***This is just a synopsis of the proposed Emergency Response Standard to provide a sense of the preponderance of administrative effort that if adopted will create for the average fire department; volunteer, combination or career.***

This draft regulatory language was developed by the NACOSH subcommittee for Emergency Response and Preparedness. It was reviewed and approved by NACOSH on Dec. 9, 2016. Many of the provisions are based on, but not directly quoted from, existing OSHA requirements (29 CFR 1910) and various National Fire Protection Association standards (NFPA). All of the standards used in the development of this document are listed at the end, for reference.

* This rule will only apply to organizations that are already required to comply with Federal OSHA or State plan regulations.
* The following sections apply to: Emergency Service Organizations (ESO), such as, but not limited to entities that provide one or more of the following services, as a primary or secondary function: firefighting, fire rescue, emergency medical service, technical rescue (rope/high angle, cave, etc.), vehicle/machinery rescue, water rescue/recovery (land/shore based, swiftwater, underwater), search and rescue (urban, mountain, wilderness).
* Each Emergency Service Organization (ESO) shall develop in writing and implement an Emergency Response program to provide protection for each responder who is designated to operate at an emergency incident.
* Each Emergency Service Organization (ESO) shall establish and implement a process to:
	+ (i) Consult with responders in developing and updating the Emergency Response program;
	+ (ii) Involve responders in implementing and evaluating the program, and in the review and change process;
	+ (iii) Request input from responders regarding workplace modifications;
	+ (iv) Involve responders in ESO facility inspections and incident investigations;
	+ (v) Encourage responders to report safety and health concerns, such as hazards, injuries, illnesses, near misses, and deficiencies in the program;
	+ (vi) Respond to such reports in a reasonable period of time; and
	+ (vii) Post procedures for reporting safety and health concerns under paragraph (d)(1)(v) of this section in a conspicuous place or places where notices to responders are customarily poste
* The Emergency Service Organization (ESO) shall conduct a community or facility vulnerability and risk assessment for its service area, for the purpose of establishing its standards of response and determining the ability to match the community or facility’s risks with available resources.
* [Note: An ESO whose primary service area is a community (municipality, county, parish, region, state, etc.), shall assess the community it serves. An ESO whose primary service area is, for example: a manufacturing facility, a military facility, a research and development facility, etc.; shall assess that facility.]
* The ESO shall develop in writing a comprehensive community or facility vulnerability and risk assessment of hazards within the area where the emergency service(s) it provides is/are expected to be performed.
	+ The assessment shall determine structures, facilities, locations, etc., where a Pre-Incident Plan (PIP) is needed
* The community or facility vulnerability and risk assessment shall define how the ESO will integrate and work within a Unified Command structure that, due to the complexity of the mitigation effort, requires a shared responsibility among two or more ESO or agencies.
* The ESO shall evaluate the resources needed, including personnel and equipment, for mitigation of emergency incidents identified in the community or facility vulnerability and risk assessment, and establish in writing the type(s) and level(s) of emergency service(s) it is capable of performing
* The ESO shall establish tiers of responder responsibilities, duties, qualifications and capabilities.
* The ESO shall define the service(s) needed that the ESO is unable to provide and identify how the service(s) can be provided through neighboring ESOs.
* Develop in writing and implement mutual aid agreements with other ESOs, as necessary
* The ESO shall define the service(s) needed that requires Skilled Support Employer (SSE) participation and service(s) that the ESO is unable to provide and identify how the service(s) can be provided. (i.e. outside contractors for whatever remediation or mitigation purposes)
* The Emergency Service Organization (ESO) shall develop in writing and implement a comprehensive risk management plan for the organization, based on the type and level of service(s) provided.
* The ESO shall include in the risk management plan, a policy to address extraordinary situations when a responder, after making a risk-benefit determination based on the responder’s training, education and experience, attempts to rescue a person in imminent peril, presumably without benefit of, for example, Personal Protective Equipment (PPE), Self-Contained Breathing Apparatus (SCBA), tools, or equipment.
* The Emergency Service Organization (ESO) shall establish in writing the minimum medical requirements for responders, based on the type and level of service(s) provided.
* Each responder shall be medically evaluated and qualified for duty by a qualified healthcare professional.
* The ESO shall:
	+ (i) Establish the minimum physical performance requirements for each responder who engages in emergency operations, based on the type and level of service(s) established in paragraph (e) of this section. (
	+ ii) Ensure each responder is qualified as meeting the physical performance requirements established by the ESO prior to entering into a training program or becoming a responder.
	+ (iii) Ensure each responder who engages in emergency operations is annually qualified to meet the physical performance requirements established by the ESO in paragraph (g)(2)(i).
	+ (iv) Develop a physical performance rehabilitation program for responders who are unable to meet the physical performance requirements.
* The ESO shall establish in writing and implement a medical evaluation program for responders, based on the type, level and tier of service(s) provided.
* Medical evaluations shall be conducted as a baseline for surveillance and annually thereafter.
* A medical evaluation shall be performed following a responder’s occupational exposure, illness, injury, or protracted absence from the job. (Depending on interpretation that could be after every call)
* The ESO shall establish in writing and implement a health and fitness program that enables responders to develop and maintain a level of fitness that allows them to safely perform their assigned functions, based on the type, level and tier of service(s) provided.
* The health and fitness program shall be incorporated into the risk management plan.
* The ESO shall establish fitness levels specified in the program based on fitness standards determined by the qualified healthcare professional that reflect the responder’s assigned functions.
* The ESO shall establish in writing and implement a process to evaluate the ability of responders to perform essential job functions, based on the type, level and tier of service(s) provided.
* A qualified person shall be responsible for evaluating the fitness of a responder and confirmed by the ESO’s qualified healthcare professional.
* The ESO shall ensure that a confidential, permanent health file is established and maintained for each responder, based on the type and level of service(s) provided.
* Establish in writing the minimum knowledge and skills required for each responder to participate in emergency operations, based on the type, level and tier of service(s) provided.
* Provide initial training, on-going training, refresher training, education, and professional development for each responder commensurate with the performance of expected duties and functions based on the tiers of job performance requirements and the type and level of service(s) established in paragraph (e) of this section; and restrict the activities of each new responder during emergency operations until the responder has demonstrated the skills and abilities to complete the tasks expected.
* Provide each responder with training and education on the risk management plan.
* Provide each responder with training and education that covers the selection, use (including special incidents procedures operation), limitations, maintenance, and retirement criteria for all personal protective equipment used by the responder.
* Train each responder in the incident management system, accountability system, Mayday and Rapid Intervention Team procedures and ensure that training for each responder engaged in emergency activities includes procedures for the safe exit and accountability of responders during rapid evacuation, equipment failure, or other dangerous situations and events.
* Ensure each trainer has a level of training and education that is more comprehensive than the responder(s) being trained.
* Ensure each responder is trained to meet the requirements of (HAZWOPR) §1910.120(q)(6)(i), the “First Responder Awareness Level.”
* Establish in writing the professional qualification(s) for each responder commensurate with the performance of expected duties and functions.
* Demonstrate that each responder who participates in interior structural firefighting meets professional qualifications that are at least equivalent to the requirements of NFPA 1001, Structural Fire Fighter Professional Qualifications.
* Demonstrate that each responder who is a manager/supervisor (crew leader/officer) meets professional qualifications that are at least equivalent to the requirements of NFPA 1021, Standard for Fire Officer Professional Qualifications.
* Ensure each technical search and rescue responder meets the operational capabilities equivalent to the requirements of NFPA 1006, Standard for Technical Rescuer Professional Qualifications.
* Ensure each marine responder meets professional qualifications that are at least equivalent to the requirements of NFPA 1005, Standard for Professional Qualifications for Marine Fire Fighting for Land-Based Fire Fighters.
* Proficiency. The ESO shall: Ensure each responder maintains proficiency in the skills and knowledge commensurate with the performance of expected duties and functions, based on the type and level of service(s) performed.
* Provide a periodic skills check to verify minimum qualifications of responders.
* Establish a system to monitor and measure training progress and activities of responders.
* Facility Preparedness: The Emergency Service Organization (ESO) shall ensure each emergency responder facility complies with Subpart E and other applicable safety and health regulation.
* Slide poles will not be permitted in new ESO facilities.
* The ESO shall develop and implement a system to identify and correct safety and health hazards at ESO facilities.
* Sleeping and Living Areas.
	+ (A) The ESO shall ensure interconnected hard-wired smoke alarms, with battery back-up are installed inside every sleeping area, and outside in the immediate vicinity of every sleeping area, and on all levels of the facility, including basements.
	+ (B) Each ESO facility with one or more sleeping area(s) (approved for construction, as determined by building permit, after 2 years after final rule published) shall be protected throughout by an approved automatic sprinkler system.
	+ (C) The ESO shall ensure each sleeping and living area has carbon monoxide detectors installed such that any source of carbon monoxide is detected before endangering the responders.
	+ (D) The ESO shall prevent exposure of responders to, and contamination of, sleeping and living areas by, exhaust emissions.
	+ (E) The ESO shall ensure that contaminated Personal Protective Equipment (PPE) is not worn or stored in sleeping and living areas
* Equipment (Including PPE) Preparedness The ESO shall: Provide the equipment needed to train for and perform emergency services, based on the type and level of service(s) established.
* Personal Protective Equipment. The ESO shall:
	+ (i) Conduct a PPE hazard assessment for the selection of the protective ensemble, elements and other protective equipment for responders, based on the type and level of service(s) established in paragraph (e) of this section.
	+ (ii) Provide, at no cost to responders, protective ensembles, ensemble elements, and protective equipment designed to provide protection from hazards to which the responders are likely to be exposed and suitable for the task the responder is expected to perform, as determined by the hazard assessment in (j)(2)(i). (A) Existing personal protective equipment shall be in compliance with the edition of the respective standard (listed in (j)(2)(ii)(B)) that was current when the personal protective equipment was manufactured. (B) New personal protective equipment shall meet the requirements of multiple applicable NFPA Standards.
* Ensure SCBA purchased new, in addition to the requirements of NFPA 1981, are also certified by NIOSH as compliant with the NIOSH Standard for Chemical, Biological, Radiological and Nuclear (CBRN) Open Circuit Self-Contained Breathing Apparatus (SCBA).
* Ensure closed-circuit SCBA have a minimum rated service life of two hours and operate in the positive pressure mode only.
* Ensure each responder properly uses or wears the protective ensemble, elements or equipment whenever the responder is exposed, or potentially exposed to the hazards for which it is provided.
* Provide for cleaning, care and maintenance of protective ensembles, ensemble elements and protective equipment in accordance with the manufacturer’s instructions and recognized industry best practices.
	+ (A) Each protective ensemble, element and piece of equipment shall be maintained within the manufacturer’s specifications to ensure it is ready for service.
	+ (B) Defective or damaged protective ensembles, elements or equipment shall immediately be removed from service
* Ensure PPE is gross decontaminated, or separately contained to prevent responder exposure, before leaving the incident scene.
* To the extent feasible, ensure responders are not exposed to contaminated PPE in the passenger compartment of vehicles.
* Vehicle Preparedness and Operation: Establish and implement standard operating procedures to inspect, maintain and repair, or remove from service, each vehicle to ensure the safety of responders using them.
* Ensure each riding position is provided with a seat and properly operating seat belt that is designed to accommodate a person with and without heavy clothing.
* Service test aerial devices on apparatus as directed by the manufacturer, or to a standard equivalent to NFPA 1911, Standard for the Inspection, Maintenance, Testing, and Retirement of In-Service Automotive Fire Apparatus, 2012 ed.
* Service test vehicle mounted fire pumps on apparatus as directed by the manufacturer or to a standard equivalent to NFPA 1911, Standard for the Inspection, Maintenance, Testing, and Retirement of In-Service Automotive Fire Apparatus, 2012 ed.
* To ensure vehicles are driven and operated in a manner that will keep persons safe, the ESO shall:
	+ Ensure each vehicle is driven/operated by a responder who has successfully completed a training program commensurate with the type of vehicle the responder will drive/operate or by a trainee driver/operator who is under the supervision of a qualified driver/operator.
	+ Develop in writing and implement SOPs for safely driving vehicles during non-emergency travel and emergency response, and shall include specific criteria for vehicle speed, crossing intersections, traversing railroad grade crossings, the use of emergency warning devices, and the backing of vehicles.
	+ Ensure the responder driving does not move the vehicle until all responders and other persons in or on the vehicle are seated and secured with seat belts in approved riding positions,
* The ESO shall establish in writing and implement a procedure for driver training of vehicles with tiller steering that ensures when the instructor and trainee are both located at the tiller position, they are adequately secured to the vehicle whenever it is in motion.
* The ESO shall provide a vehicle safety harness designed for occupant restraint to secure the responder in a designated stand-up position during pump-and-roll operations.
* Establish in writing and implement a procedure that provides alternative means for ensuring the safety of responders and other persons when the ESO determines it is not feasible for each responder or person to be belted in a seat.
* Establish in writing and implement rules, regulations, and procedures that are at least equivalent to the provisions regulating the operation of ESO vehicles, for operation of vehicles not directly under the control of the ESO (privately owned/leased/operated by responders), for responders whom the ESO authorizes to respond directly to emergency incidents, or to respond to ESO facilities.
* Ensure, where tools, equipment, or respiratory protection are carried within enclosed seating areas of vehicles, each is secured either by a positive mechanical means of holding the item in its stowed position or by placement in a compartment with a positive latching enclosure.
* Pre-Incident Planning The Emergency Service Organization (ESO) shall determine the locations and facilities where responders may be called to provide service needing a Pre-Incident Plan (PIP), based on the community or facility vulnerability assessment and the type and level of service(s) established in paragraph (e) of this section. The ESO shall develop PIPs for significant structures, facilities, locations, infrastructure, etc., where emergency events may occur.
* The ESO shall prepare a preplan for each facility within the ESO’s service area that is subject to reporting requirements under the Emergency Planning and Community Right-to-Know Act (EPCRA), also known as the Superfund Amendments and Reauthorization Act of 1986 (SARA)
* The ESO shall ensure facility personnel consulted are knowledgeable about the facility’s use, contents, processes, hazards and occupants. [Note: The ESO should develop and implement a written policy to protect proprietary business information.
* The ESO shall develop the PIP(s) and ensure the responder(s) responsible for PIP preparation are capable of identifying the information to be collected and included in the PIP.
* To the extent feasible, the ESO shall develop PIPs for facilities, locations, infrastructure, etc., where significant incidents could occur, that include actions to be taken if the scope of the incident is beyond the capability of the ESO.
	+ (viii) The ESO shall ensure that the most recent PIPs are disseminated as needed and are accessible and available to responders operating at emergency incidents.
	+ (ix) The PIP shall be reviewed periodically at a frequency determined by the ESO
* Standard Operating Procedures for Emergency Incidents. The Emergency Service Organization (ESO) shall develop in writing and implement emergency incident standard operating procedures (SOPs) that are flexible and expandable in order to be applicable to unforeseen events:
	+ For operating at emergency events that the ESO foreseeably expects to encounter
	+ That describes the actions to be taken in situations involving special hazards in the ESO’s workplace
	+ That address how responders are to operate at incidents that are beyond the capability of the ESO.
	+ That establishes and implements procedures for rapid evacuation of responders from dangerous situations.
	+ That establishes and implements procedures for orderly evacuation of responders.
	+ That establishes and implements a responder accountability system for maintaining accountability of all responders operating at an incident which includes, but is not limited to, periodic responder accountability checks and reports.
	+ That establishes and implements procedures for Mayday situations, such as when a responder becomes lost, trapped, injured, ill, etc
	+ That establishes and implements procedures for a Rapid Intervention Team (RIT).
	+ That establishes and implements procedures that provide a systematic approach to provide responders with medical monitoring and rehabilitation at emergency incidents as needed.
	+ That establishes and implements procedures for protecting responders from vehicular traffic while operating at an emergency incident on, or adjacent to, roadways and highways.
	+ That establishes and implements procedures for vehicle preparedness and operation.
	+ That establishes and implements procedures for radio communication.
	+ That establishes and implements procedures for conducting Post-Incident Analysis (PIA)
* Incident Management System Development: The Emergency Service Organization (ESO) shall adopt or develop in writing an Incident Management System (IMS) to manage all emergency incidents.
* The ESO shall designate the responsibilities of the Incident Commander (IC).
* The Emergency Service Organization (ESO) shall: (i) Ensure the Incident Management System is utilized at each emergency incident.
	+ Ensure each emergency incident has an incident commander.
	+ Ensure the incident safety function is addressed, or an Incident Safety Officer (ISO) is assigned and designated.
* The ESO shall ensure:
	+ (i) One individual responder is assigned as the incident commander.
	+ (ii) The establishment, or assumption, of “Command” and the location of command post, is communicated to other responders, responding to or involved at the incident scene.
	+ (iii) The incident commander conducts a comprehensive and ongoing size-up of the incident scene that places life safety as the highest priority.
	+ (iv) The incident commander conducts a risk-benefit analysis based on the size-up before actively engaging the incident.
	+ (v) The incident commander coordinates and directs all activities for the duration of the incident.
	+ (vi) The incident commander implements a personnel accountability system to rapidly account for all responders at the incident scene.
	+ (vii) The incident commander utilizes the information contained in the Pre-Incident Plan to draft an Incident Action Plan, based on the following priorities in descending order: life safety, scene stabilization, and incident mitigation.
* Hazard Control Zones. The ESO shall ensure that: Hazard control zones are established at every emergency incident to identify the level of risk to responders and the appropriate protective measures, including Personal Protective Equipment (PPE).
* Incident Safety. The ESO shall: Identify minimum staffing requirements needed to ensure incidents are mitigated safely and effectively.
	+ Ensure that at least four responders are assembled before operations are initiated in an Immediately Dangerous to Life or Health (IDLH) atmosphere
	+ At least two responders shall enter the IDLH atmosphere as a team and remain in visual or voice contact with one another at all times.
	+ Ensure that outside the IDLH, a minimum of two responders are present for assistance to, or rescue of the team operating in the IDLH.
	+ At least two responders shall enter the IDLH atmosphere as a team and remain in visual or voice contact with one another at all times.
	+ Ensure that outside the IDLH, a minimum of two responders are present for assistance to, or rescue of the team operating in the IDLH.
	+ Ensure each responder in the IDLH uses positive-pressure Self Contained Breathing Apparatus (SCBA) in accordance with the respiratory protection program.
* Communication. The ESO shall:
	+ Ensure effective communication capability between responders and the incident commander.
	+ The ESO shall ensure the responder accountability system is utilized at each emergency incident.
	+ The ESO shall implement a Rapid Intervention Team (RIT) in accordance with the SOP established.
	+ The ESO shall implement the medical monitoring and rehabilitation procedures, as needed in accordance with the SOP established.
	+ The ESO shall implement the scene safety (traffic) procedures, as needed, in accordance with the SOP established.
* Use of Skilled Support Workers. Prior to participation by SSWs at an emergency incident, the ESO shall ensure: An initial briefing is provided to each SSW, which includes at a minimum, instruction in the use of appropriate personal protective equipment, what hazards are involved, what safety precautions are to be taken, and what duties are to be performed by the SSW.
* Use of Spontaneous Unaffiliated Volunteers (SUV). Prior to participation of an SUV at an emergency incident, the ESO shall ensure: An initial briefing is provided to each SUV which includes at a minimum, instruction in the use of appropriate personal protective equipment, what hazards are involved, what safety precautions are to be taken and what duties are to be performed by the SUV and an assembly and registration area for SUVs is established.
* Post-Incident Analysis (1) The ESO shall promptly conduct a Post-Incident Analysis (PIA) after a significant event such as, but not limited to a large-scale incident, a significant near miss incident, a responder or SSW injury or illness requiring off scene treatment, or responder or SSW fatality, to determine the effectiveness of the ESO’s response to an incident.
* Program Evaluation (1) The Emergency Service Organization (ESO) shall evaluate the adequacy and effectiveness of the Emergency Response program at least annually.