

Figure 37 TAC §445.7(d)

RULE NUMBERS	GENERAL	PENALTY
419.032	Failure to appoint TCFP certified fire protection personnel to perform fire protection duties.	\$500 TO \$1,000
435.25	Failure to provide Courage to Be Safe training.	\$500 TO \$1,000
435.1 /NFPA 1851	PROTECTIVE CLOTHING	
435.1	Failure to purchase, provide and maintain PPE in accordance to most current edition of NFPA 1851.	\$500 TO \$1,000
435.1	Failure of fire protection personnel to utilize approved PPE in the course of performing fire-fighting operations.	\$500 TO \$1,000
4.2.4	Failure to utilize a: Manufacturer trained individual or, Verified organization or, Verified independent service provider (ISP), to perform advanced cleaning, advanced inspections, and repair services of PPE and PPE elements.	\$500 TO \$1,000
	Records	
4.5.2	Wearing or storing of contaminated PPE in living or public areas.	\$500 TO \$1,000
4.5.3	Exposure of the public to contaminated PPE.	\$500 TO \$1,000
4.5.4	Soiled or potentially contaminated PPE brought into a home or, washed in a home laundry, or washed in a public laundry.	\$500 TO \$1,000
6.3.3	Failure to provide Advance Inspections every 12 months or when routine inspection indicates	\$500 TO \$1,000
	Cleaning and Decontamination	
7.1.1	Failure to provide means for PPE to be cleaned and or decontamination	\$500 TO \$1,000
7.1.2	Failure of wearer to evaluate PPE for appropriate cleaning level after each use	\$500 TO \$1,000
7.1.4	Failure to evaluate contaminated PPE at an incident scene to determine if isolation is required.	\$500 TO \$1,000
7.3.2	Failure to provide Advance Cleaning of soiled PPE prior to reuse.	\$500 TO \$1,000
7.3.3	Failure to provide Advanced Cleaning, as required, at least every 12 months, for issued PPE.	\$500 TO \$1,000
7.3.6	Failure to perform PPE Advanced Cleaning in machine, unless prohibited.	\$500 TO \$1,000
7.3.7	Failure to provide criteria for Advanced Cleaning, as required by NFPA Standard 1851.	\$500 TO \$1,000
7.4	Failure to provide criteria for drying procedures, as required by NFPA Standard 1851.	\$500 TO \$1,000
	Repair	
8.1.3	Failure to immediately retire PPE contaminated with CBRN agents.	\$500 TO \$1,000
8.2.1	Failure to perform repairs and/or alterations with materials approved by manufacturer.	\$500 TO \$1,000
8.2.6.2	Failure to perform repairs according to NFPA Standard 1971.	\$500 TO \$1,000
	Storage	
9.1.1	Failure to properly store PPE while not being worn.	\$500 TO \$1,000
9.1.2	Failure to properly clean and dry PPE before storage.	\$500 TO \$1,000
9.1.3	Storage of PPE in air tight containers, unless new and unissued.	\$500 TO \$1,000
9.1.4	Failure to store PPE in an ambient temperature between 25°F and 180°F.	\$500 TO \$1,000
9.1.5	Failure to prevent damage to PPE during storage for transportation.	\$500 TO \$1,000
9.1.6	Failure to store soiled PPE in a protective case or bag when being transported in a vehicle and/or stored in a living area.	\$500 TO \$1,000

9.1.8	Failure to store Proximity PPE by hanging.	\$500 TO \$1,000
9.1.9	Failure to provide a PPE storage that is clean, dry and well ventilated.	\$500 TO \$1,000
	Retirement, Disposition, and Special Incident Procedures	
10.1.2 & 10.1.3	Failure to retire structural and proximity PPE after ten years from date of manufacture.	\$500 TO \$1,000
10.1.3.1	Failure to retire proximity radiant reflective outer shell after five years.	\$500 TO \$1,000
10.1.4	Failure to retire damaged and/or non-repairable PPE.	\$500 TO \$1,000
10.2.1	Failure to ensure that retired is not used in live fire events.	\$500 TO \$1,000
10.1.8/10.2.2	Use of retired PPE for live fire events.	\$500 TO \$1,000
10.3.1	Failure to provide written procedures for handling and/or custody of PPE where serious injury and/or death has occurred	\$500 TO \$1,000
419.041/435.3/ NFPA 1852	SELF CONTAINED BREATHING APPARATUS	
435.3(5)	Failure to provide written procedures for when SCBA is to be used.	\$500 TO \$1,000
435.3(2)	Failure of SCBA to comply with NFPA Standard 1981, at the time of contract of purchase.	\$500 TO \$1,000
	General	
4.1.1	Failure to provide written procedures for addressing respiratory protection.	\$500 TO \$1,000
	Selection, Care and Maintenance	\$500 TO \$1,000
4.3.2	Failure to minimize exposure to contaminated SCBA.	\$500 TO \$1,000
4.3.2.4	Failure to follow written procedures for minimizing public risk of exposure to contaminated SCBA	\$500 TO \$1,000
	Upgrades and Retirement	
4.4.1	Failure of SCBA that are currently in service to comply with the most current edition of NFPA 1981, Chapter 4.4, "SCBA Compliance – Upgrades and Retirement"	\$500 TO \$1,000
	Records	
4.5.8	Failure of the organization to create, maintain, and disseminate all documents and/or records as required.	\$500 TO \$1,000
	Retirement and Disposal	
4.7.3	Failure to retire defective or obsolete SCBA and/or render incapable of operation.	\$500 TO \$1,000
5.2.1	Failure to conduct Function Tests on SCBA prior to placing the SCBA in service.	\$500 TO \$1,000
	Care	
6.1 – 6.2	Failure to follow written procedures for care, cleaning, disinfecting and decontamination of SCBA.	\$500 TO \$1,000
	Storage	
6.3.7	Failure to store SCBA cylinders fully charged.	\$500 TO \$1,000
	Maintenance	
7.1.1.1	Failure of assigned SCBA user to conduct inspection at beginning of duty period.	\$500 TO \$1,000
7.1.1.2	Failure to inspect unassigned SCBA once per duty period.	\$500 TO \$1,000
7.1.1.3	Failure to inspect unassigned SCBA weekly	\$500 TO \$1,000
7.1.1.4	Failure to conduct weekly interval inspections for unassigned SCBAs.	\$500 TO \$1,000
7.1.2.1	Failure to inspect all the points of the duty period inspection as required.	\$500 TO \$1,000
	Technical Maintenance	
7.2.1.3	Failure to conduct function tests at least annually or according to manufactures instruction.	\$500 TO \$1,000

7.2.1.5	Failure to conduct function tests, by purchasing organization, prior to placing in service.	\$500 TO \$1,000
7.2.3.1	Failure to conduct service and/or repairs by individuals authorized by manufacturer.	\$500 TO \$1,000
7.2.3.7	Failure to provide documentation of full function flow test after repair according to manufacture instructions	\$500 TO \$1,000
	Breathing Air Cylinder Filling	
7.3.1	Failure to conduct cylinder pre-fill inspection as required.	\$500 TO \$1,000
	Breathing Air Cylinder Requalification	
7.4.1	Failure to provide current DOT Permit Letter from hydrotest service vendor.	\$500 TO \$1,000
435.3(3) / NFPA 1989	Breathing Air	
4.1.1	Failure to conduct quarterly air quality testing	\$500 TO \$1,000
	Air Quality Requirements	\$500 TO \$1,000
5.1.1	Failure to conduct quarterly (90 days) air sample tests no more \pm 5 days of each other	\$500 TO \$1,000
5.1.2	Failure to take air samples if contamination is suspected.	\$500 TO \$1,000
5.1.4	Failure to maintain quarterly air quality test reports for five years.	\$500 TO \$1,000
	Special Testing and Procedures for Maintenance Conditions	
5.2.1	Failure to provide air sample records after maintenance, alterations, repairs and/or relocation of unit.	\$500 TO \$1,000
5.2.1	Failure to place air compressor out of service when breathing air test samples fail test.	\$500 TO \$1,000
5.2.1.1	Failure to provide air sample test results before and after filter changes, within one week of each test.	\$500 TO \$1,000
5.2.1.1.1	Failure to place compressor out of service when pre-filter air tests did not occur.	\$500 TO \$1,000
5.2.3/5.4.5	Failure to maintain air quality test results and records for five years.	\$500 TO \$1,000
	Special Testing and Procedures for Contaminated Compressed Breathing Air	
5.4.1	Failure to place breathing air system out of service when air sample test fails.	\$500 TO \$1,000
5.4.1.1	Failure to replace stored breathing air filled from failed unit.	\$500 TO \$1,000
5.4.2	Failure to pass air sample before putting back in service	\$500 TO \$1,000
5.5.2.2	Failure to collect air sample for test at correct location.	\$500 TO \$1,000
	Compressed Breathing Air Systems	
7.1.2	Failure to locate air intake to minimize contamination	\$500 TO \$1,000
	Maintenance	
7.5.3	Failure to empty and refill compressed air in steel cylinders annually.	\$500 TO \$1,000
	Records	
7.6.1	Failure to provide test records has name of testing lab.	\$500 TO \$1,000
7.6.2	Failure to provide records required for installation, maintenance, purification component changes, operation, trouble reports, corrective actions taken	\$500 TO \$1,000
7.6.3	Failure to provide air quality records on any air source	\$500 TO \$1,000
7.6.4	Failure to provide records of refills for all SCBA cylinders and storage cylinders	\$500 TO \$1,000
7.6.4.1	Failure to provide date of fill, person filling, cylinder serial #, air source, final cylinder pressure, hydro date on refill records.	\$500 TO \$1,000
7.6.4.2	Failure to maintain SCBA cylinder fill records for five years.	\$500 TO \$1,000

435.9 / NFPA 1982	PERSONAL ALERT SAFETY SYSTEM	
435.9(3)	Failure to describe a duty period inspection	\$500 TO \$1,000
435.9(4)	Failure to provide procedure of when to be used.	\$500 TO \$1,000
435.11 / NFPA 1561	INCIDENT MANAGEMENT SYSTEM	
435.11(b)(1)	Failure to provide a written SOP	\$500 TO \$1,000
435.11(b)(2)	Failure to require IMS be used at all emergency incidents	\$500 TO \$1,000
435.11(b)(4)	Failure to require that all fire protection personnel be trained in the use of the IMS	\$500 TO \$1,000
4.4.1	Failure to adopt NIMS as required.	\$500 TO \$1,000
4.4.7	Failure to require IMS be used at all emergency incidents	\$500 TO \$1,000
4.4.8	Failure to require that all fire protection personnel be trained in the use of the IMS	\$500 TO \$1,000
435.13 / NFPA 1561	Personnel Accountability System	
435.13, 4.5.1	Failure to develop, maintain, apply accountability system	\$500 TO \$1,000
435.13(b) (1-4)	Failure to provide an accountability system as required.	\$500 TO \$1,000
435.17	Interior Structural Fire Fighting (2 In/2 Out Rule)	
435.17	Failure to follow interior structural firefighting procedures as required.	\$500 TO \$1,000
435.27 / NFPA 1403	Live Fire Training	
435.27(8)(A), 4.9.6	Failure to provide a PASS device for all participating in live fire training as required.	\$500 TO \$1,000
435.27 (8)(B), 4.7.10	Failure to provide a Personnel Accountability System as required.	\$500 TO \$1,000
435.27(8)(C)	Failure to utilize an Incident Management System as required.	\$500 TO \$1,000
435.27(8)(D), 4.7.9, 4.9.1, 4.9.2, 4.9.7	Failure to use personal protective clothing and self-contained breathing apparatus as required.	\$500 TO \$1,000
435.27(8)(E), 4.10.2	Failure to establish an evacuation signal and procedure.	\$500 TO \$1,000
435.27(8)(F)	Failure to provide pre-burn, burn and post-burn procedures.	\$500 TO \$1,000
	Continuing Education Records	
441.5, 7, 9, 11, 13, 15, 17, 19, 21, 23	Failure to obtain CE for appointed positions as required.	\$500 TO \$1,000
NFPA 1561 4.8.1, 4.8.2	Failure to provide IMS training and qualification for initial and/or annual refresher	\$500 TO \$1,000