



**International Association of Sheet Metal, Air,  
Rail & Transportation Workers,  
Local Union 100— Sheet Metal Division**  
*Affiliated with AFL-CIO*

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Environment and Transportation Committee  
The Lowe House Office Building  
6 Bladen Street Annapolis, MD. 21401

February 16, 2023

**HB-769 Public Safety- Fire Dampers, Smoke Dampers, Combination Fire Smoke Dampers and  
Smoke Control Systems**

**I ask for a favorable vote on HB-769**

Thank you for allowing me to provide written testimony on HB-769. My name is Tom Killeen, I'm a Business Representative and the Legislative Director for SMART local 100. I represent 2,000 working Sheet Metal Journeypersons that live in Maryland. In addition, I'm a Certified Professional with National Environmental Balancing Bureau, I'm a certification technician and a certified IAQ supervisor with Testing Adjusting Balancing Bureau.

For 25-years of my 42-year career of being a Sheet Metal Journeyperson, I've performed Testing, Balancing and Commissioning of HVAC Air and Water mechanical systems. During my career I've witnessed several hundreds of Fire Dampers, Smoke Fire Dampers and Smoke control systems that don't operate correctly. I've found fire dampers installed sideways and upside down, I've found fire dampers with no access door. I've found fire dampers that have had drywall track screwed to the outside of the damper and the screw located in the dampers track preventing the damper from closing. I've found fire dampers with 2x4's, coke cans and beer bottles (you name it) wedged in the damper where the linkage has broken under stress for many years. I've found smoke fire dampers that don't open and close properly because of mechanical fatigue or the damper had a broken internal shaft, or the electrical power has been severed or turn off at the break panel. In addition, this has been the experience of many of my colleagues in the testing Balancing and Commissioning field. There is data to back this claim up.

A Fire Damper reliability study was done in 2021 by Dr. James Milke Ph.D., P.E. Professor and Chair of the Department of Fire Protection Engineering School at the University of Maryland. Study is being submitted for your review. The study concluded that 67.7% of all buildings had issues (repair, replacement or need of access) with the FLS dampers. Because there's such a prevalent problem with fire dampers and smoke fire dampers not working as designed there is a real need for the individual that not only install but that will test fire dampers, smoke fire dampers and smoke-controlled systems to maintain a certification under ANSI (American National Standards Institute) in doing this work. We feel the best way to correct the prevalent problem is to ensure that the individuals doing the inspections be certified in the work they are performing, and all fire dampers, smoke fire dampers and smoke-controlled systems be checked every four years.

Currently, sprinkler systems, Fire alarm systems, and fire extinguishers are tested periodically to guarantee that they work properly. Unfortunately, other components such as fire dampers, smoke dampers and smoke control systems are not clearly subject to inspection and testing requirements.

By passing HB-769 it would ensure that in an event of a fire all occupants and fire fighters that were in or entering the building at the time of a fire would be in less harm and less likely to perish in a building fire. Secondary and tertiary results of having ANSI certified technicians test the said dampers every four years may result in lower insurance costs and lower electrical costs. When an HVAC system operates with faulty dampers that are closed, partially closed or partial blocked the HVAC system fan uses more energy to overcome the unnecessary resistance in the duct system.

**Once again, I ask you for a favorable vote on HB-769.**

Respectfully,

Thomas Killeen

Bus. Representative/Legislative Dir.

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