

# FIREPOINT



IAAI JOURNAL



# Firepoint

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## **FIREPOINT: IF YOU HAVEN'T PAID YOUR FEES FOR THE CURRENT YEAR, PLEASE DO SO NOW.**

### **EDITORIAL**

Relative to the enormous tragedy of 2009, the New Year has been kind with respect to bushfires. Amazingly, however, there are reports of a CFA volunteer lighting fires in the Mt. Evelyn Area east of Melbourne, with a reported 9 fires lit within a 3 hour period.

The article this month by Dennis Wagner is another incidence of firefighter initiated blazes. It makes interesting reading.

In another article Ross Brogan, now residing in semi-retirement on the NSW south coast discusses Explosion Investigations.

And if you want some online training in one or other area of fire investigation check the list of courses we have provided for you.

*Wal Stern*



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## QUEENSLAND CHAPTER REPORT

### President's Report:

The Queensland committee are reviewing the current constitution to ensure it is still relevant and workable and compliant to Queensland Fair Trading legislation for registered associations. It is hoped to have the document ready for the Annual General Meeting in March.

The Annual General Meeting will be held 31 March 2010 after a breakfast presentation. Location and other details will be sent to members and interested parties in the coming weeks.

Queensland will hold a morning session at the Kedron Wavell Services Club on 3 June 2010. Again it will be a breakfast session with several case studies to be presented for information and education of members and interested parties. Details of the event will be sent to members closer to the date.

There will be a One Day seminar on electrical initiated fires which will include theory sessions and practical sessions (examining burnt stuff and watching burning of stuff!). This is scheduled for Thursday 28<sup>th</sup> October – places will be limited due to the burning activities, so book it in your diary now and watch for further information closer to the date.

Members are reminded subscriptions are due for the 2010 year. QAFI also would like to welcome the following new members: Gordon Hemphrey, Carl Porritt, Marlon Bran, Jay Wessels, and Fred van Reede

Regards,  
Brian Richardson

## INTERNATIONAL SYMPOSIUM IN FORENSIC SCIENCE IN SYDNEY

The 20<sup>th</sup> International Symposium of the Forensic Sciences is being hosted by the International Forensic Science ANZFSS in Sydney 5-9 September 2010. The theme of the conference is 'Forensic Science on Trial'. Full details are available on the website [www.anzfss2010.com](http://www.anzfss2010.com).

International plenary speakers include:

**Prof Pierre Margot**

Professor of Forensic Science and Director,  
Ecole des Sciences Criminelles (School of  
Criminal Sciences),  
University of Lausanne,  
Switzerland

**Dr (Col) Frank Crispino**

Head of the Gendarmerie CID,  
Bordeaux,  
France

**Prof William C Thompson**

Professor of Criminology, Law, and Society  
and Psychology & Social Behavior,  
University of California, USA

**Mr Pat Wertheim**

Forensic Identification Training Seminars,  
LLC,  
Tucson, USA

One of the specialist discipline areas is Fire and Explosion Investigation. Keynote speakers for this discipline will be announced soon. All AFI and IAAI members are cordially invited to submit papers for consideration and to register for this unique international conference. Informal enquiries can be made to Jim Munday (02 4365 0556, [jim@fireforensics.com.au](mailto:jim@fireforensics.com.au)) or Cath Fleay ([cath.fleay@iinet.net.au](mailto:cath.fleay@iinet.net.au)) in the first instance.

## **Victorian Association of Fire Investigators Inc.**

**Website** [www.vicfire.com](http://www.vicfire.com)

The Committee has been supporting the National Conference through our suggestions and our representative.

Scott Barnes	VICPOL
Nicole Harvey	CFA
Geoff Fletcher	MFB

Congratulations to Mark Black for his work on this project. We have been working on membership issues and a training program for the year.

Although Black Saturday, 7 February 2009 has now had its first anniversary, most of the committee are still working on related outcomes and still working on requests from the Royal Commission. All have been very busy

### **VAFI COMMITTEE 2009/2010**

**President** - Andrew Kerr VICP  
**V President** - Brian Neal CFA  
**Secretary** - George Cooney  
VICPOL ( Retired)  
**Treasurer** - Rod East MFB

#### **Committee**

Michael Weekes	ESV
Belinda Webb	INS
John Lording	INS
Trevor Pillinger	EDUC
George Xydias	VICPOL FOR
Karen Ireland	VICPOL FOR
Norm Jackson	ESV ( Retired)
Russell Lee	INV

### **VICTORIA MEMBERSHIP**

The committee reports that VAFI has 155 financial members and members are reminded to check renewals have been paid. The committee welcomes the following new members: Chris Tpsaros, Chris Linton, Stephen Foster, Dennis Scott and Peter Cramer.

### **TRAINING**

The Training program for 2010 will be:

**Summer** – Motive Means  
Opportunity ( 17 March 2010)  
Members Only

**Autumn** - Operation Pee Wee -  
Arson/Murder Case Study

**Winter** - Fire Modelling

**Spring** - National Conference  
Sydney

AGM/Training - Building  
Construction & Development



**NSW ASSOCIATION OF FIRE  
INVESTIGATORS INC**  
(IAAI CHAPTER No.47)

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At last report, NSW President Greg Kelly was sighted at Hillston, in the state's south west, out of range of modern conveniences, so I am writing this report to let you know something of what to expect in 2010.

We have closed down the old NSW AFI web site. It is time to move on, up-date and get a state of the art new site for this year. Mark Black has been involved heavily in its organization and he hopes the new site will be up and running within a few weeks.

Mark has also been involved in this year's national Conference, organized with the help of NSW, Victoria and Queensland Chapters, to be held at Citigate hotel, Thomas Street, Ultimo in Sydney on 15-16 August. With such high powered backing from all of the Australian Chapters, you can expect a cracker Conference.

With all that work Mark needed a break and he is currently at sea on a cruise.

In 2009, Education Evenings were held in Sydney and Canberra. This year, we intend to spread our wings further, and initially have a night in Newcastle, but examine

also the possibility of another night in Dubbo.

The Australian and New Zealand Forensic Science Society will be holding an International Conference in Sydney in September. Details are provided on page 5 of this issue, and NSW AFI member Jim Munday can answer any queries you have on this event.

Membership fees for 2010 are now due, in case you have not yet paid them. Any queries, or payments, should be directed to the NSW AFI Treasurer, Taylor Pallaton, at mobile 0429 094 11, or email [treasurersnswafi@yahoo.com](mailto:treasurersnswafi@yahoo.com)

The next Committee meeting of the NSWAFI is scheduled for 18<sup>th</sup> March. Are there any education topics you would like to hear about this year? Do you have ideas for a talk topic, or a speaker, you would be particularly interested in. If so, contact any of our Committee.

The NSW AFI is there for you.

**Wal Stern**  
**Firepoint Editor.**

# **Explosion Investigation**

**Ross Brogan AFSM, MA, CFI/IAAI**

According to John DeHaan (2007, pg. 6)  
*"One of the most important, yet often neglected, areas of fire investigation is understanding the fundamental properties of the fuels involved."*

He continues with the explanation by stating *"These properties are determined primarily by the chemistry of the fuel, and the investigator should have a thorough knowledge of the relevant chemistry and what appears in the reaction."*

DeHaan considers that fires and explosions are akin to each other and must be thoroughly understood by the investigator. The differences between fires and explosions may be so close as to cause confusion and may only be differentiated by definition alone.

Definitions from NFPA 921 (2008)

**Explosion** = The sudden conversion of potential energy (chemical or mechanical) into kinetic energy with the production and release of gases under pressure, or the release of gas under pressure. These high pressure gases then do work such as moving, changing, or shattering nearby materials.

**Deflagration** = Propagation of a combustion zone at a velocity that is less than the speed of sound in the unreacted medium.

**Detonation** = Propagation of a combustion zone at a velocity that is greater than the speed of sound in the unreacted medium.

**Flammable Limit** = The upper or lower concentration limit at a specified temperature and pressure of a flammable gas or a vapour of an ignitable liquid and air, expressed as a percentage of fuel by volume that can be ignited.

## **Explosions**

**Condensed Phase** = A condensed phase explosion involves an explosive material *condensed, contained or compacted* into a container of some description.

**Diffuse Phase** = A diffuse phase explosion is propagated through an explosive medium *diffused* (dispersed, or mixed) in air; e.g. a gas or ignitable liquid vapour.

Explosion investigation should use the same methodology as a fire investigation; the Basic Methodology as described in NFPA 921 (2008) Chapter 4 is recommended, *"The basic methodology of the fire investigation should rely on the use of a systematic approach and attention to all relevant details."*

The 'Scientific method' is the recommended approach and relies on collection of relevant data, analysis of that data and the development of a hypothesis relating to the event.

The most important aspect of this approach is that the hypothesis **MUST** be tested against known scientific principles to determine that the hypothesis is justified, and, given the gathered data, will work.  
**WARNING** – If you don't test your hypothesis to see that it is scientifically viable, to obtain your final hypothesis, someone else will and your credibility may be jeopardised!

**Explosion Scene Size** – The size of your explosion scene search area should be one and one half times the distance of the furthest piece of debris found from the site of the explosion. This provides sufficient area to enable the finding of all evidence related to the explosion scene.

## **INVESTIGATION OF EXPLOSIONS**

### **\* Identifying the type of explosion**

- Recognition of characteristics
- Recognition of damage type
- Recognition of pressure vectors
- \*\* *Shattering or pushing damage factors* \*\*

### **Determination of fuel type**

- Elimination of fuel types and availability
- Selection of fuel source
- identification of fuel presence

### **Determination of ignition factors**

- Elimination of ignition sources
- Selection of ignition source
- Identification of competent ignition source

## **Selection of the Hypothesis**

- What type of explosion has occurred?
- Is the damage consistent with the type of explosion?
- What fuel?
- What competent ignition source?
- What factors brought the two together?

## **Testing the Hypothesis**

- Is it scientifically possible?
- Is it feasible under the given circumstances?
- Was the fuel normally there?
- Could there be some other explanation?

## **Selection of the FINAL hypothesis!**

### **How can you work out how much Ignitable liquid vapour was required to cause an explosion?**

Formula = Cubic metres (m<sup>3</sup>) vapour = 0.85  
 x Specific Gravity

Vapour Density

\* Calculate cubic volume of area subject to explosion –

\* Ascertain type of vapour present as fuel – e.g. Petrol (gasoline)

\* Determine LEL

• Calculate m<sup>3</sup> of vapour for LEL\*: m<sup>3</sup> x 1,000 = litres

• Divide Litres (vapour) by m<sup>3</sup> vapour produced = liquid

### **What are we trying to prove???**

Was it possible for the offenders to carry this amount of liquid to the scene, or, how much vapour escaped inside the premises (LPG etc.)? (Kirks' (2006) pg. 82).

Good luck and easy investigations. - Ross



## CFI TRAINER.NET.AU

Are you aware of the online training programs available from the above site? Here are a selection of recent available titles for these programs, which you might wish to do.



### **UPDATED 2009- The Scientific Method for Fire and Explosion Investigation**

The basics of the scientific method are deceptively simple: observe, hypothesize, test, and conclude.



### **Motive, Means, and Opportunity: Determining Responsibility in an Arson Case**

This module uses the Motive, Means, and Opportunity case study to demonstrate how responsibility is determined in an arson case.



### **Fire and Explosion Investigations: Utilizing NFPA 1033 and 921**

This module helps the investigator understand how *NFPA 1033* and *NFPA 921* are developed, organized, interpreted, and applied in fire and explosion investigations.



### **Postflashover Fires**

This module introduces the postflashover topic, describes ventilation-controlled fire flow, illustrates how the damage left by a postflashover can be significantly different than if that fire was extinguished preflashover.



### **A Ventilation-Focused Approach to the Impact of Building Structures and Systems on Fire Development**

The program examines



### **Vacant and Abandoned Buildings: Hazards and Solutions**

This module provides an overview on how structures can become vacant and eventually abandoned.



### **Managing Complex Fire Scene Investigations**

This module focuses on how to manage investigations that have "complicating" factors.



### **Investigating Fatal Fires**

This module provides a thorough understanding of the ways an investigation changes when a fire-related death occurs.



### **Understanding Fire Through the Candle Experiments**

This program presents the results of flame experiments conducted with a candle.



### **Documenting the Event**

This program provides a practical overview of how to perform the baseline documentation tasks that occur at every scene.



### **Physical Evidence at the Fire Scene**

The program illustrates for the fire investigator, how non-traditional fire scene evidence can be helpful during an investigation.



### **Critical Thinking Solves Cases**

This program brings three highly experienced fire investigators and an attorney with experience as a prosecutor and civil litigator together for a round table discussion.



### **Introduction to Evidence**

This program introduces the fire investigator to the issues related to the collection, handling and use of evidence related to a fire investigation.



### **Fire Dynamics Calculations**

The program is designed to introduce a new Palm/Pocket PC application called CFI Calculator to users and provide examples of how it can be used by fire investigators in the field

## **FIRE RELATED RECALLS**

(Source: [www.recalls.gov.au](http://www.recalls.gov.au))

### Brivis Evaporative Cooler AD Series & Carrier 29CB Series Evaporative Cooler

Product description - The coolers were manufactured and sold in Australia from 28 August 2000 to 21 November 2003. The evaporative coolers consist of cooling pads, and axial fan and motor assembly, a control box, pump and solenoid valve mounted on a metal chassis with a metal enclosure with is mounted on top of a roof. These units use water stored in the base of the unit which is pumped into a distribution system within the unit's roof that directs the water to the cooling pads through which air is drawn and cooled. This air then passes into a system of ducts within the roof space to provide cooling.

Identifying features - Serial numbers 403265-563076.

What are the hazards? - Fire

What are the defects? - The water circulating pump in these units may fail and, in extremely rare cases, property damage and/or personal injury may result.

### Hart International Agencies Pty Ltd—Adventuridge Rechargeable Camping Lantern—Car Charger

Product description - The recall relates to the car charger included with the Adventuridge Rechargeable Camping Lantern. Item 8716. The product was sold only in ALDI Stores from 18 September 2008.

What are the hazards? - Injury.

What are the defects? - Due to a fault in the electronic charging circuit, the internal battery can be overcharged when charged using the car charger. This results in the battery emitting hydrogen gas, which can build up inside the unit, potentially causing it to explode in the presence of an ignition source.

### Hewlett-Packard (HP) and Compaq Notebook Computer Lithium-Ion Battery Packs

Product description - Lithium-Ion rechargeable battery packs used with certain HP and Compaq brand notebook computers. The affected battery packs have a label incorporating a unique, identifiable CT code sequence and are for use in the HP Pavilion: dv2000, dv2500, dv2700, dv6000, dv6500, dv6700, dv9000, dv9500 and dv9700, Compaq Presario: A900, C700, F700, V3000, V3500, V3700, V6000, V6500 and V6700, HP Compaq: 6720s and HP: G6000 and G7000 notebook computers. The affected battery packs were sold in HP notebook PCs and separately as options or spare parts between August 2007 and March 2008.

Identifying features - As above

What are the hazards? - Fire and burn.

What are the defects? - There is a risk that in rare cases these Lithium-Ion batteries can overheat posing a fire and burn hazard to consumers. This issue is unrelated to any previous HP battery pack recalls.

Dates available for sale - June 2007 - August 2007

### Ridge Tool Australia—RIDGID 300 Power Drive Threading Machines

Product description - Threading Machines—RIDGID 300 Power Drive, RIDGID 535 M/C, RIDGID 300 & 1233 threading machines.

Identifying features - Machines with serial numbers ending in 0408,0508,0608,0708,0808,0908,1008 or 1108

What are the hazards? - Electric shock and fire.

What are the defects? - Ridge Tool Australia recently determined that the setscrews that retain the brush holders in these motors may not be properly tightened. This could allow the brush holder to back out and the brush lead to contact the motor housing. If a machine in this condition is used with an improperly grounded power supply, this could result in an electrical shock or fire hazard which could cause serious injury or death.

### GAF Control Australia Pty Ltd—Sunair Fan Heaters

Product description - Model numbers FHS34 and FHS35. The products were sold nationally at Bunnings, The Good Guys, Mitre 10, Coles, Priceline, Franklins, Kmart, Foodstuffs New Zealand and various independent stores during 2005, 2006 and 2007.

What are the hazards? - Fire.

What are the defects? - The fan heaters have a mechanical fault within the terminal block which in the event of failure could result in a fire.

### Carrier Air Conditioning—Conditioner

Product description - Models no 42Y & 42E with electric heating elements. Units are manufactured in Italy and are primarily used in commercial applications such as cooling and heating systems in hotels/motels.

What are the hazards? - Fire

What are the defects? - The problem was caused by an accumulation of negative conditions mainly unsatisfactory maintenance and incorrect installation. These negative conditions may favour an elongation of the heating element that in turn may cause the edge of the heating element pushing to the side of the unit, causing a wire cut. This wire cut may lead to an electric ark, which may lead to a spark which could cause a fire.

### Chief Kitchenware Pty Ltd—Mistral, Vogue Design and Plugz Bathroom Heater Exhaust Fan and Light Combinations

Product description - This recall is an expansion of recall number 2007/9660 dated 19/11/2007. Mistral M6600-O. M6601-O. M6700-O. M6700DUCT. M6705-O. M6740-O. M6715 AUTOHEAT. Plugz: P3N1-2. P6601-O. Vogue Design: VD2N1/2. VD3N1/DUCT. RingGrip: 6600-O. 6700-O. 6601-O. Only models with two radiant heat globes are affected. These products were sold nationally between 2000 and 2007 by electrical goods retailers, electrical contractors and national DIY stores.

What are the hazards? - Fire

What are the defects? - There is a risk of the lamp holders overheating and creating a risk of fire.



Hagemeyer Brands Australia Pty Ltd—  
Dimplex Superheater

Product description - Model numbers R0F24TI and R0F24ECC. Affected heaters have a three (3) digit batch number between 000 and 377, which is located on the rating label found on opposite end to the control panel, between the two large wheels. The heaters have been sold nationally by major electrical retailers since March 2006.

What are the hazards? - Fire

What are the defects? - The heater has had reports of a component fault, which can cause overheating near the heater's control panel and, in some cases, risk of fire.

Sales Express Pty Ltd—Modern Living  
Upright Fan Heater

Product description - Model: MLMFH200. Batch codes: JS0608 - JS06015 - JS06016. Approval no. S/10. The product was exclusively sold by TARGET stores throughout Australia from April 2006 to August 2006.

What are the hazards? - Fire

What are the defects? - Under certain operating conditions, when heater is accidentally tipped over and airflow around the heating element is obstructed, the thermal protection may not activate in a timely manner to cut power supply, to safeguard against overheating.

WAECO Pacific Pty Ltd—WAECO &  
Mobicool Portable Absorption Coolers

Product description - Portable absorption cooler, 3-way (gas, 12V DC, 240V AC), 35 litre - 2 models: i) Mobicool A-35-12240PB37 ii) WAECO CA-35-12240PB37

Included: all product sold from Feb 2006 to end of Aug 2008 except the following; - Not included: A-35-12240PB37 sold after May 2008 in serial number ranges: 05001945 to 05002000 06002161 to 06002229  
- Quantity affected: A-35 2,088 units CA-35 6,117 units

What are the hazards? - Fire

What are the defects? - At the rear of the cooler is a threaded inlet pipe to which a gas hose and regulator must be fitted for connection to a gas bottle for LP operation. The external thread may not be concentric with the internal sealing surface taper. This could result in a gas leak which may then ignite and cause a fire. If this occurs, and a fire were to be left unattended, the pressure inside the ammonia absorption system could increase to a level whereupon the heat exchanger pipes may burst.

Austwide Wholesalers Pty Ltd—Citronella  
Sticks Garden 64cm w/Bug Design

Product description - The sticks can be identified by the Item Code GA8054 and the Product Bar Code 9316341 433119. The item consists of a candle on a bamboo stick. The candle can be pink, yellow, blue or green and is painted with butterflies or dragonflies. This item was distributed in NSW, QLD, SA, VIC and WA between the 27 August 2008 and 20 November 2008.

What are the hazards? - Fire

What are the defects? - The citronella sticks do not meet safety requirements for candle accessories, as the bamboo may ignite and continue to burn for more than 5 seconds when flame is applied.

#### LG Electronics—Dishwashers

Product description - Model numbers LD-14AW2, LD-14AT2 (AT2 models are the same models as the AW2 models, but a different colour) and LD-4050W with serial numbers commencing with the numbers 307 to 312. The dishwashers were manufactured from July 2003 to December 2003.

What are the hazards? - Fire

What are the defects? - A potential fault with a solder joint in a circuit board used in the products. In certain circumstances, this fault could result in the circuit board overheating, creating a potential fire hazard.

#### Electrolux—Electrolux Dishlex and Westinghouse Dishwashers

Product description - Two Electrolux models - EX401ISB and ESL6163. Two Electrolux Dishlex models - DX303SK and DX303WK. Six Westinghouse models - SB908WK, SB908SK, SB916WK, SB916SK, SB926WK, SB926SK. Serial number range 70700000 - 72400000. The dishwashers were sold after 1 April 2007.

What are the hazards? - Fire

What are the defects? - A wire connector within the appliance may, in extreme cases, overheat and cause a small self-contained fire or melting of plastic components within the control panel. Product failure will result.

#### i-mate—JAMA 101 mobile phone—Battery

Product description - Sold between April 2008 and January 2009 with i-mate JAMA handsets or as accessories for i-mate JAMA 101. Affected batteries can be identified by the model name "i-mate JAMA" printed in blue on the battery label. Batteries that also have "i-mate Jama 101" printed on the label are not affected. Sold via general consumer electronic and mobile telephone outlets including Dick Smith Pty Ltd.

What are the hazards? - Fire.

What are the defects? - Under certain conditions the batteries have the potential to generate excessive heat. In extreme circumstances this may damage the battery and/or the device, and have the potential to cause fire.

#### GN Netcom Australia—9120 Wireless Headset ATL Battery

Product description - ATL Lithium-ion batteries (ATL P/N 603028) in GN9120 headsets distributed from January 2005 until September 2008 can overheat, which can pose a fire hazard.

What are the hazards? - Fire

What are the defects? - Batteries can overheat, which can pose a fire hazard.

Sony—Batteries sold for use in Dell notebook computers

Product description - Potentially affected batteries were sold with the following models of Dell notebook computers or separately as secondary batteries:

Latitude: D410, D500, D505, D510, D520, D600, D610, D620, D800, D810, D530, D620ATG; Inspiron: 500M, 510M, 600M, 700M, 710M, 6000, 6400, 8500, 8600, 9100, 9200, 9300, 9400, E1505, E1705; Precision: M20, M60, M70, M90  
XPS: XPS, XPS Gen2, XPS M170, XPS M1710

The batteries were shipped to customers between April 1, 2004 and July 18, 2006. The words "DELL" and "Made in Japan" or "Made in China" or "Battery cell made in Japan, Assembled in China" or "Assembled in Taiwan" are printed on the back of the batteries.

Potentially affected batteries were sold with the following models of Dell notebook computers or sold separately as secondary batteries: Latitude: 110L, D530; Inspiron: 1100, 1150, 5100, 5150, 5160

These batteries may also be used in the following systems: Latitude: D500, D505, D510, D520, D600, D610; Inspiron: 500M, 510M, 600M; Precision M20

What are the hazards? - Fire and burns

What are the defects? - There is potential that the affected batteries could overheat, which could pose a risk of fire.

Land Rover—2007 to 2008MY Discovery 3 vehicles and 2007 to 2008MY Range Rover Sport vehicles—High pressure fuel injector pump

Product description - 2007 to 2008MY Discovery 3 vehicles (LA412125-LA4870333 Specific vehicles only). 2007 to 2008MY Range Rover Sport vehicles (LS100008-LS181999 & LS980310-LS999998 Specific vehicles only).

Identifying features - Campaign number: P008 Target number: 1667

What are the hazards? - Vehicle malfunction

What are the defects? - The above vehicles may experience poor performance, fuel smell, engine noise, a fuel leak onto the rear of the engine, a fuel leak onto the ground or a fire, as a result of the front seal of the high pressure fuel pump failing due to excessive wear of the pump front bearing.

The failure is due to inadequate lubrication of the fuel pump front bearing.

Marine Power International Pty Ltd—Savage Aluminium or Fibreglass boats and Bermuda Aluminium boats

Product description - Savage forward steer aluminium or fibreglass boats with an underfloor fuel tank that were manufactured between October 1999 and December 2007 and Bermuda forward steer aluminium boats with an underfloor fuel tank that were manufactured between January 2005 and December 2007

Identifying features - Savage forward steer aluminium or fibreglass boats with an underfloor fuel tank - boats with a serial number ending 99, 00, 01, 02, 03, 04, 05, 06 or 07.

Bermuda forward steer aluminium boats with an underfloor fuel tank - boats with a serial number ending 05, 06 or 07.

What are the hazards? - It is possible that under certain conditions the hoses may degrade. If this happens, fuel could leak into the bilge of the boat leading to risk of fire or explosion which could lead to severe injury or death to the operator, passengers or bystanders.

What are the defects? - The products may have been fitted with incorrectly rated hoses from the fuel tank to the fuel filter and from the fuel tank to the breather/vent.

Dates available for sale - December 1999 - May 2009  
January 2005 - May 2009

McPherson's Consumer Products—Kids r' Cool and Simply Kids Adventure Torches

Product description - The product is a plastic torch (supplied without batteries) with five different lens caps to create different patterns on the wall or floor when the torch is alight. It was distributed respectively from:

18 May 2006 to 19 June 2009 in all Coles, BiLo, Kmart, Big W and Spotlight stores; 12 June 2007 to 19 June 2009 in all Woolworths and Safeway Stores.

Identifying features - Kids r Cool Adventure Torch Barcode 9312601309804, Simply Kids Adventure Torch Barcode 9312601626277

What are the hazards? - Fire/burns

What are the defects? - There is a possibility that when turned on the torch may emit increasing temperatures, heating the plastic

to a point which could result in a user being burned or increasing the risk of fire.

Kawasaki—Models JT1500A9F, JT1500D9F and JS800A9F Jet Skis—Fuel Tank Replacement

Product description - The jet skis were imported between September 2008 and March 2009.

Identifying features - Campaign Number DBB941A

What are the hazards? - Fire.

What are the defects? - On eligible units, the fuel tank filler neck could crack and allow fuel to leak into the engine compartment, creating the potential for an explosion and/or fire.



# Why Firefighter Set Forests Ablaze Remains Unclear

## Explanations bewilder Forest Service colleagues

(a paper presented at the 2009 IAAI Conference)

*Dennis Wagner*

On June 23, 2004, a 55-year-old man stopped his pickup truck along a dirt road near a mud bog nestled in Ponderosa pines 45 miles south of Flagstaff.

It was not unusual for Van Bateman, fire management officer for the Mogollon Ranger District, to be out in the woods, especially during wildfire season.

But on this date, the U.S. Forest Service boss did something peculiar: After hiking down a short trail, he picked up a handful of dry pine needles, ignited them and placed them next to a dead oak tree. "It smoldered," Bateman later told investigators. "I just thought after I lit it, I thought, 'Hell, we'll just have a lightning fire here today for the boys to do something.' I knew the fire was going to grow and not go out."

That statement, and the act it describes, ended the career of a federal employee who spent more than three decades protecting the West's wild lands. It also bewildered friends and colleagues who knew Bateman as a conscientious firefighter.

In fact, he had become a near legend in the world of smoke jumpers and disaster-planning experts. The Federal Emergency Management Agency honored Bateman as one of 13 "everyday heroes" for his Sept. 11 emergency management in New York after terrorists attacked the World Trade Center. A year later, he oversaw elite teams battling the 469,000-acre Rodeo-Chediski Fire, Arizona's largest known blaze.

For a man who began beating down flames and saving lives at age 20, the role of firebug seemed unthinkable. Yet the fire at the Boondock Tank bog was not an isolated incident.

Bateman also confessed to setting the nearby Mother Fire six weeks earlier. And investigative records indicate he was suspected of starting other blazes.

Why?

That is the question asked by friends, family and hundreds of colleagues who risked their lives beside him on the fire line.

Why would an expert on the lethal devastation of wildfires suddenly begin setting them

after 34 years of public service?

Why would a guy with no criminal record, mental health history or financial motive try to burn down the Coconino National Forest? Bateman remained mute on those questions for three years. He let attorneys argue legal technicalities until he lodged a guilty plea in October.

A few weeks ago, with a federal court sentencing set next month, Bateman returned to the crime scene with an *Arizona Republic* reporter to explain his conduct.

"I'm not lily-white on this," he said, pointing to remnants of the Mother Fire, which burned a pile of debris in an area the size of a small patio. "I'm saying I came out here, and I was doing my job. I came out, and I lit this thing. Did I obtain the proper

authorizations? No, I did not . . . (But) I wasn't trying to start an arson fire. I was just trying to clean this piece of country up. . . . I would be shocked if there's anybody who's spent their career in forest management who hasn't done this."

Assistant U.S. Attorney Kimberly Hare, the federal prosecutor, points out that Bateman raced away from the fire scenes after igniting the blazes during peak fire season.

"Anyone who sets a wildfire and leaves it unattended is committing what I think is a criminal action," Hare said. "There are reasons why there's a prescribed policy for doing a controlled burn."

Bateman, now 57, pulled out a map and showed how, in his view, the Mother Fire could not have spread out of control. He said it was a humid day with no wind. He said he merely used flame to eliminate logs and debris.

"I just helped Mother Nature along," he said. "Did this fire pose any threat? No."

An hour later, touring a ravine where the Boondock Fire burned 21 1/2 acres, Bateman again said his only motive was "fuels reduction," a term for using fire to purge an area of deadfall and underbrush.

Planned fires are a part of sound forest management. In fact, weeks after the Mother Fire, Bateman received an award from the Department of Agriculture for his use of prescribed burns to cleanse these same woods. In those instances, however, he filed the required paperwork.

Bateman admits violating protocols with the Mother and Boondock fires. But he insists that forest supervisors frequently come across areas that "need a little fire put on them" and handle the problem instantly.

"I burned 'em," he said. "That's all there was to it. I did not go through the proper steps."

Joe Walsh, a U.S. Forest Service spokesman in Washington, D.C., declined comment on the criminal case but said his agency "does not condone any actions of our Forest

Service employees that are contrary to law, regulation and standing policy governing prescribed burns."

In Arizona, Mogollon Rim District Ranger Mindee Roth said she is not aware of employees igniting the woods without approval. "That's highly unusual," Roth said. "Things have changed. That's not appropriate in this day and age."

### **Unanswered questions**

When Bateman pleaded guilty last fall, then-U.S. Attorney Paul Charlton said the Forest Service officer had joined "a small universe of firefighters who, for reasons we may never fully understand, violated the public's trust by igniting fires, not extinguishing them."

Several wildfire experts interviewed for this story said that they believe Bateman's account and that it seems to explain his conduct, if not justify it.

Still, the explanation leaves unanswered questions:

- Why did he lie to Department of Agriculture investigators when they first confronted him about the fires, denying responsibility? Why did he sign a statement, written by investigators, that says, "I have not started any fires that were not prescribed, authorized or controlled burns on Forest Service land"? Why did he confess only after being told that GPS tracking records and tire prints placed him at the scene of each blaze?

Bateman says he thought the interrogation was part of an administrative procedure and he was trying to dodge disciplinary action.

- Why did Bateman not claim even once in a four-hour interview with investigators that he set the blazes for fire management purposes?

Bateman says investigators told him not to answer their questions with fire science terminology because they wouldn't

understand, so he didn't explain his motive to clean the forest.

- Why did Bateman say a fine line divides a firefighter and an arsonist?

Bateman says the written line was based on a response he gave to an investigator who observed there are similarities between cops and criminals. "I have a large mouth," he said. "They can spin this any way they want."

- Why did Bateman sign a plea deal?

Bateman says he set timber afire without authorization, so he is guilty of that offense. If he went to trial and lost, he might face up to five years behind bars. Under terms of the plea agreement, arson charges (malicious fire-setting) were eliminated along with two other counts. He hopes to get probation rather than prison time.

### **Bending the rules**

Bateman's supporters - and there are many among firefighters - focus on another question:

Is it possible a man with so much training and experience would twice attempt to incinerate forests, failing both times?

Their answer: No, it defies belief.

"If Van wanted to do arson, he could have burnt down Flagstaff," said Larry Humphrey, a retired wildfire supervisor for the Bureau of Land Management in Safford. "He knows the topography, the conditions and the fuels. . . . There's nobody who knows fire, from beginning to end, better than Van does."

Humphrey, who shared incident command duties with Bateman on the Rodeo-Chediski blaze, described his friend as "the best fireman I've ever seen in my career," a master of using prescribed burns to protect forests and human populations. "If I was in a tight spot, he's the person I'd want to watch my back."

Humphrey said unsanctioned blazes are set all the time by Forest Service supervisors

who want to reduce fuels without filing 30 pages of paperwork.

"That's a damned minor infraction," he said.

"There's not a fire management officer who didn't do that sort of thing. . . . If you had to bend the rules a little, you bent the rules.

"There are so many people who think the Forest Service screwed him," Humphrey said.

"My take on it is that Van got too famous. The Forest Service does not like any lower level employees to get any kind of fame."

Charlie Denton, a 43-year Forest Service employee who retired as fire operations officer for Arizona and New Mexico, scoffed at the notion of Bateman as a felon.

"I have never met anybody who thought Van would do anything of a criminal nature," said Denton, now a forestry consultant at Northern Arizona University.

Jim Paxon, a retired Forest Service supervisor who now works for Channel 12 (KPNX), said Bateman's fire-setting is not unusual: "I was in the Forest Service 34 years. I've done exactly that. I can't tell you how many times."

Paxon said Bateman was known as a risk-taker and expert in using prescribed burns and backfires to prevent or defeat deadly blazes. He described Bateman as dedicated, gregarious, friendly - hardly the stereotypical arsonist.

"This was just very strange," he said. "There almost appears to be a vendetta. Somebody had it in for Van."

### **Losing a career**

Bateman is a mountain of a man with the rugged features of actor Wilford Brimley and a grandfatherly gruffness to match.

He started working on a Flagstaff hotshot crew at 21 and wound up with a lifelong career.

"Hell, I liked it," he recalled. "And I just stayed with it through a hell of a lot of work

and just worked my way up through the organization."

Coconino National Forest, always Bateman's base, provided plenty of opportunities to combat fire by leading the nation in lightning- and human-caused blazes. So he gained experience and ascended from grunt to crew leader to forestry technician to forest management officer. He was schooled in fire behavior analysis.

By 1996, Bateman was a Type 2 incident commander, overseeing major wildfire operations throughout the West. In 2000, he was named a Type 1 commander, responsible for managing hundreds of emergency workers at the largest fires and national catastrophes.

On Sept. 11, 2001, Bateman and his team were working a fire in Montana when they received instructions to head for New York, where terrorists had toppled the World Trade Center. Their aircraft, with a fighter-jet escort, was among only a handful in the U.S. skies on Sept. 12. New York officials relied on Bateman to plan day-to-day logistics for rescue operations. Bateman was invited back later to teach incident command practices.

When Hurricane Katrina struck, Bateman was brought to New Orleans as a liaison. That was in August 2005, more than a year after Bateman lit the Mother and Boondock fires near Flagstaff.

According to court records, an arson investigator with the Forest Service suspected Bateman even before the fires were set in mid-2004, which is why a tracking device was installed on his truck.

What remains a mystery is why the government allowed a suspected arsonist to continue work in a vital position for at least 16 months before investigators finally confronted him.

One possible explanation: Authorities were confused because a second fire-setter also had been working the area. In January 2006,

two months after Bateman's indictment, Jesse N. Perkins of nearby Happy Jack was arrested by a Forest Service law enforcement officer. According to federal court records, Perkins was a meth addict, artifact looter and "self-proclaimed pyro" who admitted setting numerous wilderness fires over the years.

He pleaded guilty and was sentenced last May to six months in prison.

Bateman speculates that investigators thought he was responsible for fires set by Perkins and targeted him for prosecution because of the number and danger of those blazes.

He says he will never understand why federal agents charged him criminally or why none of his bosses spoke with him about the allegations. Rules were broken and lies told, he admits, but everyone knew unauthorized blazes were set to avoid the red tape.

Bateman says he loses sleep worrying about a prison sentence but has managed to stay busy while the justice system grinds. For the past few weeks, he has been helping a private landowner develop plans for a prescribed burn.

"I gave the outfit everything," Bateman said, referring to the Forest Service. "I felt that after 34 years, if nothing else, the very least they owed me was to set me down and talk to me. And the fact that they wouldn't even do that, I thought, was pretty chicken. . . . It took 34 years of hard work to get a reputation as a good firefighter . . . and that went down the tubes."

## **Ex-Forest Service fire officer sentenced to prison**

By Howard Fischer

A federal judge sentenced a former U.S. Forest Service fire management officer to 24



months in prison Monday for starting a blaze without authorization.

U.S. District Court Judge Paul Rosenblatt rejected the contention of Van Bateman that he simply "cleaned up a little timber" with that and at least one other prescribed burn, albeit without the proper authorization. "My intent and desires have always been to protect the national forest as best I could," Bateman told the judge.

But Rosenblatt said while he is "familiar with Forest Service bureaucracy," he said Bateman was wrong.

"You simply were doing what you wanted to do rather than what should have been done," the judge told the 34-year veteran of the Forest Service who acknowledged setting the Boondock Fire three years ago about 45 miles south of Flagstaff. Nor was the judge impressed by more than 50 letters from others -- many former Forest Service employees -- who wrote that they had done the same thing. In fact, the judge suggested those letters were one reason he was rejecting a plea by Grant Woods to place his client on probation.

"That's kind of chilling," Rosenblatt said of the letters. "Too much paperwork simply doesn't cut it."

Bateman also will have to pay a \$5,000 fine and \$10,390 in restitution to the Forest Service. Once released, he will be on supervised probation for another three years and will have to undergo a psychological exam. The two-year sentence was the maximum Rosenblatt could impose under the terms of a plea deal.

As part of that deal, prosecutors dropped a second charge of burning timber without authorization connected with the Mother Fire several weeks earlier. And they dismissed more serious arson charges in connection with both incidents.

The judge rejected a recommendation from a probation officer that he reject the plea deal and send Bateman away for at least 46 months.

"I've never felt that I did anything wrong," Bateman said after the sentencing. He will be free for the next 45 days before he has to report for incarceration.

"I've never claimed to be lily white," he continued. "The only thing I'm guilty of is not getting the proper authorization to do what I did."

But Bob Schinzel, who had been the assistant special agent in charge of the Department of Agriculture in Phoenix -- the agency which includes the Forest Service -- said evidence showed otherwise.

Schinzel said once there was suspicion Bateman was setting fires he was tracked through a satellite positioning system in his computer. Schinzel said that tracking showed Bateman at the scene of several blazes.

More significant, Schinzel said, Bateman fled quickly, something he said clearly is not done when setting a prescribed burn.

And prosecutor Kim Hare told the judge that Bateman, in an earlier statement, never mentioned "prescribed burns."

"He never thought he'd get caught," she said.

"He didn't have a good excuse at the time why he set them," Hare continued. "Now he does." And she said that excuse, even if true, should not allow him to escape prison.

"I believe that the defendant's ego got the better of him," she told the judge. "We do not allow defendants to come in here and take the law into their own hands."

But Woods told Rosenblatt that's exactly what the judge should consider, citing the letters from other veteran Forest Service employees.

"When they see a situation that's dangerous to the forest, they take care of it," he said.

"They're not criminals."

At worst, Woods said, his client is "a bit of a cowboy." But he said Bateman was not unlike other long-term Forest Service employees who cut corners on the rules.

"The bureaucrats don't like that," Woods said.

In a written statement to the court, Forest Service Chief Abigail Kimbell said that claims that agency workers commonly set fires without authorization "are untrue and do not reflect reality."

"These claims impugn the integrity of our nation's professional wildland firefighters who put their lives on the line to protect people, their communities and our natural resources," she said in the statement, read aloud in court by Gene Blankenbaker, supervisor of the Tonto National Forest. "Furthermore, these claims diminish public confidence in the use of fire to meet stewardship objectives."