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**VIA EMAIL**

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**SUBJECT: GFAC Comments on Draft Task Force Report**

Dear Chief Berlant and Members of the Task Force,

Attached please find my written comments on the draft Public Safety Fireworks Enforcement Task Force Report.

I want to note at the outset that I concur with the concerns and findings submitted separately by fellow GFAC member Dennis C. Revell. My comments are intended to be complementary and focus specifically on the structural and operational reforms that I believe the Task Force should consider recommending to the Office of the State Fire Marshal and to the Legislature, including for possible incorporation into SB 828.

I submit these comments in a constructive spirit and with the shared goal of strengthening enforcement efforts and preventing future tragedies through practical, workable reforms.

Thank you for the opportunity to provide input, and I appreciate the work of the Task Force and staff on this important issue.

Respectfully,

A handwritten signature in black ink that reads "Tad Trout".

Tad Trout  
Partner, TNT Fireworks  
Member, General Fireworks Advisory Committee

## **Re: Comments on Draft Public Safety Fireworks Enforcement Task Force Report**

Submitted by: **Tad Trout**

Member, General Fireworks Advisory Committee

TNT Fireworks

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### **I. Statement of Concurrence**

I concur with the concerns and findings raised by fellow GFAC member Dennis C. Revell regarding the analytical and operational gaps in the Task Force's draft report.

In particular, I share the concern that the report emphasizes regulatory and compliance reforms for licensed fireworks activity without fully addressing whether existing statutory authority—if operationalized differently—could be used more effectively to identify and disrupt illegal fireworks supply chains before tragedies occur.

My comments are offered in a constructive spirit and focus on the structural reforms that the Task Force should consider recommending to the Office of the State Fire Marshal and to the Legislature, including for possible incorporation into SB 828.

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### **II. Clarifying the Nature of the Problem**

The Esparto tragedy was not simply the result of a narrow legal loophole. It exposed weaknesses in:

- role clarity between state and local agencies;
- interagency coordination;
- verification and escalation processes; and
- upstream monitoring of high-risk fireworks and explosives activity.

**Additional resources may be necessary, but resources alone will not prevent recurrence unless the underlying system is restructured to prioritize early detection and intervention.**

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### **III. Structural Reforms the Task Force Should Recommend**

Based on decades of experience in fireworks safety, compliance, and regulation, I respectfully suggest that the Task Force's final report include recommendations in the following areas:

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## **1. Establish a Dedicated Fireworks & Explosives Oversight Unit within OSFM**

The State Fire Marshal has broad statutory authority over fireworks and explosives, but no permanent, year-round unit focused specifically on verification, coordination, and escalation of high-risk activity.

A dedicated division within OSFM should be responsible for:

- pre-license and renewal verification of storage sites and local approvals;
- risk-tier classification of licensees and storage facilities;
- interagency coordination and escalation triggers; and
- oversight of inspections and referrals.

This would institutionalize expertise rather than relying on episodic or seasonal attention.

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## **2. Mandate Risk-Tiered, Real-Time Interagency Data Sharing**

There is currently no real-time, statewide system allowing OSFM, local fire authorities, and law enforcement to see the same information regarding:

- fireworks imports;
- storage locations;
- license status; or
- changes in ownership or control.

The Task Force should recommend a centralized data platform and automatic interagency notifications for:

- importation or container arrival;
- storage site additions or changes;
- license suspension, revocation, or transfer of control; and
- known zoning or land-use conflicts.

This would close jurisdictional gaps and prevent high-risk actors from exploiting fragmentation.

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## **3. Align State License Eligibility with Federal Explosives Standards**

California law should be aligned with federal ATF standards so that individuals convicted of serious felonies are disqualified from holding or controlling explosives licenses.

This is a fitness-to-hold-license standard grounded in public safety, not a punitive measure.

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#### **4. Codify Mandatory Pre-License Local Agency Verification**

Licenses should not be issued or renewed based solely on applicant self-certification.

OSFM should be required to verify:

- local zoning and land-use approval;
- fire code compliance; and
- hazardous materials permits, where applicable.

Where local verification is incomplete or conflicting, the default should be delay or escalation—not approval by silence.

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#### **5. Require Independent Review When Public Officials Are Involved**

When fireworks or explosives operations involve individuals who are current or former sworn fire or law-enforcement officials, the Task Force should recommend automatic independent review by DOJ or the Attorney General’s Office.

This protects both public trust and institutional integrity.

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#### **6. Modernize Inspection Protocols and Penalty Structures**

Inspection cycles and penalties should be aligned with risk and volume:

- quarterly inspections for high-volume importers and storage facilities;
- biannual inspections for display companies handling explosives;
- annual inspections for consumer fireworks wholesalers.

Penalties should scale with risk and concealment behavior, and failure to disclose imports or storage locations should trigger mandatory suspension.

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#### **7. Strengthen Legislative Oversight**

The Task Force should recommend biennial legislative reporting on:

- enforcement actions and outcomes;
- interagency coordination;
- staffing and inspection capacity; and
- near-miss incidents and escalated tips that did not result in action.

Sustained oversight is necessary to ensure reforms remain effective over time.

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## 8. Explore a Fireworks Supply-Chain Enforcement Task Force

Finally, the Task Force should consider recommending a multi-agency, potentially multistate enforcement model focused on:

- import monitoring and container verification;
- cross-border trafficking and diversion;
- storage-site fraud and misrepresentation; and
- coordination with neighboring states.

Major incidents consistently originate upstream. Enforcement must do the same.

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## IV. Closing

The fireworks industry and TNT Fireworks in particular have long supported stronger oversight, clearer rules, and more effective enforcement against illegal operators. Our interest is not to avoid regulation, but to ensure that regulation is paired with real-world enforcement that targets the most dangerous activity.

I respectfully urge the Task Force to incorporate structural and operational reforms into its final report so that statutory changes and funding requests are tied to measurable improvements in public safety.

I appreciate the opportunity to submit these comments and stand ready to assist the Task Force and the Legislature in developing effective solutions.