Unified Regulatory Plan of the Department of Fire Programs for State Fiscal Year 2024

Prepared June 12, 2023

#### **Description of Agency or Boards**

The Department of Fire Programs is a nationally accredited entity in Virginia that provides training programs for both career and volunteer emergency responders throughout the Commonwealth. The agency, in collaboration with the Virginia Fire Services Board, provides financial assistance to Virginia's fire services through the distribution of the Aid-to-Localities grant program as well as through various other grant programs (i.e. Live Fire Training Structure grant). The State Fire Marshal's Office has the responsibility of protecting life and property for the citizens of the Commonwealth through the utilization of inspectors to complete fire safety inspections; by conducting building plans reviews for fire safety measures; and by conducting construction inspections for fire safety systems in all state buildings.

Action/Stage or Guidance Document Forum ID (if available)		
SFMO-1		
Title of Proposed Regulatory Action or Guidance Document		
Use of Pyrotechnics	inside or outdoors on State-owned Prop	erty before a proximate audience
Brief Overview		
This application is ir	ntended to collect information on those v	vho wish to use pyrotechnics on State-
owned property be	fore an audience. <i>Code of Virginia</i> § 9.1-2	06 gives the State Fire Marshal authority
to enforce the State	ewide Fire Prevention Code on state prop	erty. Statewide Fire Prevention Code §
5608 requires perm	its for fireworks displays before a proxim	ate audience.
<b>Regulatory Stage</b>		Emergency or Emergency/NOIRA
(check one box)	Proposed	Revised Proposed
	🗆 Final	Fast-Track
Additional	Expedited Review Requested	🖂 Guidance Document
Description	Exempt Action	
Legal Authority	□ Action required by federal statute	Discretionary action
	🖾 Action required by state statute	
Deregulatory	Executive Order #19 (2022) requires ex	ecutive branch agencies to reduce
Component	regulatory requirements by 25% or in length by 25%. This proposed change	
	removes the guidance document to alig	n with Code of Virginia § 2.2-4002.1.
Expected Date	August 2023	

Action/Stage or Gui	idance Document Forum ID (if available	.)
	egulatory Action or Guidance Documen	t
•	ual Permit to Manufacture Explosives	-
<b>Brief Overview</b> This application is intended to collect information on those who wish to manufacture explosives in the Commonwealth of Virginia. <i>Code of Virginia</i> § 27-97.2 gives the State Fire Marshal authority to consider all permit applications for manufacturing explosives.		
<b>Regulatory Stage</b>	Regulatory Stage   Image: NOIRA       Emergency or Emergency/NOIRA	
(check one box)	🗆 Proposed	$\Box$ Revised Proposed
	🗆 Final	Fast-Track
Additional Description	<ul> <li>Expedited Review Requested</li> <li>Exempt Action</li> </ul>	⊠ Guidance Document

Legal Authority	□ Action required by federal statute
	⊠ Action required by state statute
Deregulatory	Executive Order #19 (2022) requires executive branch agencies to reduce
Component	regulatory requirements by 25% or in length by 25%. This proposed change
	removes the guidance document to align with <i>Code of Virginia</i> § 2.2-4002.1.
Expected Date	August 2023

Action/Stage or Gu SFMO-4	idance Document Forum ID (if available)	
Title of Proposed R	Title of Proposed Regulatory Action or Guidance Document	
Application for Ann	ual Permit to Sell Explosives	
Brief Overview		
This application is ir	ntended to collect information on those w	ho wish to sell explosives in the
Commonwealth of V	Virginia. <i>Code of Virginia</i> § 27-97.2 gives t	he State Fire Marshal authority to
consider all permit a	applications for the sale of explosives.	
Regulatory Stage		Emergency or Emergency/NOIRA
(check one box)	Proposed	$\Box$ Revised Proposed
	🗆 Final	Fast-Track
Additional	Expedited Review Requested	🛛 Guidance Document
Description	Exempt Action	
Legal Authority	□ Action required by federal statute	Discretionary action
	☑ Action required by state statute	
Deregulatory	Executive Order #19 (2022) requires exe	ecutive branch agencies to reduce
Component	regulatory requirements by 25% or in length by 25%. This proposed change	
	removes the guidance document to alig	n with Code of Virginia § 2.2-4002.1.
Expected Date	August 2023	

Action Stage or Gui	idance Decument Forum ID (if available)	
	idance Document Forum ID (if available)	
SFMO-5		
Title of Proposed R	egulatory Action or Guidance Document	
Application for Ann	ual permit to Store Explosives	
Brief Overview		
This application is ir	ntended to collect information on those v	vho wish to store explosives in the
Commonwealth of V	Virginia. Code of Virginia § 27-97.2 gives t	he State Fire Marshal authority to
consider all permit a	applications for the storage of explosives.	
·		
Regulatory Stage	LI NOIRA	Emergency or Emergency/NOIRA
(check one box)	Proposed	Revised Proposed
	🗆 Final	Fast-Track
Additional	Expedited Review Requested	🛛 Guidance Document
Description	Exempt Action	
Legal Authority	Action required by federal statute	Discretionary action
	🛛 Action required by state statute	

Deregulatory	Executive Order #19 (2022) requires executive branch agencies to reduce
Component	regulatory requirements by 25% or in length by 25%. This proposed change
	removes the guidance document to align with <i>Code of Virginia</i> § 2.2-4002.1.
Expected Date	August 2023

Action/Stage or Gu	idance Document Forum ID (if available)	
Title of Proposed R	egulatory Action or Guidance Document	
Application for Ann	ual Permit to use Explosives	
<b>Brief Overview</b> This application is intended to collect information on those who wish to use explosives in the Commonwealth of Virginia. <i>Code of Virginia</i> § 27-97.2 gives the State Fire Marshal authority to consider all permit applications for the use of explosives.		
Regulatory Stage (check one box)	NOIRA     Proposed     Final	<ul> <li>Emergency or Emergency/NOIRA</li> <li>Revised Proposed</li> <li>Fast-Track</li> </ul>
Additional Description	Expedited Review Requested     Exempt Action	Guidance Document
Legal Authority	<ul> <li>□ Action required by federal statute</li> <li>⊠ Action required by state statute</li> </ul>	⊠ Discretionary action
Deregulatory	Executive Order #19 (2022) requires executive branch agencies to reduce	
Component	regulatory requirements by 25% or in le removes the guidance document to alig	
Expected Date	August 2023	

Action/Stage or Gu	idance Document Forum ID (if available)		
SFMO-7	SFMO-7		
Title of Proposed R	Title of Proposed Regulatory Action or Guidance Document		
Application for a Ba	ckground Clearance Card (BCC) Application	on for Certification of a Blaster or	
Pyrotechnician			
Brief Overview			
This application is ir	ntended to collect information on those v	who wish to obtain certification as a	
blaster or pyrotech	nician in the Commonwealth of Virginia. (	Code of Virginia § 27-97.2 gives the State	
Fire Marshal authority to consider all permit applications for certification as a blaster or			
pyrotechnician.			
<b>Regulatory Stage</b>	Regulatory Stage   Image: NOIRA     Image: NOIRA   Image: Emergency or Emergency/NOIRA		
(check one box)	Proposed	Revised Proposed	
	🗆 Final	Fast-Track	
Additional	Expedited Review Requested	⊠ Guidance Document	
Description	Exempt Action		
Legal Authority	$\Box$ Action required by federal statute	Discretionary action	
	oxtimes Action required by state statute		

Deregulatory	Executive Order #19 (2022) requires executive branch agencies to reduce
Component	regulatory requirements by 25% or in length by 25%. This proposed change
	removes the guidance document to align with Code of Virginia § 2.2-4002.1.
Expected Date	August 2023

Action/Stage or Guidance Document Forum ID (if available)		
SFMO-8		
Title of Proposed R	egulatory Action or Guidance Document	
Application to Rene	w a Background Clearance Card (BCC), Bla	aster or Pyrotechnician
Brief Overview		
This application is ir	ntended to collect information on those w	ho wish to renew their certification as a
blaster or pyrotech	nician in the Commonwealth of Virginia. C	Code of Virginia § 27-97.2 gives the State
Fire Marshal author	ity to consider all permit applications for	certification as a blaster or
pyrotechnician.		
<b>Regulatory Stage</b>		Emergency or Emergency/NOIRA
(check one box)	Proposed	Revised Proposed
	🗆 Final	Fast-Track
Additional	Expedited Review Requested	🛛 Guidance Document
Description	Exempt Action	
Legal Authority	$\Box$ Action required by federal statute	Discretionary action
	Action required by state statute	
Deregulatory	Executive Order #19 (2022) requires exe	ecutive branch agencies to reduce
Component	regulatory requirements by 25% or in le	ngth by 25%. This proposed change
	removes the guidance document to alig	n with Code of Virginia § 2.2-4002.1.

Expected Date

August 2023

Action/Stage or Guidance Document Forum ID (if available)		
SFMO-9		
Title of Proposed Regulatory Action or Guidance Document		
Application for the	Display of Aerial Fireworks on State-own	ed Property
Brief Overview		
This application is ir	ntended to collect information on those v	who wish to display aerial fireworks on
State-owned prope	rty. <i>Code of Virginia</i> § 9.1-206 gives the S	tate Fire Marshal authority to enforce the
Statewide Fire Prevention Code on state property. Statewide Fire Prevention Code § 5608 requires		
permits for fireworks displays.		
Regulatory Stage		Emergency or Emergency/NOIRA
(check one box)	Proposed	Revised Proposed
	🗵 Final	Fast-Track
Additional	Expedited Review Requested	⊠ Guidance Document
Description	Exempt Action	
Legal Authority	□ Action required by federal statute	Discretionary action
	🖾 Action required by state statute	

Deregulatory	Executive Order #19 (2022) requires executive branch agencies to reduce
Component	regulatory requirements by 25% or in length by 25%. This proposed change
	removes the guidance document to align with <i>Code of Virginia</i> § 2.2-4002.1.
Expected Date	August 2023

Action/Stage or Guidance Document Forum ID (if available) SFMO-10			
Title of Proposed Regulatory Action or Guidance Document			
Blaster Re-Certificat	tion training hours and sources		
<b>Brief Overview</b>			
The policy statemer	nt is intended to inform individuals that ar	e certified to load, fire, or supervise the	
use of explosive sho	ots (i.e. Blasters) of the required training h	ours and sources of training for	
recertification. (Statewide Fire Prevention Code § 5601)			
<b>Regulatory Stage</b>		Emergency or Emergency/NOIRA	
(check one box)	Proposed	Revised Proposed	
	🗆 Final	Fast-Track	
Additional	Expedited Review Requested	🗵 Guidance Document	
Description	Exempt Action		
Legal Authority	□ Action required by federal statute	☑ Discretionary action	
	Action required by state statute		
Deregulatory	Executive Order #19 (2022) requires executive branch agencies to reduce		
Component	regulatory requirements by 25% or in lea	regulatory requirements by 25% or in length by 25%. This proposed change	
	removes the guidance document to alig	n with Code of Virginia § 2.2-4002.1 and	
	removes outdated policy.		
Expected Date	August 2023		

## Action/Stage or Guidance Document Forum ID (if available) SFMO-11

## **Title of Proposed Regulatory Action or Guidance Document** Application to Operate Theatrical Flame Effects

## **Brief Overview**

This application is intended to collect information on those who wish to operate theatrical flame effects on the property of the Commonwealth of Virginia. *Code of Virginia* § 9.1-206 gives the State Fire Marshal authority to enforce the Statewide Fire Prevention Code on state property. Statewide Fire Prevention Code § 308 requires permits for theatrical flame effects.

Regulatory Stage		Emergency or Emergency/NOIRA
(check one box)	Proposed	Revised Proposed
	🗆 Final	Fast-Track
Additional	Expedited Review Requested	🖾 Guidance Document
Description	Exempt Action	
Legal Authority	Action required by federal statute	Discretionary action
	oxtimes Action required by state statute	

Deregulatory	Executive Order #19 (2022) requires executive branch agencies to reduce	
Component	regulatory requirements by 25% or in length by 25%. This proposed change	
	removes the guidance document to align with <i>Code of Virginia</i> § 2.2-4002.1.	
Expected Date	August 2023	

Action/Stage or Guidance Document Forum ID (if available) SFMO-12		
Title of Proposed Regulatory Action or Guidance Document		
Pyrotechnician Re-C	Certification training hours and sources	
<b>Brief Overview</b>		
The policy statemer	nt is intended to inform individuals that ar	e certified to design, setup, or conduct
fireworks displays (i	.e. pyrotechnicians) of the required training	ng hours and sources of training for
recertification. (Statewide Fire Prevention Code § 5601)		
<b>Regulatory Stage</b>		Emergency or Emergency/NOIRA
(check one box)	Proposed	Revised Proposed
	🖂 Final	Fast-Track
Additional	Expedited Review Requested	🛛 Guidance Document
Description	Exempt Action	
Legal Authority	□ Action required by federal statute	☑ Discretionary action
	Action required by state statute	
Deregulatory	Executive Order #19 (2022) requires executive branch agencies to reduce	
Component	regulatory requirements by 25% or in lea	ngth by 25%. This proposed change
	removes the guidance document to aligi	n with Code of Virginia § 2.2-4002.1 and
	removes outdated policy.	
Expected Date	August 2023	

## Action/Stage or Guidance Document Forum ID (if available) SFMO-13

## **Title of Proposed Regulatory Action or Guidance Document** Application for replacement Certification or BCC

## **Brief Overview**

This application is intended to collect information on those who wish to obtain a replacement certification card as a blaster or pyrotechnician in the Commonwealth of Virginia. *Code of Virginia* § 27-97.2 gives the State Fire Marshal authority to consider all permit applications for certification as a blaster or pyrotechnician.

<b>Regulatory Stage</b>		Emergency or Emergency/NOIRA
(check one box)	Proposed	Revised Proposed
	🗆 Final	Fast-Track
Additional	Expedited Review Requested	🛛 Guidance Document
Description	Exempt Action	
Legal Authority	Action required by federal statute	☑ Discretionary action
	$oxed{intermation}$ Action required by state statute	

Deregulatory	Executive Order #19 (2022) requires executive branch agencies to reduce	
Component	regulatory requirements by 25% or in length by 25%. This proposed change	
	removes the guidance document to align with <i>Code of Virginia</i> § 2.2-4002.1.	
Expected Date	August 2023	

## Action/Stage or Guidance Document Forum ID (if available) SMFO-14

## Title of Proposed Regulatory Action or Guidance Document

Application of Open Burning

## **Brief Overview**

This application is intended to collect information on those who wish to conduct open burning on the property of the Commonwealth of Virginia. *Code of Virginia* § 9.1-206 gives the State Fire Marshal authority to enforce the Statewide Fire Prevention Code on state property. Statewide Fire Prevention Code § 307 requires permits for open burning.

Regulatory Stage		Emergency or Emergency/NOIRA
(check one box)	Proposed	Revised Proposed
	🗆 Final	Fast-Track
Additional	Expedited Review Requested	🛛 Guidance Document
Description	Exempt Action	
Legal Authority	Action required by federal statute	Discretionary action
	$\Box$ Action required by state statute	
Deregulatory	Executive Order #19 (2022) requires executive branch agencies to reduce	
Component	regulatory requirements by 25% or in length by 25%. This proposed change	
	removes the guidance document to align with <i>Code of Virginia</i> § 2.2-4002.1.	
Expected Date	August 2023	

Action/Stage or Guidance Document Forum ID (if available)			
VFSB-1			
Title of Proposed R	Title of Proposed Regulatory Action or Guidance Document		
Aid-To-Localities Po	Aid-To-Localities Policy		
Brief Overview	Brief Overview		
This guide is intende	ed to provide potential grant applicants i	nformation on Aid-To-Locality Grants	
provided by Departi	ment of Fire Programs, in consultation w	ith the Virginia Fire Services Board, as	
required in Code of Virginia § 9.1-204. Revisions are needed to reduce the length of the document to			
make information easier to understand for potential applicants.			
Regulatory Stage	🗆 NOIRA	Emergency or Emergency/NOIRA	
(check one box)	Proposed	Revised Proposed	
	🗆 Final	Fast-Track	
Additional	Expedited Review Requested	Guidance Document	
Description	Exempt Action		
Legal Authority	Action required by federal statute	Discretionary action	
	oxtimes Action required by state statute		
Deregulatory	Executive Order #19 (2022) requires ex	Executive Order #19 (2022) requires executive branch agencies to reduce	
Component	regulatory requirements by 25% or in length by 25%. This proposed change		
	reduces the length by approximately 14%.		

October 2023

**Expected Date** 

#### Action/Stage or Guidance Document Forum ID (if available) VFSB-2 **Title of Proposed Regulatory Action or Guidance Document** Live Fire Training Structure Grants **Brief Overview** This guide is intended to provide potential grant applicants information on Live Fire Training Structure Grants provided by Department of Fire Programs, in consultation with the Virginia Fire Services Board as required by Code of Virginia § 38.2-401. Revisions are needed to reduce the length of the document to make information easier to understand for potential applicants. **Regulatory Stage** □ Emergency or Emergency/NOIRA (check one box) □ Proposed □ Revised Proposed 🗌 Final □ Fast-Track Additional □ Expedited Review Requested ⊠ Guidance Document Description □ Exempt Action Legal Authority $\Box$ Action required by federal statute $\boxtimes$ Discretionary action $\boxtimes$ Action required by state statute Executive Order #19 (2022) requires executive branch agencies to reduce Deregulatory regulatory requirements by 25% or in length by 25%. This proposed change Component reduces the length by approximately 23%.

Action/Stage or Gu	idance Document Forum ID (if available)		
VFSB-3			
Title of Proposed Regulatory Action or Guidance Document			
Virginia Fire Inciden	Virginia Fire Incident Reporting (VFIRS) Hardware Grant		
Brief Overview			
This guide is intende	ed to provide potential grant applicants i	nformation on the Virginia Fire Incident	
Reporting System H	ardware Grants provided by Department	t of Fire Programs, in consultation with	
the Virginia Fire Services Board as required by Code of Virginia § 38.2-401. Revisions are needed to			
reduce the length o	f the document to make information eas	ier to understand for potential applicants.	
Regulatory Stage	🗆 NOIRA	Emergency or Emergency/NOIRA	
(check one box)	Proposed	Revised Proposed	
	🗆 Final	Fast-Track	
Additional	Expedited Review Requested	🛛 Guidance Document	
Description	Exempt Action		
Legal Authority	$\Box$ Action required by federal statute	Discretionary action	
	Action required by state statute		
Deregulatory	Executive Order #19 (2022) requires executive branch agencies to reduce		
Component	regulatory requirements by 25% or in le	ength by 25%. This proposed change	
	reduces the length by approximately 33%.		
Expected Date	October 2023		

Action/Stage or Guidance Document Forum ID (if available)			
VFSB-4			
Title of Proposed Regulatory Action or Guidance Document			
Regional Fire Servic	es Training Policy		
Brief Overview			
This guide is intende	ed to provide potential grant applicants in	nformation on the Regional Fire Services	
Grant provided by D	Department of Fire Programs, in consultat	tion with the Virginia Fire Services Board	
as required by Code	of Virginia § 38.2-401. Revisions are nee	ded to reduce the length of the	
document to make	information easier to understand for pot	ential applicants.	
Regulatory Stage	🗆 NOIRA	Emergency or Emergency/NOIRA	
(check one box)	Proposed	Revised Proposed	
	🗆 Final	Fast-Track	
Additional	Expedited Review Requested	🖂 Guidance Document	
Description	Exempt Action		
Legal Authority	$\Box$ Action required by federal statute	Discretionary action	
	🖾 Action required by state statute		
Deregulatory	Executive Order #19 (2022) requires executive branch agencies to reduce		
Component	regulatory requirements by 25% or in le	regulatory requirements by 25% or in length by 25%. This proposed change	
	reduces the length by approximately 14	reduces the length by approximately 14%.	
Expected Date	October 2023		

Action/Stage or Guidance Document Forum ID (if available)			
VFSB-6			
Title of Proposed R	Title of Proposed Regulatory Action or Guidance Document		
Conference and Edu	Conference and Education Assistance Grant		
Brief Overview			
This guide is intende	ed to provide potential grant applicants i	nformation on the Conference and	
Education Assistanc	e Grant provided by Department of Fire	Programs, in consultation with the	
Virginia Fire Service	s Board as required by Code of Virginia §	38.2-401. Revisions are needed to reduce	
the length of the do	cument to make information easier to u	nderstand for potential applicants.	
Regulatory Stage	🗆 NOIRA	Emergency or Emergency/NOIRA	
(check one box)	Proposed	Revised Proposed	
	🗆 Final	Fast-Track	
Additional	Expedited Review Requested	🖾 Guidance Document	
Description	Exempt Action		
Legal Authority	Action required by federal statute	Discretionary action	
	🖾 Action required by state statute		
Deregulatory	Executive Order #19 (2022) requires executive branch agencies to reduce		
Component	regulatory requirements by 25% or in le	ength by 25%. This proposed change	
	reduces the length by approximately 20	0%.	
Expected Date	October 2023		

# Action/Stage or Guidance Document Forum ID (if available) Not Available

## Title of Proposed Regulatory Action or Guidance Document

Public Participation Guidelines

## **Brief Overview**

*Code of Virginia* § 2.2-4007.02 requires that public participation guidelines be developed and used by agencies with regulatory authority. "Public Participation Guidelines" found in 19 VAC 15-11 apply to the Virginia Fire Services Board, laying out guidelines for how members of the public may participate in the adoption of proposed regulations.

Regulatory Stage	NOIRA	Emergency or Emergency/NOIRA
(check one box)	Proposed	Revised Proposed
	🗆 Final	Fast-Track
Additional	Expedited Review Requested	Guidance Document
Description	Exempt Action	
Legal Authority	$\Box$ Action required by federal statute	Discretionary action
	Action required by state statute	
Deregulatory	The Virginia Fire Services Board, as of 1997, does not possess regulatory	
Component	authority. As a result, the board no longer needs public participation guidelines	
	to align with <i>Code of Virginia</i> § 2.2-4007.02. This will remove 4 discretionary	
	requirements.	
Expected Date	October 2023	

#### Action/Stage or Guidance Document Forum ID (if available) Not Available **Title of Proposed Regulatory Action or Guidance Document Public Participation Guidelines Brief Overview** Code of Virginia § 2.2-4007.02 requires that public participation guidelines be developed and used by agencies with regulatory authority. "Public Participation Guidelines" found in 19 VAC 15-11 apply to the Virginia Fire Services Board, laying out guidelines for how members of the public may participate in the adoption of proposed regulations. **Regulatory Stage** □ Emergency or Emergency/NOIRA (check one box) ⊠ Proposed □ Revised Proposed 🗆 Final □ Fast-Track Additional □ Guidance Document Expedited Review Requested Description Exempt Action Legal Authority $\Box$ Action required by federal statute ⊠ Discretionary action $\boxtimes$ Action required by state statute The Virginia Fire Services Board, as of 1997, does not possess regulatory Deregulatory Component authority. As a result, the board no longer needs public participation guidelines to align with *Code of Virginia* § 2.2-4007.02. This will remove 4 discretionary requirements. **Expected Date** November 2023

Action/Stage or Guidance Document Forum ID (if available) Not Available

## Title of Proposed Regulatory Action or Guidance Document

Public Participation Guidelines

## **Brief Overview**

*Code of Virginia* § 2.2-4007.02 requires that public participation guidelines be developed and used by agencies with regulatory authority. "Public Participation Guidelines" found in 19 VAC 15-11 apply to the Virginia Fire Services Board, laying out guidelines for how members of the public may participate in the adoption of proposed regulations.

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Regulatory Stage		Emergency or Emergency/NOIRA
(check one box)	Proposed	$\Box$ Revised Proposed
	🖾 Final	Fast-Track
Additional	Expedited Review Requested	Guidance Document
Description	Exempt Action	
Legal Authority	□ Action required by federal statute	Discretionary action
	Action required by state statute	
Deregulatory	The Virginia Fire Services Board, as of 1997, does not possess regulatory	
Component	authority. As a result, the board no longer needs public participation guidelines	
	to align with <i>Code of Virginia</i> § 2.2-4007.02. This will remove 4 discretionary	
	requirements.	
Expected Date	February 2023	