification-of-Service Collar (hereinafter referred to as a "Collar") in violation of S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA 10, §7.3.3.2.1.1; and
 - iv. Respondent failed to install an approved tamper seal imprinted with the year matching the date on the maintenance tag in accordance with S.C. Code of Regs. §71-8303.8(c) (1976, as amended); and
 - v. Respondent failed to identify the PFE serial number or location on the maintenance tag in accordance with the Memo; and

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- c. PFE serial number ZS-447604
 - i. Respondent failed to remove the tamper seal by pulling the pull pin or locking device in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA 10, §7.3.2.2; and
 - ii. Respondent failed to install an approved tamper seal imprinted with the year matching the date on the maintenance tag in accordance with S.C. Code of Regs. §71-8303.8(c) (1976, as amended); and
- d. PFE scrial number MW-877303
 - i. Respondent failed to properly identify the person performing the work in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA 10, §7.3.3; and
 - ii. Respondent failed to properly install an approved tamper seal imprinted with the year matching the date on the maintenance tag in accordance with S.C. Code of Regs. §71-8303.8(c) (1976, as amended); and
 - iii. Respondent failed to identify the extinguisher serial number or extinguisher location on the maintenance tag in accordance with the Memo; and
- e. PFE serial number MW-877324
 - i. Respondent failed to properly identify the person performing the work in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA 10, §7.3.3; and
 - Respondent failed to remove the tamper seal by pulling the pull pin or locking the device in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA, §7.3.2.2; and
 - iii. Respondent failed to identify the PFE serial number or PFE location on the maintenance tag in accordance with the Memo; and
- f. PFE serial number ZS-454592
 - i. Respondent failed to properly identify the person performing the work in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA 10, §7.3.3; and
 - Respondent failed to remove the tamper seal by pulling the pull pin or locking the device in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA, §7.3.2.2; and

- Respondent failed to install an approved tamper scal imprinted with the year matching the date on the maintenance tag in accordance with S.C. Code of Regs. §71-8303.8(c) (1976, as amended); and
- iv. Respondent failed to identify the PFE serial number or PFE location on the maintenance tag in accordance with the Memo; and
- g. PFE serial number XL-627048
 - i. Respondent failed to properly identify the person performing the work in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA 10, §7.3.3; and
 - ii. Respondent failed to provide evidence that the PFE has successfully passed the 6-year maintenance requirement in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA 10, §7.3.3.1; and
 - iii. Respondent failed to remove the tamper seal by pulling the pull pin or locking the device in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA, §7.3.2.2; and
 - iv. Respondent failed to install an approved tamper seal imprinted with the year matching the date on the maintenance tag in accordance with S.C. Code of Regs. §71-8303.8(c) (1976, as amended); and
 - v. Respondent failed to identify the PFE serial number or PFE location on the maintenance tag in accordance with the Memo; and
- h. PFE serial number ZW-905163
 - i. Respondent failed to properly identify the person performing the work in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA 10, §7.3.3; and
 - ii. Respondent failed to remove the tamper seal by pulling the pull pin or locking the device in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA, §7.3.2.2; and
 - iii. Respondent failed to install an approved tamper seal imprinted with the year matching the date on the maintenance tag in accordance with S.C. Code of Regs. §71-8303.8(c) (1976, as amended); and
 - iv. Respondent failed to identify the PFE serial number or PFE location on the maintenance tag in accordance with the Memo; and
- i. PFE serial number AB-706832

- i. Respondent failed to properly identify the person performing the work in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA 10, §7.3.3; and
- Respondent failed to remove the tamper seal by pulling the pull pin or locking the device in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA, §7.3.2.2; and
- iii. Respondent failed to install an approved tamper seal imprinted with the year matching the date on the maintenance tag in accordance with S.C. Code of Regs. §71-8303.8(c) (1976, as amended); and
- iv. Respondent failed to identify the PFE serial number or PFE location on the maintenance tag in accordance with the Memo; and
- j. PFE serial number AA-671944
 - i. Respondent failed to properly identify the person performing the work in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA 10, §7.3.3; and
 - Respondent failed to remove the tamper seal by pulling the pull pin or locking the device in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA, §7.3.2.2; and
 - iii. Respondent failed to install an approved tamper seal imprinted with the year matching the date on the maintenance tag in accordance with S.C. Code of Regs. §71-8303.8(c) (1976, as amended); and
 - iv. Respondent failed to identify the PFE serial number or PFE location on the maintenance tag in accordance with the Memo; and
- k. PFE serial number AB-708262
 - i. Respondent failed to properly identify the person performing the work in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA 10, §7.3.3; and
 - Respondent failed to remove the tamper seal by pulling the pull pin or locking the device in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA, §7.3.2.2; and
 - Respondent failed to install an approved tamper seal imprinted with the year matching the date on the maintenance tag in accordance with S.C. Code of Regs. §71-8303.8(c) (1976, as amended); and
 - iv. Respondent failed to identify the PFE serial number or PFE location on the maintenance tag in accordance with the Memo; and

- 1. PFE serial number XL-627052
 - i. Respondent failed to properly identify the person performing the work in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA 10, §7.3.3; and
 - ii. Respondent failed to provide evidence that the PFE has successfully passed the 6-year maintenance requirement in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA 10, §7.3.3.1; and
 - iii. Respondent failed to install an approved tamper seal imprinted with the year matching the date on the maintenance tag in accordance with S.C. Code of Regs. §71-8303.8(c) (1976, as amended); and
 - iv. Respondent failed to identify the PFE serial number or PFE location on the maintenance tag in accordance with the Memo; and
- m. PFE serial number MW-877325
 - i. Respondent failed to properly identify the person performing the work in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA 10, §7.3.3; and
 - ii. Respondent failed to install an approved tamper seal imprinted with the year matching the date on the maintenance tag in accordance with S.C. Code of Regs. §71-8303.8(c) (1976, as amended); and
 - iii. Respondent failed to identify the PFE serial number or PFE location on the maintenance tag in accordance with the Memo; and
- n. PFE serial number XL-639021
 - i. Respondent failed to properly identify the person performing the work in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA 10, §7.3.3; and
 - ii. Respondent failed to provide evidence that the PFE has successfully passed the 6-year maintenance requirement in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA 10, §7.3.3.1; and
 - iii. Respondent failed to remove the tamper scal by pulling the pull pin or locking the device in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA, §7.3.2.2; and
 - iv. Respondent failed to install an approved tamper seal imprinted with the year matching the date on the maintenance tag in accordance with S.C. Code of Regs. §71-8303.8(c) (1976, as amended); and

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- v. Respondent failed to identify the PFE serial number or PFE location on the maintenance tag in accordance with the Memo; and
- o. PFE serial number AB-706833
 - i. Respondent failed to properly identify the person performing the work in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA 10, §7.3.3; and
 - Respondent failed to remove the tamper seal by pulling the pull pin or locking the device in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA, §7.3.2.2; and
 - iii. Respondent failed to install an approved tamper seal imprinted with the year matching the date on the maintenance tag in accordance with S.C. Code of Regs. §71-8303.8(c) (1976, as amended); and
 - iv. Respondent failed to identify the PFE serial number or PFE location on the maintenance tag in accordance with the Memo; and
- p. PFE serial number AB-708254
 - i. Respondent failed to properly identify the person performing the work in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA 10, §7.3.3; and
 - Respondent failed to remove the tamper seal by pulling the pull pin or locking the device in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA, §7.3.2.2; and
 - iii. Respondent failed to install an approved tamper seal imprinted with the year matching the date on the maintenance tag in accordance with S.C. Code of Regs. §71-8303.8(c) (1976, as amended); and
 - iv. Respondent failed to identify the PFE serial number or PFE location on the maintenance tag in accordance with the Memo; and
- q. PFE serial number AB-428575
 - i. Respondent failed to properly identify the person performing the work in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA 10, §7.3.3; and
 - ii. Respondent failed to remove the tamper seal by pulling the pull pin or locking the device in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA, §7.3.2.2; and

- Respondent failed to install an approved tamper seal imprinted with the year matching the date on the maintenance tag in accordance with S.C. Code of Regs. §71-8303.8(c) (1976, as amended); and
- iv. Respondent failed to identify the PFE serial number or PFE location on the maintenance tag in accordance with the Memo; and
- r. PFE serial number XL-636918
 - i. Respondent failed to properly identify the person performing the work in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA 10, §7.3.3; and
 - ii. Respondent failed to provide evidence that the PFE has successfully passed the 6-year maintenance requirement in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA 10, §7.3.3.1; and
 - iii. Respondent failed to install an approved tamper scal imprinted with the year matching the date on the maintenance tag in accordance with S.C. Code of Rcgs. §71-8303.8(c) (1976, as amended); and
 - iv. Respondent failed to identify the PFE scrial number or PFE location on the maintenance tag in accordance with the Memo; and
- s. PFE scrial number MW-877338
 - i. Respondent failed to properly identify the person performing the work in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA 10, §7.3.3; and
 - ii. Respondent failed to install an approved tamper seal imprinted with the year matching the date on the maintenance tag in accordance with S.C. Code of Regs. §71-8303.8(c) (1976, as amended); and
 - iii. Respondent failed to identify the PFE serial number or PFE location on the maintenance tag in accordance with the Memo; and
- t. PFE serial number MW-877326
 - i. Respondent failed to properly identify the person performing the work in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA 10, §7.3.3; and
 - ii. Respondent failed to install an approved tamper scal imprinted with the year matching the date on the maintenance tag in accordance with S.C. Code of Regs. §71-8303.8(c) (1976, as amended); and
 - iii. Respondent failed to identify the PFE serial number or PFE location on the maintenance tag in accordance with the Memo; and

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- u. PFE serial number XL-624736
 - i. Respondent failed to properly identify the person performing the work in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA 10, §7.3.3; and
 - ii. Respondent failed to provide evidence that the PFE has successfully passed the 6-year maintenance requirement in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA 10, §7.3.3.1; and
 - iii. Respondent failed to install an approved tamper scal imprinted with the year matching the date on the maintenance tag in accordance with S.C. Code of Regs. §71-8303.8(c) (1976, as amended); and
 - iv. Respondent failed to identify the PFE serial number or PFE location on the maintenance tag in accordance with the Memo; and
- v. PFE serial number AA-674908
 - i. Respondent failed to properly identify the person performing the work in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA 10, §7.3.3; and
 - Respondent failed to remove the tamper seal by pulling the pull pin or locking the device in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA, §7.3.2.2; and
 - iii. Respondent failed to install an approved tamper seal imprinted with the year matching the date on the maintenance tag in accordance with S.C. Code of Regs. §71-8303.8(c) (1976, as amended); and
 - iv. Respondent failed to identify the PFE serial number or PFE location on the maintenance tag in accordance with the Memo; and
- w. PFE serial number AB-708253
 - i. Respondent failed to properly identify the person performing the work in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA 10, §7.3.3; and
 - ii. Respondent failed to remove the tamper scal by pulling the pull pin or locking the device in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA, §7.3.2.2; and
 - Respondent failed to install an approved tamper seal imprinted with the year matching the date on the maintenance tag in accordance with S.C. Code of Regs. §71-8303.8(c) (1976, as amended); and

- iv. Respondent failed to identify the PFE serial number or PFE location on the maintenance tag in accordance with the Memo; and
- x. PFE serial number BA-708251
 - i. Respondent failed to properly identify the person performing the work in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA 10, §7.3.3; and
 - Respondent failed to remove the tamper seal by pulling the pull pin or locking the device in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA, §7.3.2.2; and
 - iii. Respondent failed to install an approved tamper seal imprinted with the year matching the date on the maintenance tag in accordance with S.C. Code of Regs. §71-8303.8(c) (1976, as amended); and
 - iv. Respondent failed to identify the PFE serial number or PFE location on the maintenance tag in accordance with the Memo; and
- y. PFE serial number ZW-905160
 - i. Respondent failed to properly identify the person performing the work in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA 10, §7.3.3; and
 - Respondent failed to remove the tamper seal by pulling the pull pin or locking the device in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA, §7.3.2.2; and
 - iii. Respondent failed to install an approved tamper seal imprinted with the year matching the date on the maintenance tag in accordance with S.C. Code of Regs. §71-8303.8(c) (1976, as amended); and
 - iv. Respondent failed to identify the PFE serial number or PFE location on the maintenance tag in accordance with the Memo; and
- z. PFE serial number ZX-183457
 - i. Respondent failed to properly identify the person performing the work in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA 10, §7.3.3; and
 - Respondent failed to remove the tamper seal by pulling the pull pin or locking the device in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA, §7.3.2.2; and

- iii. Respondent failed to install an approved tamper seal imprinted with the year matching the date on the maintenance tag in accordance with S.C. Code of Regs. §71-8303.8(c) (1976, as amended); and
- iv. Respondent failed to identify the PFE serial number or PFE location on the maintenance tag in accordance with the Memo; and

aa. PFE scrial number MS-057726

- i. Respondent failed to properly identify the person performing the work in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA 10, §7.3.3; and
- ii. Respondent failed to install an approved tamper seal imprinted with the year matching the date on the maintenance tag in accordance with S.C. Code of Regs. §71-8303.8(c) (1976, as amended); and
- iii. Respondent failed to identify the PFE serial number or PFE location on the maintenance tag in accordance with the Memo; and

bb. PFE scrial number W-087412

- i. Respondent failed to properly identify the person performing the work in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA 10, §7.3.3; and
- Respondent failed to remove the tamper seal by pulling the pull pin or locking the device in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA, §7.3.2.2; and
- iii. Respondent failed to install an approved tamper seal imprinted with the year matching the date on the maintenance tag in accordance with S.C. Code of Regs. §71-8303.8(c) (1976, as amended); and
- iv. Respondent failed to identify the PFE serial number or PFE location on the maintenance tag in accordance with the Memo; and
- 6. The SFM received a complaint from a member of the public. The SFM investigated the allegations in the complaint. As part of that investigation, the SFM performed an audit of the Respondent's work at the School District, and it issued a report detailing the results of the audit. A copy of the School District audit is attached hereto and incorporated herein as <u>EXHIBIT#3</u>. The audit revealed that Respondent failed to accurately report twenty six (26) findings during the inspection cycles conducted at twelve (12) School District facilities. Accurate reporting is required by S.C. Code of Regs. §71-8303.4 (1976, as amended) and NFPA 17A. These violations including the following:
 - a. Hendrix Elementary School:

- i. Discrepancy between the number of fuse links; and
- ii. Discrepancy between the equipment layout diagrams; and
- b. Boiling Springs Junior High School
 - i. Discrepancy between the number of fuse links; and
 - ii. Discrepancy between the equipment layout diagrams; and
- c. Oakland Elementary School
 - i. Discrepancy between the number of fuse links; and
 - ii. Discrepancy between the equipment layout diagrams; and
- d. Boiling Springs Elementary School
 - i. Discrepancy between the number of fuse links; and
 - ii. Discrepancy between the equipment layout diagrams; and
 - iii. Discrepancy with the alarm system monitoring of hood system by fire alarm system; and
- e. Ninth Grade School
 - i. Discrepancy between the number of fuse links; and
- f. Rainbow Lake Elementary School
 - i. Discrepancy between the number of fuse links; and
- g. Carlilse-Foster's Grove Elementary School
 - i. Discrepancy between the number of fuse links; and
 - ii. Discrepancy between the equipment layout diagrams; and
 - iii. Discrepancy with the alarm system monitoring of hood system by fire alarm system; and
- h. Mayo Elementary School
 - i. Discrepancy between the number of fuse links; and
 - ii. Discrepancy between the equipment layout diagrams; and
 - iii. Discrepancy with the alarm system monitoring of hood system by fire alarm system; and

- i. Chesnee High School
 - i. Discrepancy between the number of fuse links; and
 - ii. Discrepancy between the equipment layout diagrams; and
 - iii. Discrepancy with the alarm system monitoring of hood system by fire alarm system; and
- j. Chesnee Junior High School
 - i. Discrepancy with the equipment layout; and
- k. Chesnee Elementary School
 - i. Discrepancy between the number of fuse links; and
 - ii. Discrepancy between the equipment layout diagrams; and
- 1. Cooley Springs-Fingerville Elementary School
 - i. Discrepancy between the number of fuse links; and
 - ii. Discrepancy between the equipment layout diagrams; and
 - iii. Discrepancy with the alarm system monitoring of hood system by fire alarm system; and
- 7. The SFM received a complaint from a member of the public. The SFM investigated the allegations in the complaint. As part of that investigation, the SFM performed an audit of the Respondent's work at the Golf Club, and it issued a report detailing the results of the audit. A copy of the Golf Club audit is attached hereto and incorporated herein as <u>EXHIBIT#4</u>. The audit revealed that Respondent improperly serviced five (5) PFE's and one (1) Fire System as follows:
 - a. PFE serial number ZS-449528
 - i. Respondent failed to properly identify the person performing the work in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA 10, §7.3.3; and
 - Respondent failed to remove the tamper seal by pulling the pull pin or locking the device in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA, §7.3.2.2; and
 - Respondent failed to install an approved tamper seal imprinted with the year matching the date on the maintenance tag in accordance with S.C. Code of Regs. §71-8303.8(c) (1976, as amended); and

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- iv. Respondent failed to identify the PFE serial number or PFE location on the maintenance tag in accordance with the Memo; and
- v. The maintenance tag was punched indicating that the extinguisher is a "PK Dry Chem" unit when in reality it is an "ABC Dry Chem" unit. This tag was improperly punched by the technician; and
- vi. The maintenance tag was punched as having been serviced in 2011, however all other tags were punched 2012. This tag was improperly punched by the technician; and
- b. PFE serial number ZS-447603
 - i. Respondent failed to properly identify the person performing the work in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA 10, §7.3.3; and
 - Respondent failed to remove the tamper seal by pulling the pull pin or locking the device in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA, §7.3.2.2; and
 - iii. Respondent failed to install an approved tamper seal imprinted with the year matching the date on the maintenance tag in accordance with S.C. Code of Regs. §71-8303.8(c) (1976, as amended); and
 - iv. Respondent failed to identify the PFE serial number or PFE location on the maintenance tag in accordance with the Memo; and
 - v. The maintenance tag was punched indicating that the extinguisher is a "Std. Dry Chem" unit when in reality it is an "ABC Dry Chem" unit. This tag was improperly punched by the technician; and
- c. PFE serial number ZS-494817
 - i. Respondent failed to properly identify the person performing the work in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA 10, §7.3.3; and
 - Respondent failed to remove the tamper seal by pulling the pull pin or locking the device in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA, §7.3.2.2; and
 - iii. Respondent failed to install an approved tamper seal imprinted with the year matching the date on the maintenance tag in accordance with S.C. Code of Regs. §71-8303.8(c) (1976, as amended); and
 - iv. Respondent failed to identify the PFE serial number or PFE location on the maintenance tag in accordance with the Memo; and

- v. The maintenance tag was punched indicating that the extinguisher is a "Std. Dry Chem" unit when in reality it is an "ABC Dry Chem" unit. This tag was improperly punched by the technician; and
- d. PFE serial number AB-602645
 - i. Respondent failed to remove the tamper seal by pulling the pull pin or locking the device in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA, §7.3.2.2; and
 - ii. Respondent failed to install an approved tamper seal imprinted with the year matching the date on the maintenance tag in accordance with S.C. Code of Regs. §71-8303.8(c) (1976, as amended); and
 - iii. Respondent failed to ensure that there was a placard conspicuously placed near the extinguisher identifying the use of the K-Class fire extinguisher as a secondary backup to the automatic fire-extinguishing system in accordance with NFPA 96, §10.2.2; and
- e. PFE serial number ZS-858852
 - i. Respondent failed to properly identify the person performing the work in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA 10, §7.3.3; and
 - Respondent failed to remove the tamper seal by pulling the pull pin or locking the device in accordance with S.C. Code of Regs. §71-8303.8(a) (1976, as amended) and NFPA, §7.3.2.2; and
 - iii. Respondent failed to install an approved tamper seal imprinted with the year matching the date on the maintenance tag in accordance with S.C. Code of Regs. §71-8303.8(c) (1976, as amended); and
 - iv. Respondent failed to identify the PFE serial number or PFE location on the maintenance tag in accordance with the Memo; and
 - v. The maintenance tag was punched indicating that the extinguisher is a "Std. Dry Chem" unit when in reality it is an "ABC Dry Chem" unit. This tag was improperly punched by the technician; and
- f. Fire System
 - i. Respondent failed to check all actuation components, including remote manual pull stations, mechanical or electrical devices, detectors, and actuators for proper operation in accordance with NFPA 96, §11.2.2; and

- ii. Respondent failed to mark the year of manufacture and the date of instillation of the fusible links on the Fire System inspection tag in accordance with NFPA 96, §11.2.5; and
- iii. Respondent failed to properly complete the Pre-Engineered Restaurant Fire Suppression System Report. The report fails to identify that the Fire System protects two deep fat fryers, does not list information concerning the system cylinder size, serial number, or the date of last hydrostatic test. The report does not indicate that they Fire System "was inspected and operationally tested in accordance with the fire protection system requirements of NFPA 17A, §96 and the manufacturer's manual with the results indicated above." The report indicates that there were No Comments concerning any deficiencies and the service technician certified "that the system was personally inspected and found conditions to be as indicated on this report"; and
- 8. Respondent waives any further findings of fact with respect to this matter.

CONCLUSIONS OF LAW

- 1. Respondent was hired to service and maintain PFE's at Mountainview. Respondent failed to properly inspect and/or maintain PFE serial number ZW-902140 as described above. Accordingly, Respondent admits that its actions in this matter constitute a violation of S.C. Code of Regs. § 71-8303.8 (1976, as amended); and
- 2. Respondent was hired to service and maintain PFE's at Mountainview. Respondent failed to properly inspect and/or maintain PFE serial number XL-624743 as described above. Accordingly, Respondent admits that its actions in this matter constitute a violation of S.C. Code of Regs. § 71-8303.8 (1976, as amended); and
- 3. Respondent was hired to service and maintain PFE's at Mountainview. Respondent failed to properly inspect and/or maintain PFE serial number ZS-447604 as described above. Accordingly, Respondent admits that its actions in this matter constitute a violation of S.C. Code of Regs. § 71-8303.8 (1976, as amended); and
- 4. Respondent was hired to service and maintain PFE's at Mountainview. Respondent failed to properly inspect and/or maintain PFE serial number MW-877303 as described above. Accordingly, Respondent admits that its actions in this matter constitute a violation of S.C. Code of Regs. § 71-8303.8 (1976, as amended); and
- 5. Respondent was hired to service and maintain PFE's at Mountainview. Respondent failed to properly inspect and/or maintain PFE serial number MW-877234 as described above. Accordingly, Respondent admits that its actions in this matter constitute a violation of S.C. Code of Regs. § 71-8303.8 (1976, as amended); and

- Respondent was hired to service and maintain PFE's at Mountainview. Respondent failed to properly inspect and/or maintain PFE serial number ZS-454592 as described above. Accordingly, Respondent admits that its actions in this matter constitute a violation of S.C. Code of Regs. § 71-8303.8 (1976, as amended); and
- 7. Respondent was hired to service and maintain PFE's at Mountainview. Respondent failed to properly inspect and/or maintain PFE scrial number XL-627048 as described above. Accordingly, Respondent admits that its actions in this matter constitute a violation of S.C. Code of Regs. § 71-8303.8 (1976, as amended); and
- 8. Respondent was hired to service and maintain PFE's at Mountainview. Respondent failed to properly inspect and/or maintain PFE serial number ZW-905163 as described above. Accordingly, Respondent admits that its actions in this matter constitute a violation of S.C. Code of Regs. § 71-8303.8 (1976, as amended); and
- 9. Respondent was hired to service and maintain PFE's at Mountainview. Respondent failed to properly inspect and/or maintain PFE serial number AB-706832 as described above. Accordingly, Respondent admits that its actions in this matter constitute a violation of S.C. Code of Regs. § 71-8303.8 (1976, as amended); and
- 10. Respondent was hired to service and maintain PFE's at Mountainview. Respondent failed to properly inspect and/or maintain PFE serial number AA-671944 as described above. Accordingly, Respondent admits that its actions in this matter constitute a violation of S.C. Code of Regs. § 71-8303.8 (1976, as amended); and
- 11. Respondent was hired to service and maintain PFE's at Mountainview. Respondent failed to properly inspect and/or maintain PFE serial number AB-708262 as described above. Accordingly, Respondent admits that its actions in this matter constitute a violation of S.C. Code of Regs. § 71-8303.8 (1976, as amended); and
- 12. Respondent was hired to service and maintain PFE's at Mountainview. Respondent failed to properly inspect and/or maintain PFE serial number XL-627052 as described above. Accordingly, Respondent admits that its actions in this matter constitute a violation of S.C. Code of Regs. § 71-8303.8 (1976, as amended); and
- 13. Respondent was hired to service and maintain PFE's at Mountainview. Respondent failed to properly inspect and/or maintain PFE serial number MW-877325 as described above. Accordingly, Respondent admits that its actions in this matter constitute a violation of S.C. Code of Regs. § 71-8303.8 (1976, as amended); and
- 14. Respondent was hired to service and maintain PFE's at Mountainview. Respondent failed to properly inspect and/or maintain PFE serial number XL-639021 as described above. Accordingly, Respondent admits that its actions in this matter constitute a violation of S.C. Code of Regs. § 71-8303.8 (1976, as amended); and
- 15. Respondent was hired to service and maintain PFE's at Mountainview. Respondent

failed to properly inspect and/or maintain PFE serial number AB-706833 as described above. Accordingly, Respondent admits that its actions in this matter constitute a violation of S.C. Code of Regs. § 71-8303.8 (1976, as amended); and

- 16. Respondent was hired to service and maintain PFE's at Mountainview. Respondent failed to properly inspect and/or maintain PFE serial number AB-708254 as described above. Accordingly, Respondent admits that its actions in this matter constitute a violation of S.C. Code of Regs. § 71-8303.8 (1976, as amended); and
- 17. Respondent was hired to service and maintain PFE's at Mountainview. Respondent failed to properly inspect and/or maintain PFE serial number AB-428575 as described above. Accordingly, Respondent admits that its actions in this matter constitute a violation of S.C. Code of Regs. § 71-8303.8 (1976, as amended); and
- 18. Respondent was hired to service and maintain PFE's at Mountainview. Respondent failed to properly inspect and/or maintain PFE serial number XL-636918 as described above. Accordingly, Respondent admits that its actions in this matter constitute a violation of S.C. Code of Regs. § 71-8303.8 (1976, as amended); and
- 19. Respondent was hired to service and maintain PFE's at Mountainview. Respondent failed to properly inspect and/or maintain PFE serial number MW-877338 as described above. Accordingly, Respondent admits that its actions in this matter constitute a violation of S.C. Code of Regs. § 71-8303.8 (1976, as amended); and
- 20. Respondent was hired to service and maintain PFE's at Mountainview. Respondent failed to properly inspect and/or maintain PFE serial number MW-877326 as described above. Accordingly, Respondent admits that its actions in this matter constitute a violation of S.C. Code of Regs. § 71-8303.8 (1976, as amended); and
- 21. Respondent was hired to service and maintain PFE's at Mountainview. Respondent failed to properly inspect and/or maintain PFE serial number XL-624736 as described above. Accordingly, Respondent admits that its actions in this matter constitute a violation of S.C. Code of Regs. § 71-8303.8 (1976, as amended); and
- 22. Respondent was hired to service and maintain PFE's at Mountainview. Respondent failed to properly inspect and/or maintain PFE serial number AA-674908 as described above. Accordingly, Respondent admits that its actions in this matter constitute a violation of S.C. Code of Regs. § 71-8303.8 (1976, as amended); and
- 23. Respondent was hired to service and maintain PFE's at Mountainview. Respondent failed to properly inspect and/or maintain PFE serial number AB-708253 as described above. Accordingly, Respondent admits that its actions in this matter constitute a violation of S.C. Code of Regs. § 71-8303.8 (1976, as amended); and
- 24. Respondent was hired to service and maintain PFE's at Mountainview. Respondent failed to properly inspect and/or maintain PFE serial number BA-708251 as described

above. Accordingly, Respondent admits that its actions in this matter constitute a violation of S.C. Code of Regs. § 71-8303.8 (1976, as amended); and

- 25. Respondent was hired to service and maintain PFE's at Mountainview. Respondent failed to properly inspect and/or maintain PFE serial number ZW-905160 as described above. Accordingly, Respondent admits that its actions in this matter constitute a violation of S.C. Code of Regs. § 71-8303.8 (1976, as amended); and
- 26. Respondent was hired to service and maintain PFE's at Mountainview. Respondent failed to properly inspect and/or maintain PFE serial number ZX-183457 as described above. Accordingly, Respondent admits that its actions in this matter constitute a violation of S.C. Code of Regs. § 71-8303.8 (1976, as amended); and
- 27. Respondent was hired to service and maintain PFE's at Mountainview. Respondent failed to properly inspect and/or maintain PFE serial number MS-057726 as described above. Accordingly, Respondent admits that its actions in this matter constitute a violation of S.C. Code of Regs. § 71-8303.8 (1976, as amended); and
- 28. Respondent was hired to service and maintain PFE's at Mountainvicw. Respondent failed to properly inspect and/or maintain PFE serial number W-087412 as described above. Accordingly, Respondent admits that its actions in this matter constitute a violation of S.C. Code of Regs. § 71-8303.8 (1976, as amended); and
- 29. Respondent was hired to perform semi-annual inspections of the Fire System for the School District. Respondent failed to accurately inspect and/or report the condition of the Fire System at Hendrix Elementary School as described above. Accurate reporting is required by S.C. Code of Regs. §71-8303.4 (1976, as amended) and NFPA 17A. Accordingly, Respondent admits that its actions in this matter constitute a violation of S.C. Code of Regs. §71-8303.4 (1976, as amended); and
- 30. Respondent was hired to perform semi-annual inspections of the Fire System for the School District. Respondent failed to accurately inspect and/or report the condition of the Fire System at Boiling Springs Junior High School as described above. Accurate reporting is required by S.C. Code of Regs. §71-8303.4 (1976, as amended) and NFPA 17A. Accordingly, Respondent admits that its actions in this matter constitute a violation of S.C. Code of Regs. § 71-8303.4 (1976, as amended); and
- 31. Respondent was hired to perform semi-annual inspections of the Fire System for the School District. Respondent failed to accurately inspect and/or report the condition of the Fire System at Oakland Elementary School as described above. Accurate reporting is required by S.C. Code of Regs. §71-8303.4 (1976, as amended) and NFPA 17A. Accordingly, Respondent admits that its actions in this matter constitute a violation of S.C. Code of Regs. § 71-8303.4 (1976, as amended); and
- 32. Respondent was hired to perform semi-annual inspections of the Fire System for the School District. Respondent failed to accurately inspect and/or report the condition of the

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Fire System at Boiling Springs Elementary School as described above. Accurate reporting is required by S.C. Code of Regs. §71-8303.4 (1976, as amended) and NFPA 17A. Accordingly, Respondent admits that its actions in this matter constitute a violation of S.C. Code of Regs. § 71-8303.4 (1976, as amended); and

- 33. Respondent was hired to perform semi-annual inspections of the Fire System for the School District. Respondent failed to accurately inspect and/or report the condition of the Fire System at Ninth Grade School as described above. Accurate reporting is required by S.C. Code of Regs. §71-8303.4 (1976, as amended) and NFPA 17A. Accordingly, Respondent admits that its actions in this matter constitute a violation of S.C. Code of Regs. § 71-8303.4 (1976, as amended); and
- 34. Respondent was hired to perform semi-annual inspections of the Fire System for the School District. Respondent failed to accurately inspect and/or report the condition of the Fire System at Rainbow Lake Elementary School as described above. Accurate reporting is required by S.C. Code of Regs. §71-8303.4 (1976, as amended) and NFPA 17A. Accordingly, Respondent admits that its actions in this matter constitute a violation of S.C. Code of Regs. § 71-8303.4 (1976, as amended); and
- 35. Respondent was hired to perform semi-annual inspections of the Fire System for the School District. Respondent failed to accurately inspect and/or report the condition of the Fire System at Carlilse-Foster's Grove Elementary School as described above. Accurate reporting is required by S.C. Code of Regs. §71-8303.4 (1976, as amended) and NFPA 17A. Accordingly, Respondent admits that its actions in this matter constitute a violation of S.C. Code of Regs. § 71-8303.4 (1976, as amended); and
- 36. Respondent was hired to perform semi-annual inspections of the Fire System for the School District. Respondent failed to accurately inspect and/or report the condition of the Fire System at Mayo Elementary School as described above. Accurate reporting is required by S.C. Code of Regs. §71-8303.4 (1976, as amended) and NFPA 17A. Accordingly, Respondent admits that its actions in this matter constitute a violation of S.C. Code of Regs. §71-8303.4 (1976, as amended); and
- 37. Respondent was hired to perform semi-annual inspections of the Fire System for the School District. Respondent failed to accurately inspect and/or report the condition of the Fire System at Chesnee High School as described above. Accurate reporting is required by S.C. Code of Regs. §71-8303.4 (1976, as amended) and NFPA 17A. Accordingly, Respondent admits that its actions in this matter constitute a violation of S.C. Code of Regs. § 71-8303.4 (1976, as amended); and
- 38. Respondent was hired to perform semi-annual inspections of the Fire System for the School District. Respondent failed to accurately inspect and/or report the condition of the Fire System at Chesnee Junior High School as described above. Accurate reporting is required by S.C. Code of Regs. §71-8303.4 (1976, as amended) and NFPA 17A. Accordingly, Respondent admits that its actions in this matter constitute a violation of S.C. Code of Regs. §71-8303.4 (1976, as amended); and

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- 39. Respondent was hired to perform semi-annual inspections of the Fire System for the School District. Respondent failed to accurately inspect and/or report the condition of the Fire System at Chesnee Elementary School as described above. Accurate reporting is required by S.C. Code of Regs. §71-8303.4 (1976, as amended) and NFPA 17A. Accordingly, Respondent admits that its actions in this matter constitute a violation of S.C. Code of Regs. §71-8303.4 (1976, as amended); and
- 40. Respondent was hired to perform semi-annual inspections of the Fire System for the School District. Respondent failed to accurately inspect and/or report the condition of the Fire System at Cooley Springs-Fingerville Elementary School as described above. Accurate reporting is required by S.C. Code of Regs. §71-8303.4 (1976, as amended) and NFPA 17A. Accordingly, Respondent admits that its actions in this matter constitute a violation of S.C. Code of Regs. § 71-8303.4 (1976, as amended); and
- 41. Respondent was hired to perform service and maintain PFE's at the Golf Club. Respondent failed to accurately inspect and/or maintain PFE serial number ZS-449528 at the Golf club as described above. Accordingly, Respondent admits that its actions in this matter constitute a violation of S.C. Code of Regs. § 71-8303.8 (1976, as amended); and
- 42. Respondent was hired to perform service and maintain PFE's at the Golf Club. Respondent failed to accurately inspect and/or maintain PFE serial number ZS-447603 at the Golf club as described above. Accordingly, Respondent admits that its actions in this matter constitute a violation of S.C. Code of Regs. § 71-8303.8 (1976, as amended); and
- 43. Respondent was hired to perform service and maintain PFE's at the Golf Club. Respondent failed to accurately inspect and/or maintain PFE serial number ZS-494817 at the Golf club as described above. Accordingly, Respondent admits that its actions in this matter constitute a violation of S.C. Code of Regs. § 71-8303.8 (1976, as amended); and
- 44. Respondent was hired to perform service and maintain PFE's at the Golf Club. Respondent failed to accurately inspect and/or maintain PFE serial number AB-602645 at the Golf club as described above. Accordingly, Respondent admits that its actions in this matter constitute a violation of S.C. Code of Regs. § 71-8303.8 (1976, as amended); and
- 45. Respondent was hired to perform service and maintain PFE's at the Golf Club. Respondent failed to accurately inspect and/or maintain PFE serial number ZS-858852 at the Golf club as described above. Accordingly, Respondent admits that its actions in this matter constitute a violation of S.C. Code of Regs. § 71-8303.8 (1976, as amended); and
- 46. Respondent was hired to perform semi-annual inspections of the Fire System at the Golf Club. Respondent failed to accurately inspect and/or report the condition of the Fire System at the Golf club as described above. Accurate reporting is required by S.C. Code of Regs. §71-8303.4 (1976, as amended) and NFPA 17A. Accordingly, Respondent admits that its actions in this matter constitute a violation of S.C. Code of Regs. § 71-8303.4 (1976, as amended); and

47. Respondent waives any further conclusions of law with respect to this matter.

THEREFORE, IT IS AGREED WITH RESPONDENT'S CONSENT THAT:

- 1. <u>Respondent's license (000176) shall be publically reprimanded;</u> and
- 2. <u>Respondent's license (000176) shall be placed on probation for ONE (1) year</u>. Should Respondent commit any additional violations within the probationary period, Respondent's license shall be subject to immediate administrative suspension. Before Respondent's license may be reinstated, Respondent shall appear before the SFM and answer for any gross negligence, incompetence, or misconduct in this matter. At that time, the Respondent shall present, among other matters, evidence satisfactory to the SFM, in his discretion, regarding the Respondent's fitness and qualifications to be licensed in this state. At the time of the Respondent's appearance, the SFM may deny licensure or impose such additional terms and conditions upon the license as he may deem appropriate; and
- 3. <u>Respondent shall pay a civil penalty of NINE THOUSAND TWO HUNDRED</u> <u>DOLLARS (\$9,200.00).00)</u>, to the SFM within ONE HUNDRED AND EIGHTY (180) days of the effective date of this Agreement. Said penalty shall not be deemed paid until received in full by the SFM. Failure to pay the fine within the allotted time may result in the immediate administrative suspension of the Respondents' license until such time as the fine is paid in full; and
- 4. Respondent acknowledges it's right to a hearing and to representation by counsel in this matter, and freely, knowingly, and voluntarily waives such rights by entering into this Consent Agreement. Respondent understands and agrees that by entering into this Consent Agreement, it voluntarily relinquishes any right to judicial review of the SFM's action(s) which may be taken concerning any related matters; and
- 5. It is understood and agreed that if Respondent fails to meet the conditions agreed to in this Consent Agreement, it's license may be immediately administratively suspended pending compliance; non-compliance may result in further discipline, and any license law violations by Respondent constitute a failure to meet the conditions of this Consent Agreement; and
- 6. The Respondent understands and agrees that this Consent Agreement will not become effective unless and until approved by the SFM. The Respondent understands and agrees that this Consent Agreement, if approved, will be disseminated as a public action of the SFM in the manner provided by law. The Respondent understands and agrees that if this Consent Agreement is not approved, it shall not constitute an admission against interest in this proceeding or prejudice the right of the SFM to adjudicate this matter. The Respondent hereby agrees to waive any rights the Respondent may have to challenge the impartiality of the SFM to hear the underlying complaint based upon prior knowledge

obtained by the SFM through consideration of this Consent Agreement if, after review by the SFM, this Consent Agreement should not be approved; and

7. Respondent shall promptly advise this SFM in writing of any changes in address, practice, privileges, professional status, or compliance with this agreement. Correspondence and copies of reports, notices and payments of civil penalties mentioned herein shall be directed to:

Office of the State Fire Marshal Chief of Licensing and Permitting 141 Monticello Trail Columbia, SC 29203

- 8. Respondent understands and agrees that if this Consent Agreement is approved, it shall become a public document under the South Carolina Freedom of Information Act S.C. Code Ann. §§ 30-4-10 to -165 (1976, as amended); and
- 9. This Consent Agreement shall take effect immediately upon acceptance by the SMF.

(signatures on following page)

IN THE MATTER OF: NATIONAL FIRE PROTECTION COMPANY LICENSE NO.: 000176 OGC CASE NO.: 2013-01

AND IT IS SO ORDERED.

SOUTH CAROLINA DEPARTMENT OF LABOR, LICENSING, & REGULATION OFFICE OF THE STATE FIRE MARSHAL

7-31-13 Date

BY: CHIEF SHANE RAY

State Fire Marshal

I CONSENT:

NATIONAL FIRE PROTECTION COMPANY By: Clarence V. Boliek, It's: President Respondent

Dule

Dyight F. Drake, ESQ. Nelson, Mullins, Riley, & Scarborough, LLP Attorney for Respondent

ANDREW R. ROGERS, ESQ. Assistant General Counsel South Carolina Department of Labor, Licensing, & Regulation

3 liet July 24 Date 2013

Jag 26,2017

July 31, 2013 Date

EXHIBIT #1 - Mountainview

FIRE EQUIPMENT DEALER AUDIT Mountainview Nursing Home 340 Cedar Springs Road Spartanburg, SC 29302 Date of Audit: July 11, 2012

Dealer: National Fire Protection Company (License No. 000176) 1765 Drayton Road Drayton, SC 29333

Findings:

Respondent National Fire Protection Company improperly serviced a total of twentyeight (28) portable fire extinguishers located at the Mountainview Nursing Home, 340 Cedar Springs Road, Spartanburg, SC, by not performing required fire extinguisher service in accordance with National Fire Protection Association (NFPA) 10, *Standard for Portable Fire Extinguishers – 2010 Edition*, SC Rules and Regulations, R.71-8303, *Subarticle 4, Portable Fire Extinguishers and Fixed Fire Extinguishing Systems – June 25, 2010 effective date* and Division of Fire and Life Safety (DF&LS) letter dated September 13, 2004. The subject portable fire extinguishers were all identified with a National Fire Protection Company Maintenance Tag as having been serviced in August 2011. Individual findings are as follows:

- Respondent National Fire Protection Company improperly serviced one (1) portable fire extinguisher located at the Mountainview Nursing Home, Spartanburg, SC by:
 - a. failing to properly identify the person performing the work in accordance with NFPA 10, Section 7.3.3;
 - b. failing to remove the tamper seal by pulling the pull pin or locking device in accordance with NFPA 10, Section 7.3.2.2 (as evidenced by the presence of the original 2008 factory tamper seal);
 - c. failing to install an approved tamper seal imprinted with the year matching the date on the maintenance tag per R71-8303.8.C; and
 - d. failing to identify the extinguisher serial number or extinguisher location on the maintenance tag in accordance with DF&LS letter dated September 13, 2004.

Extinguisher Serial Number ZW-902140 is located in the main hall and was manufactured in 2008.



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- 2. Respondent National Fire Protection Company improperly serviced one (1) portable fire extinguisher located at the Mountainview Nursing Home, Spartanburg, SC by:
 - a. failing to properly identify the person performing the work In accordance with NFPA 10, Section 7.3.3;
 - b. failing to provide evidence that the extinguisher has successfully passed the 6-year maintenance requirement which was due in 2011 in accordance with NFPA 10, Section 7.3.3.1,
 - c. installing a Verification-of-Service Collar that does not meet the requirement of NFPA 10, Section 7.3.3.2.1.1 as to being a singular circular piece of uninterrupted material;
 - d. failing to install an approved tamper seal imprinted with the year matching the date on the maintenance tag per R71-8303.8.C; and
 - e. failing to identify the extinguisher serial number or extinguisher location on the maintenance tag in accordance with DF&LS letter dated September 13, 2004.

Extinguisher Serial Number XL-624743 is located in the main hall and was manufactured in 2005.



 Respondent National Fire Protection Company improperly serviced one (1) portable fire extinguisher located at the Mountainview Nursing Home, Spartanburg, SC by:

- a. failing to remove the tamper seal by pulling the pull pin or locking device in accordance with NFPA 10, Section 7.3.2.2 (as evidenced by the presence of the prior 2010 tamper seal); and
- b. failing to install an approved tamper seal imprinted with the year matching the date on the maintenance tag per R71-8303.8.C.

Extinguisher Serial ZS-447604 is located in the main hall and was manufactured in 2008.



- 4. Respondent National Fire Protection Company improperly serviced one (1) portable fire extinguisher located at the Mountainview Nursing Home, Spartanburg, SC by:
 - a. failing to properly identify the person performing the work In accordance with NFPA 10, Section 7.3.3;
 - b. failing to install an approved tamper seal imprinted with the year matching the date on the maintenance tag per R71-8303.8.C; and
 - c. failing to identify the extinguisher serial number or extinguisher location on the maintenance tag in accordance with DF&LS letter dated September 13, 2004.

Extinguisher Serial Number MW-877303 is located in the main hall and was manufactured in 1995.



- Respondent National Fire Protection Company improperly serviced one (1) portable fire extinguisher located at the Mountainview Nursing Home, Spartanburg, SC by:
 - a. failing to properly identify the person performing the work In accordance with NFPA 10, Section 7.3.3;
 - b. failing to install an approved tamper seal imprinted with the year matching the date on the maintenance tag per R71-8303.8.C; and
 - c. failing to identify the extinguisher serial number or extinguisher location on the maintenance tag in accordance with DF&LS letter dated September 13, 2004.

Extinguisher Serial Number MW-877324 is located in the main hall and was manufactured in 1995.



- Respondent National Fire Protection Company improperly serviced one (1) portable fire extinguisher located at the Mountainview Nursing Home, Spartanburg, SC by:
 - a. failing to properly identify the person performing the work In accordance with NFPA 10, Section 7.3.3;
 - b. failing to remove the tamper seal by pulling the pull pin or locking device in accordance with NFPA 10, Section 7.3.2.2 (as evidenced by the presence of the original 2008 factory tamper seal);
 - c. failing to install an approved tamper seal imprinted with the year matching the date on the maintenance tag per R71-8303.8.C; and
 - d. failing to identify the extinguisher serial number or extinguisher location on the maintenance tag in accordance with DF&LS letter dated September 13, 2004.

Extinguisher Serial Number ZS-454592 is located in the main hall and was manufactured in 2008.



- 7. Respondent National Fire Protection Company improperly serviced one (1) portable fire extinguisher located at the Mountainview Nursing Home, Spartanburg, SC by:
 - a. failing to properly identify the person performing the work In accordance with NFPA 10, Section 7.3.3;
 - b. failing to provide evidence that the extinguisher has successfully passed the 6-year maintenance requirement which was due in 2011 in accordance with NFPA 10, Section 7.3.3.1,
 - c. failing to remove the tamper seal by pulling the pull pin or locking device in accordance with NFPA 10, Section 7.3.2.2 (as evidenced by the presence of the original factory 2008 tamper seal);
 - d. failing to install an approved tamper seal imprinted with the year matching the date on the maintenance tag per R71-8303.8.C; and
 - e. failing to identify the extinguisher serial number or extinguisher location on the maintenance tag in accordance with DF&LS letter dated September 13, 2004.

Extinguisher Serial Number XL-627048 is located in the main hall and was manufactured in 2005.



- Respondent National Fire Protection Company improperly serviced one (1) portable fire extinguisher located at the Mountainview Nursing Home, Spartanburg, SC by:
 - a. failing to properly identify the person performing the work In accordance with NFPA 10, Section 7.3.3;

- b. failing to remove the tamper seal by pulling the pull pin or locking device in accordance with NFPA 10, Section 7.3.2.2 (as evidenced by the presence of the original 2008 factory tamper seal);
- c. failing to install an approved tamper seal imprinted with the year matching the date on the maintenance tag per R71-8303.8.C; and
- failing to identify the extinguisher serial number or extinguisher location on the maintenance tag in accordance with DF&LS letter dated September 13, 2004.

Extinguisher Serial Number ZW-905163 is located in Northside Village and was manufactured in 2008.



- Respondent National Fire Protection Company improperly serviced one (1) portable fire extinguisher located at the Mountainview Nursing Home, Spartanburg, SC by:
 - a. failing to properly identify the person performing the work In accordance with NFPA 10, Section 7.3.3;
 - b. failing to remove the tamper seal by pulling the pull pin or locking device in accordance with NFPA 10, Section 7.3.2.2 (as evidenced by the presence of the prior 2008 tamper seal);
 - c. failing to install an approved tamper seal imprinted with the year matching the date on the maintenance tag per R71-8303.8.C; and
 - d. failing to identify the extinguisher serial number or extinguisher location on the maintenance tag in accordance with DF&LS letter dated September 13, 2004.

Extinguisher Serial Number AB-706832 is located in Northside Village and was manufactured in 2008.



- Respondent National Fire Protection Company improperly serviced one (1) portable fire extinguisher located at the Mountainview Nursing Home, Spartanburg, SC by:
 - a. failing to properly identify the person performing the work In accordance with NFPA 10, Section 7.3.3;
 - b. failing to remove the tamper seal by pulling the pull pin or locking device in accordance with NFPA 10, Section 7.3.2.2 (as evidenced by the presence of the prior 2010 tamper seal);
 - c. failing to install an approved tamper seal imprinted with the year matching the date on the maintenance tag per R71-8303.8.C; and
 - d. failing to identify the extinguisher serial number or extinguisher location on the maintenance tag in accordance with DF&LS letter dated September 13, 2004.

Extinguisher Serial Number AA-671944 is located in Northside Village and was manufactured in 2005.



- 11. Respondent National Fire Protection Company improperly serviced one (1) portable fire extinguisher located at the Mountainview Nursing Home, Spartanburg, SC by:
 - a. failing to properly identify the person performing the work In accordance with NFPA 10, Section 7.3.3;

- b. failing to remove the tamper seal by pulling the pull pin or locking device in accordance with NFPA 10, Section 7.3.2.2 (as evidenced by the presence of the prior 2010 tamper seal);
- c. failing to install an approved tamper seal imprinted with the year matching the date on the maintenance tag per R71-8303.8.C; and
- failing to identify the extinguisher serial number or extinguisher location on the maintenance tag in accordance with DF&LS letter dated September 13, 2004.

Extinguisher Serial Number AB-708262 is located in Northside Village and was manufactured in 2008.



- 12. Respondent National Fire Protection Company improperly serviced one (1) portable fire extinguisher located at the Mountainview Nursing Home, Spartanburg, SC by:
 - a. failing to properly identify the person performing the work In accordance with NFPA 10, Section 7.3.3;
 - b. failing to provide evidence that the extinguisher has successfully passed the 6-year maintenance requirement which was due in 2011 in accordance with NFPA 10, Section 7.3.3.1,
 - c. failing to install an approved tamper seal imprinted with the year matching the date on the maintenance tag per R71-8303.8.C; and
 - failing to identify the extinguisher serial number or extinguisher location on the maintenance tag in accordance with DF&LS letter dated September 13, 2004.

Extinguisher Serial Number XL-627052 is located in Northside Village and was manufactured in 2005.



- Respondent National Fire Protection Company improperly serviced one (1) portable fire extinguisher located at the Mountainview Nursing Home, Spartanburg, SC by:
 - a. failing to properly identify the person performing the work In accordance with NFPA 10, Section 7.3.3;
 - b. failing to install an approved tamper seal imprinted with the year matching the date on the maintenance tag per R71-8303.8.C; and
 - c. failing to identify the extinguisher serial number or extinguisher location on the maintenance tag in accordance with DF&LS letter dated September 13, 2004.

Extinguisher Serial Number MW-877325 is located in Northside Village and was manufactured in 1995.



- 14. Respondent National Fire Protection Company improperly serviced one (1) portable fire extinguisher located at the Mountainview Nursing Home, Spartanburg, SC by:
 - a. failing to properly identify the person performing the work In accordance with NFPA 10, Section 7.3.3;
 - b. failing to provide evidence that the extinguisher has successfully passed the 6-year maintenance requirement which was due in 2011 in accordance with NFPA 10, Section 7.3.3.1,
 - c. failing to remove the tamper seal by pulling the pull pin or locking device in accordance with NFPA 10, Section 7.3.2.2 (as evidenced by the presence of the original factory 2005 tamper seal);

- failing to install an approved tamper seal imprinted with the year matching the date on the maintenance tag per R71-8303.8.C; and
- e. failing to identify the extinguisher serial number or extinguisher location on the maintenance tag in accordance with DF&LS letter dated September 13, 2004.

Extinguisher Serial Number XL-639021 is located in Eastside Village and was manufactured in 2005.



- 15. Respondent National Fire Protection Company improperly serviced one (1) portable fire extinguisher located at the Mountainview Nursing Home, Spartanburg, SC by:
 - a. failing to properly identify the person performing the work In accordance with NFPA 10, Section 7.3.3;
 - b. failing to remove the tamper seal by pulling the pull pin or locking device in accordance with NFPA 10, Section 7.3.2.2 (as evidenced by the presence of the prior 2008 tamper seal);
 - c. failing to install an approved tamper seal imprinted with the year matching the date on the maintenance tag per R71-8303.8.C; and
 - d. failing to identify the extinguisher serial number or extinguisher location on the maintenance tag in accordance with DF&LS letter dated September 13, 2004.

Extinguisher Serial Number AB-706833 is located in Eastside Village and was manufactured in 2008.



- Respondent National Fire Protection Company improperly serviced one (1) portable fire extinguisher located at the Mountainview Nursing Home, Spartanburg, SC by:
 - a. failing to properly identify the person performing the work In accordance with NFPA 10, Section 7.3.3;
 - b. failing to remove the tamper seal by pulling the pull pin or locking device in accordance with NFPA 10, Section 7.3.2.2 (as evidenced by the presence of the prior 2008 tamper seal);
 - c. failing to install an approved tamper seal imprinted with the year matching the date on the maintenance tag per R71-8303.8.C; and
 - d. failing to identify the extinguisher serial number or extinguisher location on the maintenance tag in accordance with DF&LS letter dated September 13, 2004.

Extinguisher Serial Number AB-708254 is located in Eastside Village and was manufactured in 2008.



- 17. Respondent National Fire Protection Company improperly serviced one (1) portable fire extinguisher located at the Mountainview Nursing Home, Spartanburg, SC by:
 - a. failing to properly identify the person performing the work In accordance with NFPA 10, Section 7.3.3;
 - b. failing to remove the tamper seal by pulling the pull pin or locking device in accordance with NFPA 10, Section 7.3.2.2 (as evidenced by the presence of the prior 2008 tamper seal);
 - c. failing to install an approved tamper seal imprinted with the year matching the date on the maintenance tag per R71-8303.8.C; and
 - d. failing to identify the extinguisher serial number or extinguisher location on the maintenance tag in accordance with DF&LS letter dated September 13, 2004.

Extinguisher Serial Number AB-428575 is located in Eastside Village and was manufactured in 2007.


- Respondent National Fire Protection Company improperly serviced one (1) portable fire extinguisher located at the Mountainview Nursing Home, Spartanburg, SC by:
 - a. failing to properly identify the person performing the work In accordance with NFPA 10, Section 7.3.3;
 - b. failing to provide evidence that the extinguisher has successfully passed the 6-year maintenance requirement which was due in 2011 in accordance with NFPA 10, Section 7.3.3.1,
 - c. failing to install an approved tamper seal imprinted with the year matching the date on the maintenance tag per R71-8303.8.C; and
 - d. failing to identify the extinguisher serial number or extinguisher location on the maintenance tag in accordance with DF&LS letter dated September 13, 2004.

Extinguisher Serial Number XL-636918 is located in Eastside Village and was manufactured in 2005.



- 19. Respondent National Fire Protection Company improperly serviced one (1) portable fire extinguisher located at the Mountainview Nursing Home, Spartanburg, SC by:
 - a. failing to properly identify the person performing the work In accordance with NFPA 10, Section 7.3.3;
 - b. failing to install an approved tamper seal imprinted with the year matching the date on the maintenance tag per R71-8303.8.C; and

c. failing to identify the extinguisher serial number or extinguisher location on the maintenance tag in accordance with DF&LS letter dated September 13, 2004.

Extinguisher Serial Number MW-877338 is located in Eastside Village and was manufactured in 1995.

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- 20. Respondent National Fire Protection Company improperly serviced one (1) portable fire extinguisher located at the Mountainview Nursing Home, Spartanburg, SC by:
 - a. failing to properly identify the person performing the work In accordance with NFPA 10, Section 7.3.3;
 - failing to install an approved tamper seal imprinted with the year matching the date on the maintenance tag per R71-8303.8.C; and
 - c. failing to identify the extinguisher serial number or extinguisher location on the maintenance tag in accordance with DF&LS letter dated September 13, 2004.

Extinguisher Serial Number MW-877326 is located in the West Wing and was manufactured in 1995.



- 21. Respondent National Fire Protection Company improperly serviced one (1) portable fire extinguisher located at the Mountainview Nursing Home, Spartanburg, SC by:
 - a. failing to properly identify the person performing the work In accordance with NFPA 10, Section 7.3.3;
 - b. failing to provide evidence that the extinguisher has successfully passed the 6-year maintenance requirement which was due in 2011 in accordance with NFPA 10, Section 7.3.3.1,
 - c. failing to install an approved tamper seal imprinted with the year matching the date on the maintenance tag per R71-8303.8.C; and
 - d. failing to identify the extinguisher serial number or extinguisher location on the maintenance tag in accordance with DF&LS letter dated September 13, 2004.

Extinguisher Serial Number XL-624739 is located in the West Wing and was manufactured in 2005.



- 22. Respondent National Fire Protection Company improperly serviced one (1) portable fire extinguisher located at the Mountainview Nursing Home, Spartanburg, SC by:
 - a. failing to properly identify the person performing the work In accordance with NFPA 10, Section 7.3.3;
 - b. failing to remove the tamper seal by pulling the pull pin or locking device in accordance with NFPA 10, Section 7.3.2.2 (as evidenced by the presence of the prior 2010 tamper seal);
 - c. failing to install an approved tamper seal imprinted with the year matching the date on the maintenance tag per R71-8303.8.C; and
 - d. failing to identify the extinguisher serial number or extinguisher location on the maintenance tag in accordance with DF&LS letter dated September 13, 2004.

Extinguisher Serial Number AA-674908 is located in the West Wing and was manufactured in 2005.



- 23. Respondent National Fire Protection Company improperly serviced one (1) portable fire extinguisher located at the Mountainview Nursing Home, Spartanburg, SC by:
 - a. failing to properly identify the person performing the work In accordance with NFPA 10, Section 7.3.3;
 - b. failing to remove the tamper seal by pulling the pull pin or locking device (a in accordance with NFPA 10, Section 7.3.2.2s evidenced by the presence of the prior 2008 tamper seal);
 - c. failing to install an approved tamper seal imprinted with the year matching the date on the maintenance tag per R71-8303.8.C; and
 - failing to identify the extinguisher serial number or extinguisher location on the maintenance tag in accordance with DF&LS letter dated September 13, 2004.

Extinguisher Serial Number AB-708253 is located in the West Wing and was manufactured in 2008.



- 24. Respondent National Fire Protection Company improperly serviced one (1) portable fire extinguisher located at the Mountainview Nursing Home, Spartanburg, SC by:
 - a. failing to properly identify the person performing the work In accordance with NFPA 10, Section 7.3.3;
 - b. failing to remove the tamper seal by pulling the pull pin or locking device in accordance with NFPA 10, Section 7.3.2.2 (as evidenced by the presence of the prior 2008 tamper seal);

- c. failing to install an approved tamper seal imprinted with the year matching the date on the maintenance tag per R71-8303.8.C; and
- d. failing to identify the extinguisher serial number or extinguisher location on the maintenance tag in accordance with DF&LS letter dated September 13, 2004.

Extinguisher Serial Number AB-708251 is located in the West Wing and was manufactured in 2008.



- 25. Respondent National Fire Protection Company improperly serviced one (1) portable fire extinguisher located at the Mountainview Nursing Home, Spartanburg, SC by:
 - a. failing to properly identify the person performing the work In accordance with NFPA 10, Section 7.3.3;
 - b. failing to remove the tamper seal by pulling the pull pin or locking device in accordance with NFPA 10, Section 7.3.2.2 (as evidenced by the presence of the original factory 2008 tamper seal);
 - c. failing to install an approved tamper seal imprinted with the year matching the date on the maintenance tag per R71-8303.8.C; and
 - d. failing to identify the extinguisher serial number or extinguisher location on the maintenance tag in accordance with DF&LS letter dated September 13, 2004.

Extinguisher Serial Number ZW-905160 is located in the West Wing and was manufactured in 2008.



- 26. Respondent National Fire Protection Company improperly serviced one (1) portable fire extinguisher located at the Mountainview Nursing Home, Spartanburg, SC by:
 - a. failing to properly identify the person performing the work In accordance with NFPA 10, Section 7.3.3;
 - b. failing to remove the tamper seal by pulling the pull pin or locking device in accordance with NFPA 10, Section 7.3.2.2 (as evidenced by the presence of the original factory 2008 tamper seal);
 - c. failing to install an approved tamper seal imprinted with the year matching the date on the maintenance tag per R71-8303.8.C; and
 - d. failing to identify the extinguisher serial number or extinguisher location on the maintenance tag in accordance with DF&LS letter dated September 13, 2004.

Extinguisher Serial Number ZX-183457 is located in the West Wing Hallway and was manufactured in 2008.



- 27. Respondent National Fire Protection Company improperly serviced one (1) portable fire extinguisher located at the Mountainview Nursing Home, Spartanburg, SC by:
 - a. failing to properly identify the person performing the work In accordance with NFPA 10, Section 7.3.3;
 - failing to install an approved tamper seal imprinted with the year matching the date on the maintenance tag per R71-8303.8.C; and
 - c. failing to identify the extinguisher serial number or extinguisher location on the maintenance tag in accordance with DF&LS letter dated September 13, 2004.

Extinguisher Serial Number MS-057726 is located in the Kitchen and was manufactured in 1995.



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- 28. Respondent National Fire Protection Company improperly serviced one (1) portable fire extinguisher located at the Mountainview Nursing Home, Spartanburg, SC by:
 - a. failing to properly identify the person performing the work In accordance with NFPA 10, Section 7.3.3;
 - b. failing to remove the tamper seal by pulling the pull pin or locking device in accordance with NFPA 10, Section 7.3.2.2 (as evidenced by the presence of the prior 2010 tamper seal);
 - c. failing to install an approved tamper seal imprinted with the year matching the date on the maintenance tag per R71-8303.8.C; and
 - d. failing to identify the extinguisher serial number or extinguisher location on the maintenance tag in accordance with DF&LS letter dated September 13, 2004.

Extinguisher Serial Number W-087412 is located in the Kitchen and was manufactured in 2000.



EXHIBIT #2 - Memo



South Carolina Department of Labor, Licensing and Regulation

Division of Fire and Life Safety



Mark Sanford Governor Adrienne Riggins Youmans Director

MEMORANDUM

TO:	All Fire Equipment Dealers
	Permit Holders

FROM: Michael D. Platt, State Fire Marshal

DATE: September 13, 2004

RE: Permitting and Licensing Issues and Problems

In recent months, our office has seen a sharp increase in the number of problems and complaints dealing with several licensing and permitting issues. Additionally, we have seen problems with servicing work and documentation for fire extinguishers and hood suppression systems that have caused us to be concerned about the way the industry conducts business in South Carolina. As a result of these concerns and complaints, the following directives shall be implemented and enforced by the Office of State Fire Marshal effective immediately.

- South Carolina Rules and Regulations (SCRR) 71-8307.9 requires that each employee who services, installs, repairs, or recharges portable fire extinguishers or fixed fire suppression systems shall have a valid permit to conduct such work. SCRR 71-8307.14 requires that each employer ascertain that each employee conducting these types of operations have a valid permit with that employer. SCRR 71-8307.5(F) provides for a Class E permit which is valid for a maximum of one year. This type of permit is for new employees who are in training. The regulation specifically states that employees holding a Class E permit must work under the direct supervision of a valid permit holder. This means that a Class E permittee cannot work alone or unsupervised, and cannot sign any papers or tags.
- 2. National Fire Protection Association (NFPA) 10 4.4 requires that portable fire extinguishers have annual maintenance. Section 4-4.1.2 requires the tag on the portable extinguisher bear the initials of the person who performed the maintenance. Because of problems with tags being moved or tampered with, all tags shall now indicate the company or individual name that the portable extinguisher belongs to and its location (see Example #1).
- 3. NFPA 96 11.2.1 requires that fixed suppression systems be serviced every six months. Section 11.2.5 requires that the tag on the fixed system bear the name or initials of the person who performed the service. Section 11.2.4 requires that all

Memorandum Page 2 September 13, 2004

links on the system shall be changed per the manufacturer's recommendation, but at least once annually. Because of problems and complaints, all service tags shall now indicate the facility where the fixed system belongs (see Example #2). Additionally, all used links from the system shall be placed with the tag on a tamper seal, and the date the links were changed indicated on the tag per Section 11.2.5.

Companies or individuals who violate these provisions as of October 1, 2004, will be subject to enforcement actions according to the enclosed attachment. These penalties are in addition to any investigation and administrative costs.

Thank you all for your assistance with these items. If you have any questions, please do not hesitate to write or call our office.

MDP/non

{permitting & licensing issues and problems}

Enclosure

EXHIBIT #3 – School District

FIRE EQUIPMENT DEALER AUDIT Spartanburg County School District Two Spartanburg, SC 29302 Date of Audit: September 7, 2012

Dealer:

National Fire Protection Company (License No. 000176) 1765 Drayton Road Drayton, SC 29333

FIndings:

Respondent National Fire Protection Company performed semi-annual inspections of the kitchen fire suppression systems under contact for Spartanburg County School District Two in January 2012 and August 2012. These inspections were documented by written reports submitted to the Spartanburg Country School District Two Maintenance Supervisor, Mr. Keith Holden. Copies of these reports were requested by the Office of State Fire Marshal (OSFM) and were subsequently provided by Mr. Holden (Attachments A and Attachment B). A review of these reports revealed discrepancies in the information reported as to the conditions found during the inspections, particularly to the equipment arrangement and the number of heat detectors (fuse links) inspected. In an email to Mr. Holden dated September 4, 2012, the OSFM requested information regarding any changes in the equipment layout, or in the number of heat detectors installed in the various systems between the January and August inspections at 12 specifically identified school facilities. In a response dated September 5, 2012, Mr. Holden indicated that no changes had been made in any of the indicated school kitchen equipment layouts, nor in any of the installed kitchen hood fire suppression systems (Attachment C). Additionally, Mr. Holden was asked if any changes had been made to the building fire alarm systems at three school facilities that would have caused the kitchen hood fire suppression systems to be disconnected from the alarm system. Mr. Holden's email indicated that no changes had been made between January and August 2012.

Based on the data provided in the official Fire Inspection Reports provided to the Spartanburg County School District Two by the Respondent and the disparities between the reports submitted in January 2012 and August 2012 with regard to the equipment inspected each time, the Respondent failed to accurately report 25 findings during one of the two inspection cycles conducted at 12 Spartanburg County School District Two facilities, as required by SC Rules and Regulations, R.71-8303, *Subarticle 4, Portable Fire Extinguishers and Fixed Fire Extinguishing Systems – June 25, 2010 effective date* and NFPA 17A, *Standard for Wet Chemical Extinguishing Systems – 2009 Edition.* See Attachment D for specific discrepancies.

1. Hendrix Elementary School – Discrepancy between number of fuse links and with equipment layout.

2. Boiling Springs Junior High School – Discrepancy between number of fuse links and with equipment layout.

3. Oakland Elementary School - Discrepancy between number of fuse links and with equipment layout.

4. Boiling Springs Elementary School - Discrepancy between number of fuse links, with equipment layout, and alarm system monitoring of hood system by fire alarm system.

5. Ninth Grade School - Discrepancy between number of fuse links.

6. Rainbow Lake Elementary School - Discrepancy between number of fuse links.

7. Carlilse-Foster's Grove Elementary School - Discrepancy between number of fuse links, with equipment layout, and alarm system monitoring of hood system by fire alarm system.

8. Mayo Elementary School - Discrepancy between number of fuse links, with equipment layout, and alarm system monitoring of hood system by fire alarm system.

9. Chesnee High School - Discrepancy between number of fuse links, with equipment layout, and alarm system monitoring of hood system by fire alarm system.

10. Chesnee Junior High School - Discrepancy with equipment layout.

11. Chesnee Elementary School - Discrepancy between number of fuse links and with equipment layout.

12. Cooley Springs-Fingerville Elementary School - Discrepancy between number of fuse links, with equipment layout, and alarm system monitoring of hood system by fire alarm system.

ATTACHMENTS

Attachment A -- National Fire Protection Company Inspection Reports, January 2012

Attachment B – National Fire Protection Company Inspection Reports, August 2012

Attachment C – Emails between OSFM and Spartanburg School District Two

Attachment D – OSFM Comparison of January 2012 and August 2012 Reports

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On this date, this pre-engineered fire suppression suppression system requirements of NFPA17 or 1	TA, 96 and	s Inspected and the manufactur	d operationally rer's manual w	lested in ad tith the resul	cordance	with the fire ad above.

SERVICE COMPANY	DATE OF BERVICE	1 fBu	- 121	37 44	
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NATIONAL FIRE PROTECTION					54
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NATIONAL FIRE PROTECTION	u u	CATION OF AVETEN CT	LINGERS	/	D'YES	L 300 ∐NC
1765 Drayton Road		Endot	- Harris	WET	and the second	HENGAL
Drayton, SC 29383			Quan		A	
	1 d	TUNDER SIZE WASTER	CILINDEA	HE SLAVE	DETURDER SIZE	RAVE
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/) CUSTOMER	F	USE LINKS 360" F.	FUSE LINKS 460" F.	FUBE LINKE SCO"	5 COTH	IEH.
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Owner or Manager	10350					
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3. Check if seals intact, evidence of tampering		25. Exhaust	fan in operating	order		-
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3. Pressure gauge in proper range (if gauged)	1	27. Fuei shu	t-off in on positio	n		-
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6. Check operation of gas valve	/		and portable add		or ayatern	_
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On this date, this pre-engineered fire suppression uppression system requirements of NFPA17 or	n system wa 17A, 96 and	s inspected and the manufactu	d operationally rer's manual wi	tested in accounts in the results i	rdance with indicated ab	the fire ove.
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SERVICE TECHNICIAN PERMIT NO.	112/2	1:30				

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SERVICE COMPANY	DATE OF SERVICE	Personal Sector	TINE	AM	Pal
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NATIONAL FIRE PROTECTION		- ALLAN	ME / MSMUAHON	REHOW	AIICH
NATIONAL FIRE PROTECTION	LOCATION OF SYN	TEM CYLINDERS	the state of the state	UL S	
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SERVICE COMPANY		TE OF SERVICE		1 114		AN	1 PML
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		HUAL SEA	- ANNUAL	RECHARGE	INSTALLATION	A T	ENOVATION
INTIONAL FIRE PROTECTION	10	CATION OF BYSTE	M GYLNDG	19		100	UL 300
1765 Drayton Road		Inial	1				- DH
Drayton, SC 29333		A CTURER	NO	DEL MUNISER	WET	DF	Y CHEMICAL
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COMMENTS:	-			_	1000		
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	11.				200	52. jH	
- Bet and the	Udr.	R	133				
n this date, this pre-engineered fire suppression uppression system requirements of NFPA17 or 1	system was	inspected a	ind ope	rationally t	ested in accor	dance will	n the fire
		ne manulac	turer's i		h the results in	ndicated a	bove.
- Wear	ALIN	7:45					
SERVICE TECHNICIAN PERMIT NO.	DATE:	TIME-	AM	PM CL	JSTOMER'S AU		AGENT
he above service technician certifies that the system	was persona	ally inspected	t and for	Ind coordin-	os to ha as led	licated 4	his man
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SERVICE COMPANY		DATE OF SERVICE	TM	-	AM	L PAL
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	1	ANNUAL BENGA	WALL RECHARGE	CORNERALLATIC		IOVISTION
		LOCATION OF SYSTEM	TUNDERS ,			UL 200
NATIONAL FIRE PROTECTION		Kend	f that			States and
8 Drayton Rd.		MANAJFACTURER	MODEL MUNISER	WET	DAL	CHELOCA
Drayton, SC 29333	N 18 1	Chulter and Water	COLUMPER I		CYLINCER BIZE	SLAVE
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SE MARY CL	1_	5				
Name	- <u></u>	FUEL SHUT-OFF	ELECTRIC	GAB	\$121	
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7. Clean nozzlos		38. Portable	extinguishers prop	erly serviced		-
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Check positioning of all nozzies.	22. Piping	& condult securely separation betwee	Discharge & Battle	
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17. Clean nozzies -	37 Ranio	e, & Certification ta	on system	
18. Proper nozzle covers in place	NOTE	DISCREPANICES	OR DEFICIENCIE	S BELOW
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suppression system requirements of NFPA17 or 17A	, 96 and the manufact	turer's manual w	ith the results in	ndicaled above
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7. If system has been dischargod, report same	28. All litters in place
B. Pressure gauge in proper range (If gauged)	27. Fuel shut-off in on position
9. Check cartridge weight (If applicable)	28. Manuai & remote set/seats in place 29. Replace systems covers
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On this date, this pre-engineered fire suppression s suppression system requirements of NFPA17 or 17/	A OS and I	he manufact	turer's manua	i with the resu	ilts indicate	d abo
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Pre-Engineered Restaurant Fire Suppression Systems Report GATE OF SERVICE PHE SERVICE COMPANY 30 HENDWATICH HatALLATION NAtioNAL fire UL 300 LOCATION OF Dates DNO DRY CHEMICAL HODER ME BUDGE WE DL 12 CTUNCER SIZE SLAVE THE INDEAL BOTH BLAVE 177-6-21 FUSE LINKS NOC" FLICE LYING 450" F THE FRANCE SHOT SITE FLECTION 043 RUFT EHUTOF LAST NECHAROS DATE LAST HYDRO TEST DATE **EISSIAF NEBRIE I** State ZIP City MUNUPACTURER'S MANUAL REFERENCE Store No. Telephone. DATE DRAWING HULLER PAGE HUMBER. Owner or Manager . COOKING APPLIANCE LOCATIONS: LEFT TO RIGHT Ac 20. Replaced fuse links All appliances properly covered w/correct nozzles 1. 21. Check trayel of cable nuts/S-hooks 2. Duct and plenum covered w/correct nozzles 22. Piping & conduit securely bracketed 3. Chieck positioning of all nozzles. 23. Proper separation between fryers & flame 4. System installed in accordance w/MFG UL fisting 5. Hood/duct penetrations sealed w/weld or UL device 24. Proper clearance-liame to fillors 25. Exhaust tan in operating order 6. Check If seals Intact, evidence of tampering 28, All filters in place 7. If system has been discharged, report same 27. Fuel shut-off in on position 8. Pressure gauge in proper range (if gauged) 28. Manual & remote set/seals in place 9. Chack cartridge weight (if applicable) 29. Replace systems covers 10. Hydrostatic lest date 30. System operational & seals in place 11. 6 year maintenance date 31. Slave system operational 12. Inspect cylinder and mount 32. Clean cylinder & mount d3. Operate system from terminal link. 33. Fan warning sign on hood 14. Test for proper operation from remote 34. Personnel instructed in manual operation of system 15. Check operation of micro switch 35. Proper hand portable extinguishers 16. Check operation of pais valve 36. Portable extinguishers properly serviced 17. Clean nozzles 37. Service & Certification tag on system 18. Propennozzie covérs in place NOTE DISCREPANICES OR DEFICIENCIES BELOW 19. Check fuse links and clean COMMENTS: On this date, this pre-engineered fire suppression system was inspected and operationally tested in accordance with the fire suppression system requirements of NFPA17 or 17A, 96 and the manufacturer's manual with the results indicated above. X SERVICE TECHNICIAN PERMIT NO. PM CUSTOMER'S AUTHORIZED AGENT DATE: TIME AM The above service technician certifies that the system was personally inspected and found conditions to be as indicated on this report. **CURTERIBUTOR**

SERVICE COMPANY	DATE OF SERVICE	THE	1:45	ANU	HAL
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in this datê, this pre-engli uppression system requir	emenis of NFPA17 or	n system wa 17A, 98 and	is inspected a the manufac	and operati lurer's mar	onally tested in a hual with the res	uits indicated abi	ne III Sve
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BERVICE TECHNIGIAN	PERMIT NO		TIME	AM PI			4 3 CALT

Ray Hoshall	
From: Sent: To:	Holden, Keith [Keith.Holden@spartanburg2.k12.sc.us] Wednesday, September 05, 2012 7:24 AM Ray Hoshail RE: Review of Fire Equipment Inspection Reports for Spartanburg District 2 Schools
Subject:	KE: Review of File Equipment inspection Reports for Sparsanning District 2 on tools
Sent: Tuesday, Se To: Holden, Keith	l [mailto:ray.hoshall@iir.sc.gov] ptember 04, 2012 3:28 PM of Fire Equipment Inspection Reports for Spartanburg District 2 Schools h
Good aftemoon Ke	eith,
Thank you for sen After reviewing the knowii!	ding the information on the kitchen hood fire suppression system inspections conducted in August. se reports, i have a list of questions that i need your help with. I know that you are the man in the
appliance physical the nozzle placem	ns have to do with any changes made in the last 6 months that you (SD2) have made in the kitchen I layout, or changes to the fire suppression systems that have been made by a fire equipment dealer ent or fusible link locations, or changes in the building tire alarm system that would have disconnecter rom the building fire alarm system.
Piease check with	your staff (kitchen, maintenance, eiectrical) to answer the following questions:
iineup und 2. Between t	he period January 5, 2012 and August 8, 2012 were any changes made in the cooking equipment ler the hood at Hendrix Elementary? No Sir he period January 5, 2012 and August 8, 2012 were any modifications made to the hood fire
3. Between t	on system configuration at Hendrix Elementary? No Sir he period January 5, 2012 and August 8, 2012 were any changes made in the cooking equipment
4. Between i	ler the hood at Boiling Springs Junior High School? No Sir he period January 5, 2012 and August 8, 2012 were any modifications made to the hood fire on system configuration at Boiling Springs Junior High School? No Sir
5. Between t	the period January 5, 2012 and August 8, 2012 were any changes made in the cooking equipment there the hood at Oakland Elementary School? No Sir
6. Between	the period January 5, 2012 and August 8, 2012 were any modifications made to the hood fire on system configuration at Oaktand Elementary School? No Sir
7. Between f	the period January 5, 2012 and August 8, 2012 were any changes made in the cooking equipment iter the hood at Boiling Springs intermediate School? No Sir
8. Between f	the period January 5, 2012 and August 8, 2012 were any modifications made to the hood fire on system configuration at Boiling Springs Intermediate School? No Sir
	the period January 5, 2012 and August 12, 2012 were any changes made in the cooking equipment
9. Between t	der the hood at the Ninth Grade School? No Sir
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9. Between lineup und 10. Between suppressi 11. Between iineup und	der the hood at the Ninth Grade Schooi? No Sir the period January 5, 2012 and August 12, 2012 were any modifications made to the hood fire on system configuration at the Ninth Grade Schooi? No sir the pariod January 5, 2012 and August 8, 2012 were any changes made in the cooking equipment der the hood at Rainbow Lake Elementary School? No Sir
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 Between i lineup und Between isuppressi Between ineup und Between suppressi Between ineup und Between suppressi Between suppressi 	der the hood at the Ninth Grade Schooi? No Sir the period January 5, 2012 and August 12, 2012 were any modifications made to the hood fire on system configuration at the Ninth Grade Schooi? No sir the period January 5, 2012 and August 8, 2012 were any changes made in the cooking equipment der the hood at Rainbow Lake Elementary School? No Sir the period January 5, 2012 and August 8, 2012 were any modifications made to the hood fire the period January 5, 2012 and August 8, 2012 were any modifications made to the hood fire the period January 5, 2012 and August 8, 2012 were any modifications made to the hood fire to system configuration at Rainbow Lake Elementary School? No Sir

- 16. Between the period January 6, 2012 and August 8, 2012 were any modifications made to the hood fire suppression system configuration at Mayo Elementary School? No sir
- 17. Between the period January 6, 2012 and August 8, 2012 were any changes made in the cooking equipment lineup under the hood at Chesnee High School? No Sir
- 18. Between the period January 6, 2012 and August 8, 2012 were any modifications made to the hood fire suppression system configuration at Chesnee High School? No Sir
- 19. Between the period January 6, 2012 and August 8, 2012 were any changes made in the cooking equipment if neup under the hood at Chesnee Middle School? No Sir
- 20. Between the period January 6, 2012 and August 8, 2012 were any modifications made to the hood fire suppression system configuration at Chesnee Middle School? No Sir
- 21. Between the period January 6, 2012 and August 8, 2012 were any changes made in the cooking equipment ineup under the hood at Chesnee Elementary School? No Sir
- 22. Between the period January 6, 2012 and August 8, 2012 were any modifications made to the hood fire suppression system configuration at Chesnee Elementary School? No sir
- 23. Between the period January 6, 2012 and August 8, 2012 were any changes made in the cooking equipment ineup under the hood at Cooley Springs-Fingerville Elementary School? No Sir
- 24. Between the period January 6, 2012 and August 8, 2012 were any modifications made to the hood fire suppression system configuration at Cooley Springs-Fingerville Elementary School? No Sir
- 25. Between the period January 5, 2012 and August 8, 2012 were any modifications made to the building fire alarm system to disconnect the hood fire suppression system at Cariisle-Foster's Grove? No Sir
- 26. Between the period January 5, 2012 and August 8, 2012 were any modifications made to the building fire aiarm system to disconnect the hood fire suppression system at Chesnee High School? No Sir
- 27. Between the period January 5, 2012 and August 8, 2012 were any modifications made to the building fire alarm system to disconnect the hood fire suppression system at Cooley Springs? No Sir

As always, thanks again for all of your assistance. If you need anything pertaining to fire protection, I am yours sir to command.

Respectfully,

Ray

Ray Hoshaii, CFi-ii, CFPEDeputy State Fire MarshaiS. C. Department of Labor, Licensing and Regulation141 Monticelio TrailColumbia, SC29203Telephone:803-414-7032Fax:803-896-9806Email:hoshallr@lir.sc.govWeb site:http://www.scliremarshai.ilronline.com

FIRE SAFETY EDUCATION SAVES LIVESI

Please note that you can sign up to receive automatic information on SC Division of Fire and Life Safety current events, policies, laws and procedures by visiting our Web site at: <u>http://www.sciiremarshai.lironline.com</u>

HENDRIX ELEMENTARYSCHOOL

· . · ·

8/8/2012 Fuse Links - 2

1/5/2012 Fuse Links - 3

8/8/2012 Layout --

Soup Kettle	
Oven	
2 Eye	

1/5/2012 Layout --

Soup Kettle	Oven	
Oven	Oven	

BOILING SPRINGS JUNIOR HIGH SCHOOL

1/5/2012 Fuse Links -- 6

8/8/2012 Fuse Links - 5

8/8/2012 Layout -

Oven	2 Eye	Soup Kettle	
	Tilt Skillet		

1/5/2012 Layout -

Oven	Soup Kettle	2 Eye	Oven	
Oven	Tilt Skillet			

j ni f				0					С)				
						Oven	5				Warmer			
OAKLAND ELEMENTARY SCHOOL 1/5/2012 Fuse Links – 6		Oven		Oven	Tilt Skillet	SPRING INTERMEDIATE SCHOOL	1/5/2012 Fuse Links - 6			Soup Kettle		Soup Kettle		
OAKLA	1/5/2012		Oven Soup Kettle		2 Eve	Fryer	BOILING SI	1/5/2012		Oven	Soup Kettle		Soup Kettle	2 Eye
	8/8/2012 Fuse Links – 5	8/8/2012 Layout	Tilt Skillet Soup Kettle	1/5/2012 Layout -	Soup Kettle	Fryer		8/8/2012 Fuse Links 4	8/8/2012 Layout –	Tilt Skillet	Oven	1/5/2012 Layout	Oven Tit Clanet	Tilt Skillet

BOILING SPRINGS ELEMENTARY SCHOOL

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8/8/2012 Fuse Links – Not Indicated 1/5/2012 Fuse Links – 6

8/8/2012 Layout --

Oven	Soup Kettle
Oven	Soup Kettle
Oven	Tilt Skillet

1/5/2012 Layout --

	Soup Kettle
Oven	Soup Kettle
Oven	Tilt Skillet

8/8/2012 – Comment that system is not monitored 1/5/2012 – No comment indicating that system is not monitored

NINTH GRADE

8/12/2012 Fuse Links -- 4

1/5/2012 Fuse Links - 6

8/12/2012 Layout -

Oven	
Ven	
0	
Skillet	
TiltS	
2 Eye	

1/5/2012 Layout --

8/12/2012 - Comments have been modified from NONE to add Shutdown information

8/8/2012 Fuse Links - 4

1/5/2012 Fuse Links - 6

RAINBOW LAKE ELEMENTARY SCHOOL

• :

8/8/2012 Layout --

Tilt Skillet	
2 Eye	Oven
Oven	Soup Kettle

1/5/2012 Layout --

Tilt Skillet	
2 Eye	Soup Kettle
Oven	Oven

CARLISLE - FOSTER'S GROVE ELEMENTARY SCHOOL

8/8/2012 Fuse Links - 5

1/6/2012 Fuse Links – 6

8/8/2012 Layout =

Oven	
2 Eve	
Tilt Skillet	
Soup Kettle	

1/6/2012 Layout -

Soup Kettle	
Tilt Skillet	
2 Eye	Oven
Oven	Oven

8/8/2012 - Comment that fire alarm is not connected to system 1/5/2012 - No comment on alarm connection

8/8/2012 Fuse Links – 3

1/6/2012 Fuse Links -- 5

MAYO ELEMENTARY SCHOOL

- j* -

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8/8/2012 Layout -

	Oven
Oven	2 Eye
Oven	Tilt Skillet

1/6/2012 Layout ---

2 Eye	
Tilt Skillet	
Oven	
Oven	

8/8/2012 - Comment that fire alarm is not connected to system 1/6/2012 - No comment on alarm connection

CHESNEE HIGH SCHOOL

8/8/2012 Fuse Links - 4

1/6/2012 Fuse Links - 5

8/8/2012 Layout --

Oven	
2 Eye	Warmer
Oven	Tilt Skillet

1/6/2012 Layout -

Oven	Tilt Skillet		
Oven	2 Eye	Oven	

8/8/2012 - Comment that fire alarm is not connected to system 1/6/2012 - No comment on alarm connection

CHESNEE JUNIOR HIGH SCHOOL

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8/8/2012 Fuse Links – 5

1/6/2012 Fuse Links – 5

8/8/2012 Layout -

Soup Kettle	
Soup Kettle	
Tilt Skillet	Oven
2 Eye	Warmer
Oven	Oven

1/6/2012 Layout -

Oven	Tilt Skillet	Soup Kettle	Soup Kettle	
Oven	Oven	Oven		

CHESNEE ELEMENTARY SCHOOL

8/8/2012 Fuse Links - 4

1/6/2012 Fuse Links - 5

8/8/2012 Layout -

oup Kettle	2 Eye	Oven	
Fryer	Fryer		

1/6/2012 Layout -

	Oven
Oven	Tilt Skillet
2 Eye	Fryer
Soup Kettle	Fryer

C

COOLEY SPRINGS – FINGERVILLE ELEMENTARY SCHOOL

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8/8/2012 Fuse Links - 3

1/6/2012 Fuse Links - 3

8/8/2012 Layout -

	Tilt Skillet
Oven	2 Eye
Soup Kettle	Oven

1/6/2012 Layout -

Tilt Skillet	2 Eye	Oven	
Soup Kettle			

8/8/2012 - Comment that fire alarm is not connected to system and that shunt does not shut down double oven and soup kettle 1/6/2012 – No comment on alarm connection (shunt may well be new problem) C

EXHIBIT #4 – Golf Club

FIRE EQUIPMENT DEALER AUDIT Village Greens Golf Club 13921 Asheville Highway Gramling, SC 29348 Date of Audit: August 9, 2012

Dealer:

National Fire Protection Company (License No. 000176) 1765 Drayton Road Drayton, SC 29333

Findings:

Respondent National Fire Protection Company improperly serviced a total of five (5) portable fire extinguishers and one (1) pre-engineered wet chemical kitchen fire suppression system located at the Village Greens Golf Club, 13921 Asheville Highway, Gramling, SC, by not performing required equipment service in accordance with National Fire Protection Association (NFPA) 10, Standard for Portable Fire Extinguishers – 2010 Edition; NFPA 17A, Standard for Wet Chemical Extinguishing Systems – 2009 Edition; NFPA 96, Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations - 2008 Edition; SC Rules and Regulations, R.71-8303, Subarticle 4, Portable Fire Extinguishers and Fixed Fire Extinguishing Systems -June 25, 2010 effective date; and/or Division of Fire and Life Safety (DF&LS) letter dated September 13, 2004. Four of the five subject portable fire extinguishers were identified with a National Fire Protection Company Maintenance Tag as having been serviced in January 2012. The remaining portable fire extinguisher was identified with a National Fire Protection Company Maintenance Tag as having been serviced in January 2011. The pre-engineered kitchen fire suppression system was identified with a National Fire Protection Company Maintenance Tag as having been serviced in July 2012. Individual findings are as follows:

- 1. Respondent National Fire Protection Company improperly serviced one (1) portable fire extinguisher located at the Village Greens Golf Club, Gramling, SC by:
 - a. failing to properly identify the person performing the work in accordance with NFPA 10, Section 7.3.3;
 - b. failing to remove the tamper seal by pulling the pull pin or locking device in accordance with NFPA 10, Section 7.3.2.2 (as evidenced by the presence of the original 2008 factory tamper seal);
 - c. failing to install an approved tamper seal imprinted with the year matching the date on the maintenance tag per R71-8303.8.C;
 - d. failing to identify the extinguisher serial number or extinguisher location on the maintenance tag in accordance with DF&LS letter dated September 13, 2004;
 - e. The Maintenance Tag is punched indicating that the extinguisher is a "PK Dry Chem" unit when in reality it is an "ABC Dry Chem" unit. This tag was improperly punched by the technician; and

f. The Maintenance Tag is punched as having been serviced in 2011, however, all other tags are punched 2012. It was noted that all other tags were preprinted for 2011/2012 and this tag was preprinted for 2010/2011. This tag may have been improperly punched by the technician.

Extinguisher Serial Number ZS-449528 is located in the Pro Shop and was manufactured in 2008.



- Respondent National Fire Protection Company improperly serviced one (1) portable fire extinguisher located at the Village Greens Golf Club, Gramling, SC by:
 - a. failing to properly identify the person performing the work in accordance with NFPA 10, Section 7.3.3;
 - b. failing to remove the tamper seal by pulling the pull pin or locking device in accordance with NFPA 10, Section 7.3.2.2 (as evidenced by the presence of the original 2008 factory tamper seal);
 - c. failing to install an approved tamper seal imprinted with the year matching the date on the maintenance tag per R71-8303.8.C;
 - d. failing to identify the extinguisher serial number or extinguisher location on the maintenance tag in accordance with DF&LS letter dated September 13, 2004; and
- e. The Maintenance Tag is punched indicating that the extinguisher is a "Std. Dry Chem" unit when in reality it is an "ABC Dry Chem" unit. This tag was improperly punched by the technician.



Extinguisher Serial Number ZS-447603 is located in the Front Foyer and was manufactured in 2008.

- 3. Respondent National Fire Protection Company improperly serviced one (1) portable fire extinguisher located at the Village Greens Golf Club, Gramling, SC by:
 - a. failing to properly identify the person performing the work in accordance with NFPA 10, Section 7.3.3;
 - b. failing to remove the tamper seal by pulling the pull pin or locking device in accordance with NFPA 10, Section 7.3.2.2 (as evidenced by the presence of the original 2008 factory tamper seal);
 - c. failing to install an approved tamper seal imprinted with the year matching the date on the maintenance tag per R71-8303.8.C;
 - failing to identify the extinguisher serial number or extinguisher location on the maintenance tag in accordance with DF&LS letter dated September 13, 2004; and
 - e. The Maintenance Tag is punched indicating that the extinguisher is a "Std. Dry Chem" unit when in reality it is an "ABC Dry Chem" unit. This tag was improperly punched by the technician.

Extinguisher Serial Number ZS-494817 is located in the Dickeys Barbecue Pit Dining Room and was manufactured in 2008.



- 4. Respondent National Fire Protection Company improperly serviced one (1) portable fire extinguisher located at the Village Greens Golf Club, Gramling, SC by:
 - a. failing to remove the tamper seal by pulling the pull pin or locking device in accordance with NFPA 10, Section 7.3.2.2 (as evidenced by the presence of the original 2008 factory tamper seal);
 - b. failing to install an approved tamper seal imprinted with the year matching the date on the maintenance tag per R71-8303.8.C; and
 - c. failing to ensure that there is a placard conspicuously placed near the extinguisher identifying the use of the K-Class fire extinguisher as a secondary backup to the automatic fire-extinguishing system, in accordance with NFPA 96, Section 10.2.2.

Extinguisher Serial Number AB-602645 is located in the Dickeys Barbecue Pit Kitchen and was manufactured in 2008.



- Respondent National Fire Protection Company improperly serviced one (1) portable fire extinguisher located at the Village Greens Golf Club, Gramling, SC by:
 - a. failing to properly identify the person performing the work in accordance with NFPA 10, Section 7.3.3;
 - b. failing to remove the tamper seal by pulling the pull pin or locking device in accordance with NFPA 10, Section 7.3.2.2 (as evidenced by the presence of the original 2008 factory tamper seal);
 - c. failing to install an approved tamper seal imprinted with the year matching the date on the maintenance tag per R71-8303.8.C;
 - failing to identify the extinguisher serial number or extinguisher location on the maintenance tag in accordance with DF&LS letter dated September 13, 2004; and
 - e. The Maintenance Tag is punched indicating that the extinguisher is a "Std. Dry Chem" unit when in reality it is an "ABC Dry Chem" unit. This tag was improperly punched by the technician.

Extinguisher Serial Number ZS-858852 is located in the Pro Shop and was manufactured in 2008.



- 6. Respondent National Fire Protection Company improperly serviced one (1) one (1) pre-engineered wet chemical kitchen fire suppression system located at the Village Greens Golf Club, 13921 Asheville Highway, Gramling, SC, by
 - a. failing to check all actuation components, including remote manual pull stations, mechanical or electrical devices, detectors, and actuators for proper operation in accordance with NFPA 96, Section 11.2.2. (This is based on statements provided by facility maintenance that were advised during the appointment scheduling that the appliances would not be shutdown during the inspection; and from the cook, that at no time during the actual inspection did he have to reignite the gas fueled appliance pilot lights.)
 - b. failing to mark the year of manufacture and the date of installation of the fusible links on the system inspection tag in accordance with NFPA 96, Section 11.2.5.
 - c. failing to properly complete the Pre-Engineered Restaurant Fire Suppression Systems Report (attached.) The report fails to identify that the system protects two deep fat fryers, does not list information concerning the system cylinder size, serial number, date of last hydrostatic test. It does indicate that the system "was inspected and operationally tested in accordance with the fire protection system requirements of NFPA 17A, 96 and the manufacturer's manual with the results indicated above." Based on information provided by the Cook on duty during the inspection, the gas was never cutoff, no one on staff was instructed in manual operation of the system, and the report indicates that the fusible links were cleaned (Item 19) AND replaced (Item 20). The report indicates that there were No Comments concerning any deficiencies and the service technician certified "that the system was personally inspected and found conditions to be as indicated on this report."



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S. 3.

Jestad LLC LL 300 **(**) HO LINES DRY CHEMICAL CYL NOT A MOTE BLAVE OTHER FUILE LINKS SHOT LISE LINKS 450" P FULLE LINKS SOC" P 2 6----Name FUEL BHUT-OFF LICIAG 6/3 94719 1/2 Ashvill Address SERAL MANDET LART HYDRO TEST DATE State State MANUTACTURETTE MANUAL REFERENCE SC DRAWING NUMBER DATE MOR NUMBER. Owner or Manager COOKING APPLIANCE LOCATIONS LEFT TO RIGHT Gull-20. Replaced fuse links All appliances properly covered w/correct nozzles 11 21. Check travel of cable nuts/S-hooks 2. Duct and plenum covered w/corract nozzles 22. Piping & conduit securely bracketed 3. Check positioning of all nozzles. 23. Proper separation between fryers & flame System installed in accordance w/MFG UL listing 4. 24: Proper clearance-flame to filters 5. Hood/duct penetrations sealed w/weld or UL device 25. Exhaust Ian in operating order 8. Check if seals intact, evidence of tampering 26. All fillers in place If system has been discharged, report same 7. 27. Fuel shut-off in on position 8. Pressure gauge in proper range (if gauged) 28. Manual & remote set/seals in place 9. Check cartridge weight (if applicable) 29. Replace systems covers 10. Hydrostatic test date 30. System operational & seats in place 11. 6 year maintenance date 31. Slave system operational 12. Inspect cylinder and mount 32, Clean cylinder & mount 13. Operate system from terminal link 33. Fan warning sign on hood 14. Test for proper operation from ramole 34. Personnel instructed in manual operation of system 15. Check operation of micro switch 35. Proper hand portable extinguishers 16. Check operation of gas valve 36. Portable extinguishers properly serviced 17. Clean nozzles 37. Service & Certification tag on system 18. Proper nozzle covera in place NOTE DISCREPANICES OR DEFICIENCIES BELOW 19. Check fuse links and clean COMMENTS: Une On this date, this pre-engineered fire suppression system was inspected and operationally tested in accordance with the fire suppression system requirements of NFPA17 or 17A, 96 and the manufacturer's manual with the results indicated above. 9:50 20-12 X \mathcal{C} PERMIT NO. AM PM CUSTOMER'S AUTHORIZED AGENT TIME: SERVICE TECHNICIAN DATE: The above service technician certifies that the system was personally inspected and found conditions to be as indicated on this report.

Pre-Engineered Restaurant Fire Suppression Systems Report

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SOUTH CAROLINA DEPARTMENT OF LABOR, LICENSING AND REGULATION BEFORE THE OFFICE OF THE STATE FIRE MARSHAL DIVISION OF FIRE, LIFE, & SAFETY

IN THE MATTER OF:

NATIONAL FIRE PROTECTION COMPANY

License Number: 000176

OGC Case No.: 2013-01

Respondent.

l hereby certify that l have this day caused to be served the within **Consent Agreement** upon the person hereafter named, by placing the same in an envelope, securely wrapped, in the United States Mail, by first class U. S. mail, properly addressed to the said person hereafter named, at the place and address stated below, which is the last known address for the same:

Dwight F. Drake, Esquire Zoe Sanders, Esquire Nelson, Mullins, Riley, & Scarborough, LLP 1320 Main Street, 17th Floor Columbia, South Carolina 29201

, 2013

O'Linda S. Mack, Administrative Assistant S.C. Department of Labor, Licensing & Regulation Post Office Box 11329 Columbia SC 29211-1329

CERTIFICATE OF SERVICE

SOUTH CAROLINA DEPARTMENT OF LABOR, LICENSING AND REGULATION BEFORE THE OFFICE OF THE STATE FIRE MARSHAL DIVISION OF FIRE, LIFE, & SAFETY

IN THE MATTER OF:

NATIONAL FIRE PROTECTION COMPANY

License Number: 000176

OGC Case No.: 2013-01

Respondent.

CERTIFICATE OF SERVICE

I hereby certify that I have this day caused to be served the within **Consent Agreement** upon the person hereafter named, by placing the same in an envelope, securely wrapped, in the United States Mail, by first class U. S. mail, properly addressed to the said person hereafter named, at the place and address stated below, which is the last known address for the same:

Mr. Jerry Brandt

2013

O'Linda S. Mack, Administrative Assistant S.C. Department of Labor, Licensing & Regulation Post Office Box 11329 Columbia SC 29211-1329