



# CAPITAL AREA FIRE DISTRICTS ASSOCIATION BULLETIN

JUNE 1, 2024

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Serving the fire service community since 2004

## CAPITAL SHORTS:

- Our sincere condolences to the Bill Owen family and to his fire service family on the passing of Past Chief William Owen Jr. of the Stittville Fire Department in Oneida County. If you have been to the Chief's Show you have seen Bill who was a long-time member of the State Chiefs and served as President in 2008 & 2009 and served on the Conference Committee for 20 years. Bill was also a past fire commissioner, deputy fire coordinator, county haz-mat coordinator, a state fire instructor, president of the Oneida Co. Chief's Association and was involved with many other fire service organizations.
- Our sincere condolences to the family and firefighter family of George Rivers of the Rouses Point Fire Department (Clinton Co.) where he served as chief for 20 years. George also served on the State Chief's Conference Committee for 21 years.
- **Best wishes to Ed Tremblay, Fire Coordinator in Saratoga County on his retirement and our congratulations to Chief Mike Stanley as the newly appointed Fire Coordinator.**
- Page 26, how to file a Public Comment to OSHA, You Tube Video!!
- **OSHA Comment period extended until July 22<sup>st</sup> and take the NVFC Survey!!** On page one of the OSHA Supplement.
- **Are there any districts/departments who are offering educational stipends paid for by the AHJ? If so what are your policies/guidelines or SOGs and would you be willing to share them with CAFDA. Send to [tom@rinaldi1.com](mailto:tom@rinaldi1.com), thanks. If you would provide your policies but are not willing to share please tell us.**
- **NEW INFORMATION ADDED THIS WEEK, TAKE A LOOK AT THE OSHA SUPPLEMENT!!**
- **AN OSHA INFORMATION SUPPLEMENT HAS BEEN MOVED TO THE END OF THE BULLETIN AND PROVIDES ADDITIONAL INFORMATION AND LINKS TO IMPORTANT DOCUMENTS. STAY INFORMED!! 10 pages of information as this proposed change unfolds.**

## CAFDA NEWS AND OPPORTUNITIES:

[WWW.CAFDA.NET](http://WWW.CAFDA.NET)

### [General Membership Meetings - - In person and Zoom](#)

**Next General Membership Meeting, Thursday June 13th, dining at 6 Meeting at 7.**

**ZOOM LINK For the June 13<sup>th</sup> Meeting:**

**Printable 24/25 Calendar with much more – See End of Bulletin**

**Thank you to the Clifton Park – Halfmoon Fire District for allowing us to use their facility for the CAFDA meetings.**

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All correspondence & Capital Area Fire Districts Association Mailing Address should be directed to:

CAFDA PO Box 242 East Schodack, NY 12063 or EMAIL: [SECRETARY@CAFDA.NET](mailto:SECRETARY@CAFDA.NET)

Financial issues should be addressed to: [TREASURER@CAFDA.NET](mailto:TREASURER@CAFDA.NET)

## THE LATEST FROM THE STATE CAPITAL

### [ScoreCard COMMENTARY](#)


- Down to the wire with only one week remaining in the legislative session. The ScoreCard now shows many bills in grayscale font indicating that those bills are likely on life support in this session, unless there is a surprise in the remaining week.
- Remember that bills
- Note that next year any bills would have to be re-introduced to be acted upon, all the bills in the current hopper will be scrapped. So we start all over again for the 25/26 legislative session.

**THE SCORECARD IS BEING UPDATED EACH WEEK WHILE JUST NEXT WEEK LEFT IN THE 23-24 LEGISLATIVE SESSION!!**


**OTHER FIRE SERVICE ORGANIZATION NEWS**

**FIRST RESPONDER MENTAL HEALTH & SUICIDE PREVENTION**  
 Hosted by:

**PRESENTED BY**



**Ret. Capt. John Cooney**  
 Nat'l Certified in Mental Health & Crisis Management




**Wednesday June 26, 2024**  
**7:00pm to 9:00pm**  
**Mechanicville High School Auditorium**

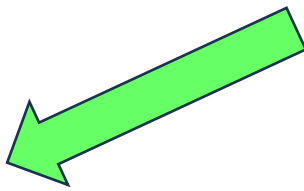
Life as a first responder can be rewarding, but it can also be difficult. First responders encounter traumatic events and life-threatening situations on a regular basis. Not only is it a physically demanding job, but it can also take a toll on one's mental health. After 31 years in law enforcement, John has dedicated his time to helping those in crisis... offering specialized training in Mental Health First Aid. This seminar will help break down the barriers and focus on recognizing the challenges we all face and how to seek the help we all need but are afraid to ask for.

**Staggering statistics.....**

- 85% of first responders have experienced symptoms of mental illness at some point in their lifetime
- A firefighter is 3X more likely to die by suicide than in the line of duty
- First responders are 10% more likely than the general population to experience depression, anxiety, acute stress disorder (ASD) and post-traumatic stress disorder (PTSD)
- 69% of EMS workers say they don't have enough time to recover from traumatic events



**RSVP by June 24th to [chief@hillcrestfd.com](mailto:chief@hillcrestfd.com)**



**[Webinar: Advancements in Utility-Scale Battery Energy Storage Safety Features, Standards, and Practices](#)**

*June 5 at 2pm ET*

**Presenter:**

Mike Simpson

**Sponsored by [AES](#)**

**[Roundtable Talk: Proposed OSHA Standard Update and What It Means for Volunteer Fire Departments](#)**

May 16 at 1pm ET

Presenters: Dave Denniston, Bruce Lundegren, and Ryan Woodward

On February 5, the Occupational Safety and Health Administration (OSHA) published a proposed rule revising its emergency response standard. This is the first time OSHA revised this standard since 1980, and the public has until June 21 to provide comments. If enacted as is, this proposed rule would bring immense challenges to volunteer departments, and some may even be forced to shut down. It is important that the volunteer fire service understand how this rule would impact them and provide their comments to OSHA before June 21. This NVFC Roundtable Talk will highlight some of the biggest concerns with the proposed revised emergency standard, discuss which volunteers will be impacted, explain the NVFC's strategy for addressing the proposed revision, and suggest best practices for departments wishing to comment on the revisions.

The text of the proposed revised OSHA emergency response standard, information on how to submit comments, and supporting resources can be found [here](#)

**REGISTER AT THIS LINK:**

[https://gma5qspab.cc.rs6.net/tn.jsp?f=001QgijJ0VQLrxoJOVXQuNzwQXUGd6iwCILMjODLAEkF8mB9dVo0B0B4iLC-pqjvoqPDqKhhL9421x6MPikFDtQOwu89yLrMDy2EQF33gN3G3Qal OUdiKS3f6qCjW2GZnrvmMAjsIfU11DT74Xscpsd6BdfW-2KdQKXByM5vDZfuz2gLxJ16uAL\\_nzprWOyWlw-bc1XYNnlWqOeR6aVrZGFA==&c=njemGLFFRKLhXZL7NP50JG4cjM-QYuvzEh2qgYWZRU6aef1sh1Sg==&ch=CQGZanOfgDqGncicjMetLTABs114Qu9JEP8RrKLP79lcyL\\_mYG8NgQ==](https://gma5qspab.cc.rs6.net/tn.jsp?f=001QgijJ0VQLrxoJOVXQuNzwQXUGd6iwCILMjODLAEkF8mB9dVo0B0B4iLC-pqjvoqPDqKhhL9421x6MPikFDtQOwu89yLrMDy2EQF33gN3G3Qal OUdiKS3f6qCjW2GZnrvmMAjsIfU11DT74Xscpsd6BdfW-2KdQKXByM5vDZfuz2gLxJ16uAL_nzprWOyWlw-bc1XYNnlWqOeR6aVrZGFA==&c=njemGLFFRKLhXZL7NP50JG4cjM-QYuvzEh2qgYWZRU6aef1sh1Sg==&ch=CQGZanOfgDqGncicjMetLTABs114Qu9JEP8RrKLP79lcyL_mYG8NgQ==)

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***On-Demand Webinar: How Changes In New NFPA Standards For Turnout Gear And SCBA Will Affect The Fire Service***

The protective clothing and gear that firefighters wear must meet requirements established by the National Fire Protection Association (NFPA).

**WATCH THIS ON DEMAND WEBINAR AT THIS LINK:**

[https://www.firerescue1.com/fire-products/turnoutgear/webinar-how-changes-in-the-new-nfpa-standards-for-turnout-gear-and-scba-will-affect-the-fire-service?utm\\_source=delivra&utm\\_medium=email&utm\\_campaign=FR1-Top5Webinars-5-15-24&utm\\_id=7027637](https://www.firerescue1.com/fire-products/turnoutgear/webinar-how-changes-in-the-new-nfpa-standards-for-turnout-gear-and-scba-will-affect-the-fire-service?utm_source=delivra&utm_medium=email&utm_campaign=FR1-Top5Webinars-5-15-24&utm_id=7027637)

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***ASSOCIATION OF FIRE DISTRICTS OF THE STATE OF NEW YORK***

**2024 Annual Meeting and Leadership Expo**

October Sunday 20- Wednesday 23, 2024 at Turning Stone Resort and Casino

**REGISTRATION IS NOW OPEN AT THIS LINK:**

[https://mms.afdsny.org/members/evr/reg\\_event.php?orgcode=FDNY&evid=40809591](https://mms.afdsny.org/members/evr/reg_event.php?orgcode=FDNY&evid=40809591)

**NOTE:** All attendees are responsible for making their own reservations and paying for their own room, room taxes, and incidental charges.

2 night minimum **\$231 - \$356 per night (room only, no meals)**

Reservation deadline: September 18, 2024

***IF NOTHING ELSE READ THE ARTICLES PRECEDED BY \*\****

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**THE LATEST FROM WASHINGTON**



On May 8, the House of Representatives passed an amended version of S. 870, *The Fire Grants and Safety Act*. This bill would reauthorize the Assistance to Firefighters Grants (AFG), Staffing for Adequate Fire and Emergency Response (SAFER) grants, and U.S. Fire Administration (USFA) through the end of Fiscal Year (FY) 2028 and extend the statutory

sunset for AFG and SAFER though the end of FY 2030. If this bill does not become law before September 30, AFG and SAFER grants will shut down.

**S. 870 originally passed the Senate by a vote of 95 to 2 in April 2023. The version of S.870 that passed the House on May 8 is an amended version of the Senate passed bill; it will therefore have to pass the Senate again before it can head to the President's desk.** S. 870 was amended in a bipartisan agreement that replaced its original text with the text of the House AFG, SAFER, and USFA reauthorization bill (H.R. 4090) and the text of a bipartisan nuclear licensing bill.

**You may use the Action Alert below to contact your Senators and ask them to pass the House-Passed version of S. 870 and send it to the President's desk without delay.**

**FOLLOW THIS LINK TO CONTACT YOUR SENATORS, ALL YOU HAVE TO HIT IS SUBMIT!!**

**<https://www.voterve.net/NVFC/Campaigns/111584/Respond>**

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#### MEMBERS OF THE NY CONGRESSIONAL FIRE SERVICE INSTITUTE

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- [CONGRESSMAN BRIAN M. HIGGINS \(NY-26\)](#)

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### THE ATTORNEY'S OFFICE – HARD TO MAKE THIS UP!

#### ***Fire Law Headlines: New York Follow-Up***

Curt Varone

In New York, the Supreme Court for Oswego County has ruled that individual taxpayers lack standing to challenge a tax increase imposed by a fire district.

[Recall in February four taxpayers filed suit against the Richland Fire District](#) seeking to overturn a tax increase that more than doubled the district's budget. New York law permits such budget increases, but requires additional steps for increases that exceed 2% or the rate of inflation, whichever is higher. The district should have notified the New York State Comptroller in advance, notified taxpayers of the proposed increase, prepared a resolution to support the increase, and obtained a 60% taxpayer vote in favor of the increase.

The court agrees with the fire district's legal counsel, Brad Pinsky, concluding that the taxpayers lack standing under New York law to challenge any procedural violation that may have occurred. Petition claim that the District failed to request the Comptroller to advise as to the tax limit based on General Municipal Law subsection 3-c has no basis since the statute has no such provision.

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For information only and not for the purpose of providing legal advice. The opinions expressed are the opinions of the individual author at the time the facts were presented and based on the law then applicable. The information contained in these opinions is not guaranteed to be up to date. The information provided is not legal advice. Since legal advice must be tailored to the specific circumstances of each case, and laws are constantly changing, nothing on this site should be used as a substitute for the advice of competent legal counsel. The authors assume no responsibility to any person who relies on information contained herein and disclaim all liability in respect to such information. You should not act upon information in this publication without seeking professional counsel from an attorney admitted to practice in your jurisdiction.

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### BUILDING A NEW FIRE STATION?

## **The Well-Designed Decon Space**

Robert Mitchell, Fire Bugles Design-Wendel

Over the past few years, the fire service learned much about the dangers of contaminants that travel from the fireground back to the station. Research and experience have taught us that, along with gross decontamination at the fireground, a well-designed decon space in the station is essential to firefighter health and safety. Scientists and product development researchers continue to identify new and better ways to clean PPE and to better protect the health of firefighters.

Our May 2023 article, "[Turnout Gear & Equipment Cleaning](#)," described some of the nuts and bolts of planning a decon laundry. What you'll find below provides an update on the science of decon and describes the challenges and some of the solutions that can be put into practice.

### **CONTAMINANTS**

Discussions about contaminants can sound like alphabet soup, with strings of letters that stand for chemical compounds that generally are used in manufacturing heat- and water-resistant coatings and flame retardants. What's important to remember is this:

- These chemical contaminants are persistent. They remain on PPE after cleaning and can lead to cross-contamination at the station and can be brought home. Researchers are looking to improve the cleaning process, so more of these chemicals are removed. The NFPA is examining cleaning procedures through its PPE Cleaning Validation study, exploring the question "How clean is clean?" and asking departments to document their cleaning procedures.
- When in contact with the human body, whether through inhalation, ingestion or skin absorption, these chemicals can lead to cancer and other illnesses. Effective decon is needed to address the high incidence of cancer in the fire service.
- As medical calls increase, so does exposure to microbial contamination. This includes viral and bacterial infections, including resistant strains, such as MRSA. Pests, such as bed bugs and lice, also can be brought back to the station and are difficult to eliminate. In addition to the emphasis on chemical clean-up, sanitizing procedures also must be part of the decon laundry regimen.

### **WHAT WE'RE LEARNING FROM RESEARCH**

We know we have a problem. In response, colleges, governments and industry are working hard to determine the most effective methods to clean PPE, equipment and personnel. Many studies, small and large, are contributing to a growing body of knowledge that will improve safety. Topics range from studying the pathways that are taken by contaminants, to improvements in PPE materials, to changes in cleaning methods. One example of research examining contaminant pathways is a deeper look at skin absorption.

### **IF IT'S ON YOU, IT'S IN YOU**

*The skin is an understudied and often underestimated route of exposure to a multitude of hazardous toxicants that firefighters routinely encounter. Understanding the quantity and rate of dermal absorption of specific toxicants is extremely important to help to inform risk-mitigation strategies.*

Dr. Caroline Smith, who is the director of the Thermal and Microvascular Physiology Laboratory at Appalachian State University, is taking a novel approach to investigating dermal absorption in firefighters by placing very small catheters between the layers of their skin. This technique allows sampling of the fluid that sits between the cells, to assess what penetrated the skin. Current research conducted by Smith's team, in collaboration with Indiana University Bloomington, shows dermal contaminant absorption at the neck and forearm following training burns with acquired structures. The quantity of contaminants that were sampled under the skin, including flame retardants, such as polybrominated diphenyl ethers (PBDEs) and polycyclic aromatic hydrocarbons (PAHs), is much greater following structural training burns.

*Based on these findings, we know that skin decon should be completed as soon as feasible at the fireground, targeting high-exposure areas, such as the neck and wrists, and follow-up procedures should take place at the firehouse upon return.*

Other skin areas also are susceptible to contaminants that either pass through the PPE or remain on and in PPE and station wear after laundering.



## **CLEAN ISN'T ALWAYS CLEAN ENOUGH**

Recent studies showed that as much as 50 percent of PAHs and a significant portion of semi-volatile organic compounds (SVOCs) and heavy metals can remain in PPE after it is laundered. Other studies concluded that the surfactants/soaps and techniques that are used during the laundering process might not be effective at removing organophosphorus flame retardants (OPFRs), PAHs and PBDEs at the concentrations that are used. Some studies indicate that cross-contamination in laundering can increase the contamination levels in some items and that contaminants might remain in the washing machine and contaminate subsequent loads of wash.

It was found that clean station wear that was laundered with contaminated PPE became cross-contaminated and could contribute to increased concentrations of SVOCs in fire station dust. A conclusion is that personal clothing shouldn't be washed in the PPE washer extractor but in a separate machine that's reserved for this purpose. Another study found that normal laundering didn't reduce the rate of PAHs that off-gassed from the moisture barrier or outer shell.

To address the limitations of wet wash, fire departments and independent service providers must follow the recommended procedures for an advance cleaning per [NFPA 1851: Standard on Selection, Care, and Maintenance of Protective Ensembles for Structural Fire Fighting and Proximity Fire Fighting](#). Machine settings are important to achieve this. Field inspections that were conducted by Tonya Herbert, who is the owner of Florida PPE Services and Thin Red Line Decon, found machines where the cycle for outer shells was only about 30 minutes, whereas the NFPA-recommended cycle is about 50 minutes. Some machines had a wash time of four minutes and two rinses of two minutes each, rather than the NFPA recommendation of a wash program of 12–15 minutes and three rinse cycles of five minutes each.

There are variations of procedures that are used by some gear-cleaning facilities and departments, including the use of a soak tank as part of prewash procedures. This involves soaking outer shells for approximately an hour in a mixture of water and detergent. Herbert found that with presoaking, approximately 95 percent of SVOCs can be removed as well as nearly 75 percent of heavy metals.

## **ADVANCES IN CLEANING METHODS**

In contrast with the approximately 50 percent of PAHs that can remain in PPE fabric after conventional laundering, PPE washing machines that use liquid carbon dioxide (LCO<sub>2</sub>) as the solvent remove nearly 100 percent of PAHs and as much as 75 percent of heavy metals. Where conventional water-cleaning techniques stop at the surface of a waterproof layer, the smaller molecules of LCO<sub>2</sub> penetrate between the fibers of waterproof layers to remove toxic organics, metals and other NFPA-specified substances. These washing machines operate at low rpms, which prolongs the lifespan of PPE.

The LCO<sub>2</sub> machines don't use the agitation and spin processes of the washing machines that use water. Studies that were conducted at the Wilson College of Textiles at NC State University found that LCO<sub>2</sub> had minimal effect on the mechanical strength of the outer shell material or the repellency. Unfortunately, the machines generally cost more than \$700,000 and, thus, are out of reach of most departments. However, some private cleaning providers offer this service, and regionalized, municipal shared cleaning facilities that use LCO<sub>2</sub> are in the planning stages. Depending on department size, needs and financial situation, LCO<sub>2</sub> could be used for routine cleaning or could be a great option for twice-yearly advanced cleaning with conventional washing in between.

With an oxidizing power 3,000 times more effective than bleach, ozone (O<sub>3</sub>) is the second most powerful oxidant in existence. Ozone gas is used in mold remediation, air sanitizing, equipment sterilization, water purification and commercial laundering. Adding ozone to the washer cycle was shown to remove 99 percent or more germs, including viruses and bacteria. A number of ozone generator systems are designed for installation in fire stations. Ambient air, in conjunction with the use of high-voltage plates, is broken down, so that oxygen molecules are reformed into ozone.

## **SCBA, BOOTS & GLOVES**

A variety of machines emerged on the market that rapidly and thoroughly clean SCBA equipment, boots and gloves. Some are washing machines. Some are submersion tanks that use ultrasonic technology for the cleaning process. *Ultrasonic cleaners:* Ultrasonic cavitation bubbles gently clean dirt and grime in the tiniest crevices, using only a water-based solution.

*High-temperature vapor:* Cres Guard makes a device that allows PPE to be exposed to 185 degree Fahrenheit air at 65 percent relative humidity. The company’s data indicate a nearly 100 percent elimination of bacteria after a 15-minute cycle. The manufacturer will complete testing this year to demonstrate that the system doesn’t harm the PPE.

*Hot Zone showers:* Preliminary exposure reduction at the fire scene is essential, but it isn’t full decon of the responder’s body. Stations need showers in the Hot Zone, with the goal of removing the maximum possible quantity of contaminants from the skin. The current consensus is that the water should be cool to temperate, not hot, and that the shower should occur as soon as possible after arriving back at the station.

Shower stalls in the Hot Zone should be single-occupant and designed for complete privacy.

Undergarments that are worn on scene are considered contaminated. Each firefighter should have a locker that’s near to the showers, where a clean set of street clothes can be stored. At the completion of the shower, the contaminated undergarments should be washed in the residential-style washer at a high temperature and dried in a residential style dryer. These machines should be used only for this purpose.

## **PROTECTING THE STATION**

Keep in mind that contamination can travel. It’s critical to thoroughly clean all PPE as soon as possible after returning to the station and to store it in an enclosed, well-ventilated space that’s isolated from living spaces. At least one report about contamination control indicates that fire station dust is a potential source for inhalation and even ingestion exposure, particularly when hands aren’t washed prior to eating. Another study found that a suspected carcinogenic flame retardant was discovered in vacuum cleaner dust at concentrations that were among the highest of any that were reported previously in residential and occupational settings in the world. The report from the study advised that regular cleaning of fire stations (e.g., via more cleanable surfaces, including floor coverings, particularly in turnout gear locker rooms and apparatus bays) might be effective in reducing contamination.

## **WHAT YOU CAN DO**

Continue to follow advances in research. Right now, our understanding of risks and solutions still is growing. Based on what we know now, keep the following front and center as you plan:

- Clean all PPE, equipment and apparatus soon after returning to station.
- Clearly layout and label Hot/Warm/Cold zones.
- Make sure that the decon area is easy to get to and inviting to use; isolated and well ventilated; well lit; designed with adequate work and storage space; and equipped with smooth, easy-to-clean surfaces and that all of its pipes and conduits are buried in the walls. This includes the ceiling.
- Follow NFPA 1851 instructions on temperature, amount of gear per wash load and flush cycles.
- Add a presoak stage to the firehouse’s step-by-step laundering process for turnout gear.
- Wash personal items separately.

Last, but very important: Understand the dynamics of change and your role in helping personnel to understand and embrace new procedures. The more that you understand about research advances and recommended practices, the better that you will be at facilitating the department’s acceptance of change. If the majority of users, both veterans and rookies, are on board, implementation can run smoothly.

## **FIRE DISTRICT/COMPANY FINANCES!**

### **Eaton No. 1 Fire District – Board Oversight**

#### **AUDIT PERIOD January 1, 2022 – December 1, 2023**

We extended our audit period back to review the timeliness of required AFR submissions for 2018 through 2021 and to determine whether annual audits were performed for 2020 and 2021.

#### **BACKGROUND**

The District is located in the **Town of Eaton in Madison County**. The Board consists of five elected members, with one member being appointed as Chairperson. The Board is responsible for the District’s overall financial management. The Board-appointed Secretary- Treasurer is the chief fiscal officer and is responsible for receiving, disbursing and accounting for District funds; preparing financial reports; and keeping Board meeting minutes.

The District contracts with an independent accounting firm that prepares the District's AFRs.

#### **AUDIT OBJECTIVE**

Determine whether the Eaton No. 1 Fire District (District) officials adequately monitored financial activity and ensured appropriate records and reports were maintained.

#### **KEY FINDINGS**

District officials **did not** adequately monitor financial activities or maintain appropriate records and reports. The Board of Fire Commissioners (Board) **did not**:

- Ensure basic accounting records were maintained or that it received written financial reports to manage operations.
- Ensure bank reconciliations were performed.
- Ensure that the District's required annual financial reports (AFRs) were filed in a timely manner.
- Conduct an annual audit of the Secretary- Treasurer's accounting records for 2020 through 2022.
- Adequately audit claims prior to payment. Of the 108 claims totaling \$209,006 that we reviewed, 55 claims totaling \$116,846 (56 percent) had one or more exceptions.
- Adhere to statutory requirements by seeking competition when purchasing a truck and related equipment totaling \$80,991.

#### **KEY RECOMMENDATIONS**

- [Maintain proper accounting records and prepare and file financial reports in a timely manner.](#)
- [Perform an annual audit of the Secretary-Treasurer's records.](#)
- [Ensure claims are supported, audited and approved prior to payment.](#)
- [Comply with competitive bidding requirements.](#)

LINK TO FULL REPORT FROM OSC:

<https://www.osc.ny.gov/files/local-government/audits/2024/pdf/eaton-number-one-fire-district-2024-4.pdf>

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### **Neptune Hose Company No. 1 of Dryden, Inc.**

#### **AUDIT PERIOD**

January 1, 2022 – September 30, 2023

#### **BACKGROUND**

The Company is a not-for-profit organization incorporated in 1938 that provides fire protection services in the Village of Dryden (Village) and Town of Dryden (Town) in Tompkins County. The Company provides fire protection services through annual contracts.

The Company comprises volunteer members (membership) and is governed by its bylaws and an eight-member Board of Directors (Board).

The Board is responsible for managing and overseeing the Company's financial activities. The Chairman is the head of the Board and is responsible for calling all Company meetings. The Chief has control of the Company's firefighting operations and is responsible to the Board for its proper management and the authorization of Company disbursements. The Treasurer is responsible for paying bills upon receiving properly authorized purchase orders.

#### **AUDIT OBJECTIVE**

Determine whether the Neptune Hose Company No. 1 of Dryden, Inc. (Company) disbursements were supported and properly authorized.

#### **KEY FINDINGS**

Company disbursements were not always supported or authorized prior to payment. We reviewed 171 disbursements totaling \$381,186 and determined **that 34 (20 percent) totaling \$30,126 were not processed in accordance with the Company's accounting manual.** These disbursements had one or more issues, such as improperly authorized purchase orders or were unsupported.

- Twenty-three disbursements totaling \$24,875 were improperly authorized. Ten disbursements totaling \$18,974 were approved after payment was made, six disbursements totaling \$4,530 lacked a payment authorization date, and seven disbursements totaling \$1,371 were not adequately supported.
- Sixteen disbursements totaling \$6,564 lacked adequate support such as itemized receipts or invoices.
- **Five Company members received unsupported mileage reimbursements totaling \$2,573.**



Because disbursements were not always authorized or supported, officials approved payments without having sufficient documentation to support the expenses were appropriate and increased the risk for inaccurate or improper transactions.

#### KEY RECOMMENDATIONS

- *Adhere to the Company's accounting manual.*
- Ensure all disbursements are adequately supported before they are paid.

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### ***Fiscal Oversight Responsibilities of the Governing Board***

The governing board's oversight role can touch virtually every aspect of a local government's operations. This session will discuss some key functions including budget responsibilities, interim reporting, the audit of claims, and the annual audit requirements. We will also provide resources available to assist in these oversight activities.

DATE: 2024-01-24 LENGTH: 46:53 **TAKE THIS ANYTIME AT THIS LINK:** [On Demand Slide Show Presentation \[pdf\]](#)

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### ***Local Government and School Accountability Contact Information:***

**Phone:** (518) 474-4037; **Email:** localgov@osc.ny.gov

**Address:** Office of the State Comptroller, Division of Local Government and School Accountability  
110 State Street, 12th Floor; Albany, NY 12236

## **STEP INTO THE CHIEF'S OFFICE**

### ***Back To The Basics: My Experience Updating A Fire Department Training Program***

Drew Neal

Over the past year, I have had the unique opportunity to evaluate our department training program – in reality, not only evaluate it, but also change it, tweak it, and implement new ideas and topics.

This has been an interesting and enlightening process for me. As firefighters, we are often our own worst enemies – our harshest critic. Even when we are doing well, we feel like we can do better. And this certainly applies to this project. If I am being honest, I am not satisfied with what has been accomplished so far. Call it self-criticism or maybe I am just hard to please. Either way, I am trying to learn from what my gut is telling me and the mistakes I have made along the way.

But before we get into the lessons learned, let's go back to where it started.

#### **A NEW ROLE: TRAINING CAPTAIN**

Last year, I took on a position that did not previously exist in our organization. Coming into the newly created position of training captain presents quite a few *unknowns*, a lot of *knowns* and some things that fall somewhere in between.

I knew I would be developing a training calendar; I knew I would be logging and tracking training hours, and I knew I would have to ask for help from many of our staff and external partners. What I didn't know was how much I would learn from doing things that didn't work. ***Failure is an amazing teacher, if you allow it to be.*** Daily I pray that I am learning from errors and correcting actions that do not foster an excellent learning atmosphere.

#### **ADVANCED VS. BACK-TO-BASICS TRAINING**

When it comes to our training program, we have our annual training schedule, and then we have the unscheduled, spur-of-the-moment training that crews conduct on their own.

Training according to the schedule seems like it has been fine. Nothing to write home about, but better than nothing. I just felt like it was lacking something.

Then one day, I was talking to one of our firefighters who said, "We just need a back-to-basics training concept." It was at that moment that I felt like something clicked. I had been evaluating these off-the-cuff training sessions, which I suddenly realized usually consist of more advanced skills, and ***it was going over the head of many of our members.*** The old saying has been ringing in my ears: "You've got to crawl before you can walk."

We can't teach people how to do ladder pickoffs when we haven't even shown them how to properly advance a hoseline in a single-story residential structure. We can't expect newly hired personnel to vent a roof when they don't even know how to start the saw or the fan.

One question that has really stuck with me: ***Why do we teach personnel to crawl through search mazes that, in real life, would constitute for them to call a mayday***, or at least provide some type of emergency or priority radio traffic? Are we setting our folks up for unsafe operations? I hope not, but at the end of the day, I am a firm believer that when in a pinch, we revert to our training. So, shouldn't that training be as realistic as possible? Absolutely. Don't get me wrong, I am not saying that we should never train on mayday situations or train on members' ability to make it through risky situations, but that type of training is in a category of its own. Search drills should be just that – to search.

I can personally say that 90% of the residential structure fires I have been in, I could see at a minimum 10 feet in front of me. Sure, I've been to those fires where it's zero visibility and extremely hot, but in reality, that is not the majority of the fires we run. We should be focusing on teaching our people how to navigate in low-visibility atmospheres, as well as the ones where you can knock out a thorough search by visually looking around a room. Not every fire calls for us to be on our hands and knees. This is real life, not the fire academy.

So, what are we doing by maintaining a focus on these advanced techniques, and out-of-the-norm drills? Some of our saltier folks might argue that we are training to be the best, in the worst situations. And kudos to them. I love their ambition and desire to be the top-tier firefighters they are, but so often, we lose sight of the foundation of what it truly takes to reach this level of expertise. Many of these seasoned vets unintentionally forget that they started with the basics.

The fundamentals of firefighting are key in developing strong and functional members. Whether volunteer or career, we cannot properly deliver the service that our citizens expect if we cannot perform the most basic of skills. ***If you can tie 57 different knots but you can't throw an extension ladder, then we have failed you, and in-turn failed the customer.***

#### **BUILD THE FOUNDATION OF PEOPLE AND TRAINING**

A year's worth of stumbling, trial and error, and bumps and bruises has proven beneficial. After all, we are only as good as we allow ourselves to be. Being able to identify the weaknesses not only in your training program, but also in yourself, can help you to become better and stronger in all that you do.

We are not only in the business of saving lives and property, we are also in the business of building firefighters. And just like building a house, you have to start with the foundation. A weak foundation will lead to a crumbling structure every time. I have been fortunate enough to fall enough times, as well as be surrounded with great mentors, to realize that **even the most seasoned firefighter can benefit from a back-to-basics theme.**

As we begin to approach the new training year, we will utilize those salty, seasoned members – the ones with the grit and passion to do that advanced training – because they also harness the knowledge and desire to improve themselves and their organization. We will allow our followers to lead and our leaders to follow. Through a true concept of team, we will revisit the basics, and make sure that our foundation is rock solid.

As I have heard many say, practice does not make perfect, practice makes progress.

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#### **\*\*Is 2-In/2-Out Really A Waste Of An Operational Member?**

Chief Marc Bashoor

If you've ever skipped a rock across a still pond, then you're familiar with the resulting ripples that expand across the water. Well, OSHA's proposed changes to the Fire Brigades Standard has amounted to a boulder falling off a cliff and striking that pond with enough force to cause a tidal wave. These proposed changes – OSHA's attempt to modernize a patchwork of related standards, rules and directives – deserve significant review and discussion by all members of the fire service. I'm still reviewing the vast proposal and will share my thoughts in a future piece. In the meantime, debate about our "2-in/2-out" requirements is just one of the waves spreading across our fire service waters.

I took some time to review a position paper recently posted on social media titled ["Removing Two-In/Two-Out: A modern, data-supported defense of our core mission."](#) The paper was authored by Sean Duffy, Nick Ledin, Chris Thompson, J. Scott Thompson and Bill Carey, with the latter hosting the paper on the website, Data Not Drama. (I

should also note that Carey serves as an associate editor for FireRescue1; however, the opinions shared on his website do not necessarily reflect those of Lexipol or FireRescue1.)

While the 2-in/2-out topic can prove to be a flashpoint in conversation and in reality for many smaller departments, the hyperbole does deserve some real-world perspective. I spoke with several people – firefighters and NFPA 1500 committee members alike – who were involved in the establishment of [NFPA 1500: Standard on Fire Department Occupational Safety, Health, and Wellness Program](#), all of whom provided “off the record” analysis and discussion following the release of the 2-in/2-out position paper.

### **2-IN/2-OUT ORIGINS (Interesting Read!)**

For many years prior to the fire department’s inclusion in this OSHA-related standard, other industries were already held to a “potentially IDLH atmosphere” rescue standard by OSHA and the Department of Labor. Confined space and oil companies, to name two, were required to have personnel “standing outside” who were capable of rescuing those inside. There was no mention of the number of people in either the IDLH or safe environment.

I have a tough time viewing the fire service as functional extensions of these other industries where events are normally scheduled in static environments, where time to plan and obtain resources is *not* time sensitive. Fire service incidents are usually dynamic from the beginning, with staffing and resources obtained in real time while an incident unfolds, worsening or improving largely based on the tactics we bring to bear.

In the attempt to find compromise and potentially compliant space for the fire service, the first two editions of NFPA 1500, in the 1990s, proposed a requirement for a minimum of three members to be on scene before IDLH operations could ensue – two could go in, one would remain out. The committee members I spoke with considered the “one” as more of an accountability/command function, capable of directing the next arriving to where the initial team of two had gone. The outside person could (at least theoretically) perform any of the functions of the incident commander (IC), pump operator or accountability person. The minimum requirement was simply for at least one person to remain outside (again, for a total of three). The document also referred to a rapid intervention team (RIT) as a requirement once an IC had confirmed a working fire.

At that time, the IAFF, which had several voting members on the 1500 committee, was adamant that NFPA 1500 should require a minimum of four firefighters per unit. The majority of the committee wisdom was that operational safety is governed by what you do and how you do it, not by how many firefighters ride on a truck. This manifested in a contentious vote on the floor of the annual NFPA convention. The IAFF was unable to sway enough votes to pass the “minimum of four” requirement into the standard, at which point the IAFF membership walked out and would not participate further in the codes-development process.

At some later date, lawyers from the Labor Department became engaged with lawyers from the IAFF who convinced the Labor Department that the “1-out” OSHA 1910.134 standard as written for other industries was really meant to be “2-out” from the beginning, as it referred to “men” (plural) being outside and prepared to affect rescue. Hence, “2-in/2-out” was born. The vote passed because OSHA required it, and OSHA formally adopted it because NFPA required it.

### **WHERE WE STAND TODAY**

Now, I mostly agree that four on a unit *should* be the minimum unit staffing target for any fire apparatus. I am 100% on board with creating safer environments for firefighters; however, ***I will join the chorus of argument that believes the 2-in/2-out requirement in the early stages of an incident is essentially a waste of at least one operational member.*** I am not aware of a single incident where the “2-out” actually affected an interior rescue when only those four were on scene – not a single incident out of millions of them. If it exists, please share the data.

*For nearly 30 years, fire departments around the country have been **inventing** all kinds of complicated strategies to **comply with, or subvert,** 2-in/2-out.* Some believe the only way to comply is to have four crewmembers on every apparatus. I dare say that most don’t really care if two stay outside, but all kinds of rules and procedures have been invented about who can or cannot be part of the “2-out” group, whether they have to be fully dressed with SCBA on their backs, if the pump operator can leave the panel to rescue a crewmember, and so on. Instead of spinning ideas of how to subvert rules, we need to ensure that we’re focused on safety and efficiency to mitigate incidents and rescue victims.

### **DATA IS KING**

*The Data Not Drama position paper uses [Project Mayday](#) data as its benchmark for proof that “2-in/2-out” is a waste.* Don Abbott founded the Phoenix Command Training Center and Project Mayday, the latter having been originally funded by a 2015 CERT grant specific to Arizona. In 2015 and 2016, I spoke with Abbott about his thought process and trying to help bring his data to a greater awareness. His vision was to educate firefighters and ICs on the causes of maydays and the signs/symptoms of an imminent mayday.

While the data provides a behind-the-curtain look at many critical moments that firefighters tend to miss or ignore, it is disingenuous to cite self-reported, non-peer-reviewed data as proof that “2-in/2-out” is useless. **The data does suggest that most maydays were self-rescued or rescued by nearby crews already working inside the structure.** My experiences would support that hypothesis; however, more specific and scientific peer review needs to be completed to validate the data.

#### FINAL THOUGHTS

*The IAFF has made its voice clear on NFPA processes, from the convention walkout in the 1990s to the [2023 lawsuit filed against NFPA related to PFAS in protective gear](#). Related to the more recent action, the NFPA countered with a [statement calling the IAFF’s strategy “misguided and ill-informed.”](#) The public display of our typically behind-the-curtain disagreements seems dysfunctional at best, and only time will tell how contentious the OSHA debates will turn.*

In the meantime, considering our real-world experiences related to 2-in/2-out, I agree that we can make better operational use out of that initial fourth person on scene. The notion of 2-out is a great safety step for those non-emergent and scheduled industries that have the luxury of time on their side. ***For us, RITs should be our focus in development, training, establishment, and deployment.*** It doesn’t take a war of words to make improvements – it takes firefighters and fire chiefs doing the right thing in the exercise of our responsibility to protect the public and to make sure we do everything we can to ensure “everyone goes home.”

For the 30,000+ departments scattered across the country, the lack of volunteer or paid members is NO EXCUSE to compromise safety in any fashion. You need to find a way to get four personnel operating on your fire units. A work in progress for sure.

Finally, the Project Mayday data was always meant to serve as an educator about signs of a mayday – let’s keep it that way. I trust that firefighters will continue to self-report to the database, and that a proper constituent organization will pick up the effort to make sure data is more than an afterthought – that real and vetted data remains king.

## OUR CHANGING FIRE SERVICE –CHALLENGES & POSITIVE IDEAS!

### *POSITIVE IDEAS THAT MIGHT WORK FOR OTHERS:*

#### *San Diego (CA) Has Roving Fire Apparatus for One Tough-to-Reach Area*

San Diego (CA) Has Roving Fire Apparatus for One Tough-to-Reach Area. San Diego is taking a long-awaited step toward shrinking emergency response times in hard-to-reach areas of the city and neighborhoods with high call volumes.

The city launched its first roving “peak-hour” fire apparatus five months ago in downtown’s East Village neighborhood – one of a dozen coverage gap areas where badly-needed new fire stations won’t be built for years. The East Village peak-hour engine could be the first of many, with City Heights, Barrio Logan, Liberty Station and southeastern San Diego near Ocean View Boulevard among the most likely candidates.

The peak-hour engines are considered a cheaper and faster way to extend the city’s emergency-response coverage without building new fire stations, which require finding land and securing money for construction. While the East Village peak-hour engine is assigned to a particular geographic area, such engines could also be unconnected to any station and simply deployed across the city each day at busy times in busy areas.

City officials have been committed to the idea of roving engines as a solution to coverage gaps since a consultant recommended them in 2017. But deployment was delayed by staffing shortages. “It’s been on our radar for quite some time, but lack of staffing has prevented us from pulling the trigger,” Fire Chief Colin Stowell said last week. “It didn’t make any sense to further our staffing challenges by adding a peak-hour engine when we were struggling just to fill the stations every day with firefighters.”

Large fire academies and more successful recruiting strategies in recent years helped solve the staffing shortage, so the city decided to spend \$1.1 million to try a roving engine in East Village for one year as a pilot program.

The engine, known as Engine 80, operates from 8 a.m. to 8 p.m. out of the same station as Engine 4 on the border of the East Village and Gaslamp Quarter on Eighth Avenue near J Street.

***Stowell said it's been a remarkable success so far, reducing the unusually high volume of calls Engine 4 had been handling and shrinking response times in the area.***

Population growth in the East Village, including from many new high-rise buildings, had increased call volume for Engine 4 to an average of 22 calls per day, with 26 to 28 on many days.

"It was just not sustainable," said Stowell, noting that some firefighters working on Engine 4 had been struggling with their physical or mental health.

**Now the two engine companies take about eight calls each between 8 a.m. and 8 p.m., and Engine 4 averages eight more calls between 8 p.m. and 8 a.m.**

**"It's certainly made their daytime better and prepared them for the night,"** he said of Engine 4.

The average response time in the area has dropped nearly half a minute, with Engine 80 averaging responses at 3 minutes and 39 seconds — the fastest in the city. Stowell said that's partly because the East Village is so compact, making many of Engine 80's trips short but complicated.

Community leaders in the neighborhood are praising the new engine, which Stowell said could expand from 12 hours to 24 hours as more construction continues.

"We're very supportive of this new coverage," said Dominic Li Mandri, district manager for the East Village Association, noting that the neighborhood now has about 20,000 residents.

The labor union representing city firefighters said it's upbeat about the peak-hour engine, especially in the East Village. "This idea has been kicked around for several years," said George Duardo, the union's president. "The pressures in these dense areas are difficult."

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### **[Veteran-Founded Group Enhancing School Emergency Response In Tennessee](#)**

A veteran-founded organization is leveraging mapping technology to help first responders during crises in Tennessee. The Critical Response Group (CRG) aims to enhance emergency response systems in schools across the state. The CRG, founded by veterans, started with a straightforward goal: ensuring accurate maps of schools for public safety and law enforcement use during emergencies. Veteran Alex Carney is the Chief Strategy Officer at CRG. Drawing from their battlefield experience, Carney said the group adapted military mapping and communication techniques for public safety application. "What we did is we took how we map and plan and communicate in that [military] environment, and we applied the same philosophy or the same techniques to help public safety so they can map in big, complicated buildings like a high school that they're not familiar with," Carney said.

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### **[CHALLENGES:](#)**

### **[Tyre Fire Co. Officially Approved By New York State: Integration And Training To Be Next Steps](#)**

The Town of Tyre now has its own fire company, as a fire protection district. That means the Tyre Fire Co. will begin the process of integrating and providing fire protection for the town's approximately 1,000 residents. The Town Board approved the incorporation of the new fire company on May 22, and the New York State Department of State accepted the incorporation papers on Friday. Officials announced that the Tyre Fire Co. will soon schedule its organizational meeting. The new company's members will integrate with the Galen-Clyde Fire District personnel, which has been providing fire services to Tyre since the Magee Volunteer Fire Department was dissolved in 2021. The Tyre Fire Co. will operate from the former Magee firehouse at Routes 414 and 318, with its Lamb Road firehouse's future still under review.

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### **[\\*\\*Unacceptable And Unsustainable': Ffs Sound Off On Industry's Problem Areas](#)**

FireRescue 1 Staff



While many firefighters happily declare their love of the job as they hurriedly head to a working fire, some parts of the job are clearly less appealing than others — so much so that the fire service is now facing a retention crisis. In this year’s What Firefighters Want report, survey respondents identified the aspects of the industry they find least satisfying — and potentially looking for other employment. We’ve compiled reader comments related to the top three least satisfying areas of the job – poor leadership, staffing shortages and personal health risks – and added resources to help address these issues.

How is your department tackling these problem areas? Send an email to [editor@firerescue1.com](mailto:editor@firerescue1.com) and share your organization’s success story.

### **POOR AGENCY LEADERSHIP**

Survey respondents overwhelmingly selected “poor agency leadership” as the least satisfying aspect of the fire service. In the free text response area, participants highlighted the fact that even if crews find other areas of a department to be problematic, many of those issues can also be traced back to the quality of those in leadership. “A team needs good leadership to perform.”

- “Complete disconnect from admin to the rigs. There’s no accountability for actions and inconsistent leadership with police and discipline.”
- “Our leadership is failing at every level. Company officers aren’t consistent with upholding standards or training. Agency leadership is actively violating labor policies and standards. Lots of platitudes but little in substance.”
- “Poor leadership leads to all other problems mentioned in the fire service”
- “A great leader will move a department forward in the future. Mediocre leadership will eventually bring down morale, and they will not have the support of their fellow firefighters or the public. Poor leadership now will create poor leadership in the future.”
- “Finding a good leader is extremely hard. Everyone wants the title, but are not always capable of filling the shoes of a leader. There is a lack of guidance, which causes a lack in training, which endangers everyone.”
- “Leadership is not on the same page with their department.”
- “A poor leader will make or break a workplace.”
- “Leadership in place that is not qualified to lead makes most aspects of the job harder.”
- “Administration is disconnected [from] the ever-increasing demands of the community and standing up for their firefighters.”

### **STAFFING CHALLENGES**

Over the last decade, fire departments have seen their pool of applicants for open positions dwindle, from a stack of applications to hire one firefighter, to multiple open slots and not enough interest to fill them. Particularly as the older firefighters hang up their turnouts for good, departments need to find ways to bring in new recruits, which is easier said than done and a big reason why survey respondents selected “staffing challenges” as one of the least satisfying aspects of the job.

“Sometimes we do not have enough firefighters and have to triple-down on duties.”

- “Anything can be done with the correct amount of people for the job. But poor agency leadership expects a short-staffed FD to perform way too much work.”
- “The current staffing model is no longer valid.”
- “The staffing challenge, especially at my current employer, has been going on for my entire time here and has caused a a lot of mandatory OT.”
- “Constant struggle to get enough responders for calls.”
- “Staffing challenges are often caused by poor leadership, meaning more work for already overworked crews. Once those people hit the tipping point, they leave, too, further compounding the problem.”
- “Trying to find people to join the ranks is tough and keeping good people is even tougher.”
- “Difficult to properly provide the community with an adequate response they expect and deserve without appropriate manpower.”
- “We have been understaffed since 1983. From 3,000 to 14,000 calls per year and didn’t add staff. This is unacceptable and unsustainable.”
- “We are doing more with less people. The current shift in people and community dynamics is leading to diminished numbers of personnel entering the fire service.”

## PERSONAL HEALTH RISKS

It doesn't take long after joining the fire service to see the dangers up close — from occupational cancer to fireground injuries and maydays, as well as the mental health battle to handle it all — to understand why survey respondents selected “personal health risks” to round out the top three least satisfying aspects of the job. “Knowing that my health can be impacted by the long-term effects is worrisome. Knowing that I'm exposed to carcinogens that could impact my physical health and being exposed to traumatic events that could impact my mental health worries me that over time it could lead to issues down the road.”

- “This job is ‘risk vs. reward,’ and the reward of being able to serve in the fire service comes the risk of higher job-related health issues (higher cancer and cardiovascular death rates).”
- “Health is the most important thing in life. We want to be there for our families.”
- “Still too many of us are succumbing to cancer, heart problems and, increasingly, suicide. The job is a noble one, but in this day and age, why is this still happening?”
- “It's a risky job, but you won't know if you are sick until years later.”
- “As a firefighter, we all know the dangers involved in our jobs. Up until the last several years, we were never made aware of all the potential health risks, such as occupational cancer, PFAS and other chemical exposure within our uniforms and gear.”
- “After 35 years of being involved as a firefighter of virtually all ranks, I wonder when they'll find the cancer, not if. Bullets stop chasing police officers when they retire, but our cancer journey could begin at any time, regardless of service status.”
- “The risks are undeniable. Cancer and heart disease are no jokes, but a reality of the job.”
- “The risk of cancer, heart attack, stroke or behavioral health challenges is a real problem and getting worse.”

**TRAINING FOR YOUR MEMBERS AND OFFICERS: PLEASE PASS IT ON!!**

### **NATIONAL VOLUNTEER FIRE COUNCIL - TRAINING TIMES - COURSES/WEBINARS/EVENTS**

LINK TO THE VIRTUAL CLASSROOM: [https://virtualclassroom.nvfc.org/featured\\_courses](https://virtualclassroom.nvfc.org/featured_courses)



***Advancements in Utility-Scale Battery Energy Storage Safety Features, Standards, and Practices***

**June 5<sup>th</sup>, 2024 at 2:00PM**

**JOIN THE WEBINAR AT THIS LINK:**

[https://us06web.zoom.us/webinar/register/WN\\_mp0FqjoSSpaROU1KL7iyXA#/registration](https://us06web.zoom.us/webinar/register/WN_mp0FqjoSSpaROU1KL7iyXA#/registration)



### **Be Smart About Fireworks ESIP WEBINAR SERIES**

Most fireworks injuries and deaths are preventable. In this presentation, we highlight ways we can educate our communities and urge consumers to celebrate safely this summer holiday season by following the rules and important safety tips. We will also discuss considerations for how to manage responses when things go wrong.

**Wednesday June 5<sup>th</sup> at 7:00PM EST**

**REGISTER AT THIS LINK:**

<https://mcneilandcompany.us8.list-manage.com/track/click?u=03596f243a9d922954ebaf15e&id=b350715b38&e=781e9a2c81>

ALSO:

## 2024 EVOC Train the Trainer Courses

### Now Scheduled!

This course is intended to prepare a qualified instructor to provide high quality training to their agency membership in the safe operation of vehicles in response and non-response modes. We discuss the operation of emergency vehicles, personal vehicles and special vehicles when operating on behalf of their agency.

#### 2024 Dates:

These times are all Eastern Standard Time

##### January 8th:

3:00pm **FIRE** 7:00pm **EMS**

##### April 8th:

3:00pm **EMS** 7:00pm **FIRE**

##### July 15th:

3:00pm **FIRE** 7:00pm **EMS**

##### October 7th:

3:00pm **EMS** 7:00pm **FIRE**

#### Topics include:

- Risk Management
- Intersection Safety
- Response Driving
- Defensive Driving
- Discussion regarding the hazards and challenges of vehicle operations.

We also prepare the instructor candidate in teaching how to perform a complete maintenance inspection and having students perform safe driving skills practice.

#### Pricing:

ESIP Insureds: Free

Non- ESIP Insured: \$200 per student

Register Here!



SCAN ME

For questions about this course or other Risk Management offerings:

Call: 1 800 822 3747 ext. 176

Email: RiskManagement@mcneilandcompany.com

## 2024 SEMINAR SERIES

"Searching –  
The Offensive and Defensive"



### With Lieutenant Mike Scotto, Fire Department City of New York

Searching tactics are primarily thought of as an offensive action – moving in, checking behind doors, in closets, and numerous other areas. As we search, our concerns are focused on the search. Defensive tactics involve our escape plans, which are needed as we complete our search, but more importantly under extreme or emergency conditions. To make these tactics work, we must always have our strategy front and center. Both sides of the coin are in play all the time. In this three-hour program, students will examine strategy and tactics to gain a more concise understanding of the training necessary for search.

#### **REGISTRATION FEES:**

**\$35** – NYSAFC members • **\$50** – non-members (per person)

*Pre-registration is encouraged. New – online group registration is available for fire departments!*

#### **REGISTER HERE:**

[https://r20.rs6.net/tn.jsp?f=001QZWPfjYZRP6tAYnVrgg36Z\\_YE6vp89dymWfQQD1d7q4ZRwVDdBndE8ByVmF5\\_856f\\_UrB-yGihYJigwEPzCbQfCVeEALHRXrk\\_M-dbDWBYRtKiko1vLice\\_oi1AFseMKfN01xTmCmiyzyMWWYur-39p1T1V2\\_yChO2C2F1\\_fJn94LviwwZ3Aag==&c=AmhECQ6uFruSlwrKRKspNlivj3NWEIzhZOrf3KrfnUls83Dp1Q1JdQ==&ch=AqMwftSnQqSSjoeldoQJ-cfc\\_GyhBFLqV23YaEp7HU-kr9WoEr9kSg==](https://r20.rs6.net/tn.jsp?f=001QZWPfjYZRP6tAYnVrgg36Z_YE6vp89dymWfQQD1d7q4ZRwVDdBndE8ByVmF5_856f_UrB-yGihYJigwEPzCbQfCVeEALHRXrk_M-dbDWBYRtKiko1vLice_oi1AFseMKfN01xTmCmiyzyMWWYur-39p1T1V2_yChO2C2F1_fJn94LviwwZ3Aag==&c=AmhECQ6uFruSlwrKRKspNlivj3NWEIzhZOrf3KrfnUls83Dp1Q1JdQ==&ch=AqMwftSnQqSSjoeldoQJ-cfc_GyhBFLqV23YaEp7HU-kr9WoEr9kSg==)

#### **7:00pm STARTING TIME**

**Fulton** (Tuesday, September 10)

**Otsego** (Wednesday, September 25)

**Rensselaer** (Tuesday, October 29)



## ***NYSAFC Hands on Series***

### **FIRE BEHAVIOR ON THE INSIDE**

- **Schenectady County – October 19-20**, East Glenville Fire District #3 REGISTRATION:

<https://www.nysfirechiefs.com/firebehavior>

### **FLASHOVER**

- **Saratoga County – September 14-15**, Jonesville Fire District, REGISTRATION:

<https://www.nysfirechiefs.com/flashover>



***VFIS TRAINING AND RESOURCE CATALOG 2023***

<https://afdca.org/wp-content/uploads/2023/02/2023-ETC-Resource-Catalog-VFIS.pdf>

***VFIS UNIVERSITY – USERS GUIDE***

<https://afdca.org/wp-content/uploads/2023/02/VFIS-University-User-Guide-3.pdf>

***VFIS TRAINING OFFICER USERS GUIDE***

<https://afdca.org/wp-content/uploads/2023/02/VFISU-Training-Officer-User-Guide.pdf>

***VFIS RESPONDER HELP FLYER***

<https://afdca.org/wp-content/uploads/2023/02/2023-VFIS-Responder-Help-Flyer.pdf>

**FF HEALTH AND SAFETY – TAKING CARE OF OUR MEMBERS!**

*IN 2024 WE HAVE EXPERIENCED 25 FIRE FIGHTER LODD'S*

*According to FirefighterCloseCalls.com\**

*In 2023 we experienced 82 LODDs reported nationally.!*

**YOU NEVER KNOW!**

- An Omaha firefighter is in critical condition after being shocked by a falling wire which fell onto a metal fence, which shocked a firefighter, who was transported to Bergan Mercy Hospital. Recovery is expected.
- A firefighter was injured in a crash involving a fire truck and a tractor-trailer in Denham Springs, Louisiana.
- Two Coventry, Rhode Island firefighters were injured late Wednesday night after their rig was hit along a highway. They were getting out of their truck at a home off Victory Highway when an oncoming car slammed into the vehicle's open door. One firefighter was rushed to Rhode Island Hospital with severe injuries. She is expected to recover. The other sustained minor injuries. The search continues for the driver who fled after the incident.
- In the past eight days, there have been seven crashes involving Detroit Fire Department apparatus. The firefighter behind the wheel of a fire truck that backed into a car in a parking lot Tuesday failed the mandatory drug test. He was placed on light duty while other tests are conducted. Fire Commissioner Simms says re-training firefighters and the review of department driving policy are underway.

**Why Firehouses Should Use NO TONES**

Jacqueline Toomey

The discomfort of waking from an alarm is evident: The sound jolts and jars us out of our much-needed state of restoration, the vital sleep most of us lack.

**However, discomfort pales in comparison to the serious physiological consequences of tone systems, which result in hypertensive conditions for the heart and even sudden cardiac death.**

Through evolution, our bodies naturally transition from deep rest to an awake state through our biological response to light. So how do our bodies respond to tones in the firehouse as a means of alerting a call?

**TONES TRIGGER THE BODY**

From department to department, members consistently comment on how tones negatively impact their sleep and overall health. Research-based evidence confirms these discussions and proves that tones can be damaging to both heart health and sleep patterns. First, let's examine how the body and mind respond to sound.

Sound consultant Julian Treasure says, "(certain) sounds affect us physiologically in very powerful ways. Because hearing is your primary warning sense, a sudden sound will start a process. It releases cortisol, increases your heart rate, and changes your breathing. This is because we've been programmed over hundreds of thousands of years to assume that any sudden or unexplained sound is a threat, and your body gets ready to fight or flee."

Firefighters already experience heightened levels of stress hormones like cortisol and adrenaline, which compromise heart and sleep health. So why would disruptive tones be used at all in the firehouse? Well, they shouldn't be. Noise pollution or "decibel hell" has direct consequences on firefighter health. The magnitude and loudness of sound are measured in dB (decibels) and have a scale of 0 to 140, with 0 being inaudible and 140 being the maximum threshold for pain, and can be accompanied by instant, permanent hearing loss.

### **DECIBEL HELL AND FIREFIGHTER HEALTH**

**Firefighters are commonly exposed to dB levels over 100 with the sounds on scene and in the firehouse.** According to a National Institute for Occupational Safety and Health (NIOSH) Alert on preventing firefighter fatalities, "Noise exposures are obvious: sirens, air horns, diesel engines, and the roar of a large structure fire itself. During emergency operations, sound levels exceeding 120 decibels have been measured. Studies of community and occupational groups have found an association between noise exposure and hypertension and possibly an association with ischemic heart disease."

In an industry where many of these noise factors cannot be controlled, why would we voluntarily install and utilize systems that exacerbate the endocrine system, putting firefighters at higher risks for exposures that negatively impact their health?

*In one study on tones, at times firefighters would have a "resting heart rate of 40 instantly shoot up to 160. These heart rates oftentimes remained high throughout the time of the response, call, and return to service." Firefighters already have a fight or flight response due to the disruption of the circadian rhythm; there is no need to heighten this stress response with the jolt of a tone.*

As a sleep specialist, I recall discussing with my Denver firefighter husband how firefighters are able to respond to calls that are extremely high intensity, and where people on the scene may be experiencing overwhelming emotions and stress. He says, "We remember it is not our emergency."

Learning to remain grounded and centered is a skill he has mastered. But what happens when the line is blurred between career and personal?

### **WHEN PROFESSIONAL BECOMES PERSONAL**

Sometimes when the tones go off, the call unexpectedly becomes personal. My father-in-law, who recently retired from the Aurora Fire Department in Colorado after three-plus decades of service, experienced how a career as a firefighter can become personal in an instant when he responded to a call at an address that belonged to his wife's parents: his in-laws. It was then that he was attempting life-saving measures to resuscitate his father-in-law from cardiac arrest without triumph.

This "blur the line" concept of work-home life reminds me of 2019 when I flew to Redding, California, to support the courageous members of the Redding Fire Department who battled the Carr Fire their previous fire season when an apocalyptic blaze engulfed and took many of their homes to ashes. Worse, tragedy struck when Redding Firefighter Jeremy Stokes was lost in their community's historically most horrific summer-long event.

Exhaustion and loss do not begin to describe the courageous accounts of sacrifice I heard from the Redding firefighters. Each and every one of their stories is forever carved into my heart, and one minor detail I recall them sharing about how their sleep is impacted by tones is that each fire station has a different tone sound. This creates multiple subconscious associations, and fire stations should be streamlined to have only one comprehensive system. My experience with Redding firefighters, among many other responders that I have worked with, that I regard as some of our nation's best, deepens my committed mission to bring awareness to one very serious cause in the fire service. Yes, our firefighters are trained and prepared to combat the unknown in the most extreme situations, **yet they are not trained in any academy or elsewhere on how to come down and recalibrate their nervous systems, minds, and bodies to rest properly.** Accessing sleep after these conditions is no doubt an advanced skill that must be taught for mental and physical wellbeing and resilience to take on a career of sympathetic response and adrenal overactivation.

### **RETURNING TO SLEEP**

The very nature of first responder work is often life and death, and emotions are the cornerstone for these experiences in life. First responders are inherently put in a peculiar position to cope with things that cannot be unseen and losses that cannot be regained. Especially when the fire service is a family, any loss from within hits close to home.



But the conundrum lies in this exterior projection of the firefighter persona—that firefighters are as indestructible as cape-wearing superheroes. The beautiful thing is, most are!

If it wasn't for courageous firefighters from Redding to New York City to my husband in Denver, our society wouldn't be the same. Firefighters uplift the moral fabric of our nation as real-life rescuers! But we must support their individual health and be mindful of every aspect of the job. We focus on scene safety, there is a focus on diet and exercise, we focus on mitigating carcinogenic exposures, but now our next steps are to focus down to the tones, for heart health and beyond!

In our busy, unpredictable world, it is increasingly crucial for first responders to remain calm and collected on calls for the best decision-making. But firehouse tones compromise a first responder's ability to do this. The jarring sound of tones, especially throughout the night, triggers the body to be flooded with stress hormones.

This chemical change causes the first responder to enter their own "fight or flight" experience, and while the rational mind recognizes the emergency belongs to the "other," the body of the first responder is primed for its own survival as it is biologically convinced they too are undergoing their own personal emergency. This chronic state of elevated stress hormones in the body is why cardiac events and metabolic disorders take the lives of firefighters every year.

So the tones that set off this chemical dump are not only ineffective and unnecessary, they are counterproductive to the fundamental job firefighters must do every day and compromise their health at the same time.

Every sound is cataloged in our memories, and when we hear certain sounds there is an association that has a parallel emotional and physiological response. This is why off-shift, seemingly inconsequential sounds will elicit a physical response if it has an association with the firehouse. Our subconscious sound associations are powerful enough to dictate instant and massive hormone release like adrenaline and cortisol, which will keep us awake at night and give us high blood pressure. So consciously creating associations through sleep hygiene practices, dedicating a designated sleep space, and breathing techniques that focus on lengthening the exhale (as taught in the First Responder Sleep Recovery Program) are critically important in countering these effects.

The other reason alternatives to tones are relevant to health and wellness is how we have evolved to have a slow and steady waking mechanism from sleep, in synchronization with the sunlight as it increases from night to day.

Every system in our body depends on the circadian rhythm for healthy function. It impacts heart health, our immune system, emotional wellbeing, and our cognitive abilities.

#### **SO WHAT'S THE ALTERNATIVE?**

**Having progressive light signals in the firehouse over the course of a couple of seconds is an optimal way to wake for a call. Progressive lights would have less of a flight or fight hormone "dump" on the body than abrupt tones.**

**An example of this alarm indicator would be a progressive light system that starts with red, changes to orange, and finally switches to yellow light. These colors are the least disruptive to the circadian rhythm but would suffice to wake a body. This type of system would be more beneficial to waking in the firehouse.** This subtle change could save the heart and sleep health of firefighters nationwide. According to the U.S. Fire Administration, "Small but significant decreases in the amount of tachycardia response to station alerting can be achieved with simple alterations in alerting methods."

Here is the call to action—it is time for fire departments and administrations nationwide to take ownership of their members' health and wellness. We are in 2024, time to take steps to mitigate the factors in the firehouse contributing to sudden cardiac death. Sound off, silent alarm on, and we can respond with healthy hearts.

## **BUILDING & FIRE CODE ISSUES — WHY ARE THEY IMPORTANT TO YOU?**

### **SNAPSHOT WEEKLY FIRE FATALITY DATA AS REPORTED BY THE MEDIA**

**\*\*This is a MUST READ and understand this article and know that this is being considered, hell it's already being done!!**

**\*\*Worth a Second Look: The Case Against Single-Exit-Stairwell Buildings**

Greg Rogers, Sean DeCrane

***In the ongoing discourse that surrounds fire safety standards, allowing single-exit stairwells for mid-rise buildings has emerged as a contentious issue.*** Advocates argue for adopting this approach to streamline construction and reduce costs, particularly in the realm of affordable housing. However, the International Association of Fire Chiefs (IAFC) and the International Association of Fire Fighters (IAFF) stand in staunch opposition to this proposal, asserting that ***it compromises the safety of both occupants and firefighters.***

What follows are the multifaceted implications of single-exit stairwells, drawing upon research, practical considerations and the experiences of fire service professionals.

### **AESTHETICS OVER SAFETY**

At the heart of the debate lies the tension between aesthetic design and public safety. ***Currently, numerous states are considering legislation that would permit an end-around on the safety requirements in the national consensus building code process. This would permit residential occupancies, hotels, motels, condominiums and dormitories, among others, to incorporate one stairwell instead of a minimum of two and raise building height to six stories.***

The current safety standards require two means of egress when these occupancies are built taller than three stories. Proponents of single-exit stairwells argue that the concept offers a solution to high housing prices and promotes innovative architectural design. However, fire service organizations contend that such concessions never should come at the expense of public safety. Although creativity in construction is commendable, it must not compromise the fundamental principle of protecting human life. The fire service emphasizes that aesthetics should complement, rather than supersede, life-safety requirements that are outlined in established building codes.

### **FIREFIGHTING OPERATIONS**

Central to the IAFC and IAFF's opposition to single-exit stairwells is the single-exit stairwell's detrimental effect on firefighting operations. Dual staircases are pivotal in facilitating efficient firefighting strategies, including staged hose deployment and controlled evacuation routes. In contrast, single-exit stairwells present formidable challenges to firefighters, including hindering their ability to combat fires effectively and to evacuate occupants safely. This potentially places firefighters in a very challenging position. Do they delay fire suppression operations to evacuate occupants? Do they remove occupants via ground and/or aerial ladders and commence suppression operations? Do they ask residents to remain in place? Each of these options increases risks to the occupant and to firefighters, because fleeing occupants and firefighting operations won't occur safely or efficiently in the same stairwell.

Single-exit stairwells only introduce unnecessary risks and significantly jeopardize the safety of both responders and those who they seek to protect: the people who are the occupants of the building.

Proponents of the single stairwell have highlighted the capability of the fire service to evacuate occupants through the deployment of ground and aerial ladders as an option for a secondary means of egress. However, as firefighters, we understand that deploying and using any ladder on an emergency scene increases risks. Even firefighters who trained on and used ladders throughout their career are at risk of falling from the ladder and at increased risk of being struck by falling debris from the building that's on fire. Introducing onto a ladder an occupant who has no training, who is under duress and who potentially is compromised by exposure to high levels of carbon monoxide invites disaster.

### **SPACE OF STAIRWELLS**

Claims that are made that single-exit stairwells offer substantial space savings are debunked on closer examination. Practical assessments reveal that the space that's required to incorporate secondary staircases is minimal compared with the footprint of the overall building. Arguments that suggest significant space gains to be used for additional dwelling units haven't been substantiated with comparative design proposals.

The negligible effect of exit stairwells on usable floor space should be underscored, and the importance of prioritizing safety over short-term cost considerations should be emphasized.

### **PREVIOUS RESEARCH**

Previous research and articles provide valuable insights into the importance of dual staircases for effective emergency response. Designating one stairwell for evacuation and the other for firefighting operations enhances efficiency and safety during emergencies. Single-exit stairwells lack this crucial capability, compromising both occupant evacuation and firefighting efforts. Relying on ground and aerial ladders as a second means of egress also further delays the ability of occupants to egress safely under emergency conditions.

This kind of proposal also fails to consider the fire load and types of fires that the fire service sees today (e.g., large amounts of plastic materials, lithium-ion batteries and micromobility devices).

History has demonstrated the hazards when an occupancy has a means of egress that's compromised.

***On 9/11, efforts by FDNY to ascend stairs were challenging as the building's occupants utilized a narrowed stairwell to evacuate the building.***

London's Grenfell Tower was built with a single stairwell. With the failure of multiple building safety designs, the stairwell served as the fire brigade's point of operations and the primary means of egress for occupants who couldn't use a protection-in-place strategy. Seventy-two people died.

These are examples from high-rise buildings, but incidents in Philadelphia and New York City also highlight loss-of-life incidents that involved one stairwell in mid-rise buildings.

***A nonfire event in Chicago resulted in 21 deaths when the occupants of a nightclub tried to exit using one stairwell after a security guard used pepper spray. This caused panic throughout the crowd.***

Fire and other emergencies can result in loss of life if there is only one exit, but an additional lesson is that building systems fail. Buildings can't be designed with a reliance on one protection feature. Buildings must be designed with secondary safety features to protect the occupants and responders.

## RECOMMENDATIONS

***The fire service unequivocally should oppose the adoption of single-exit-stairwell buildings.*** The IAFC and IAFF urge state governments and legislators to uphold existing fire safety standards, which mandate multiple means of egress for mid-rise buildings. Retaining secondary exits is essential to ensure firefighter safety, occupant evacuation and effective fire response. Furthermore, the IAFC and IAFF advocate for adherence to established building codes, which follow a consensus process that's recognized by the American National Standards Institute that emphasizes the importance of public safety in all decision-making processes.

Further discussions should highlight the potential consequences of proposed legislative changes. Although aimed at reducing housing costs, such changes inadvertently could increase construction expenses and compromise fire safety standards. The need for informed decision-making and collaborative engagement with stakeholders to safeguard community welfare should be emphasized.

By advocating for measures that balance the need for fire safety and appropriate building design, stakeholders can ensure the well-being of both occupants and emergency responders.

## LESSONS LEARNED

The IAFC and IAFF reaffirm their unwavering commitment to advocating for fire safety standards that prioritize the protection of lives and property. ***Single-exit stairwells represent a dangerous departure from established norms, with far-reaching implications for occupant and firefighter safety.***

By upholding rigorous building codes and resisting the allure of expediency, stakeholders can ensure that buildings stand as bastions of security, safeguarding the welfare of all who inhabit them.

Let us heed the lessons of the past and prioritize safety above all else, for in doing so, we honor the legacy of those who have dedicated their life to protecting others.

***WE URGE ALL FIRE SERVICE MEMBERS AND REPRESENTATIVES TO SEND A STRONG MESSAGE TO THEIR STATE LEGISLATORS THAT COMPROMISING SAFETY FOR DUBIOUS GAINS ISN'T ACCEPTABLE.***

***[EDITOR'S NOTE: THIS WILL BE A GREAT IDEA, UNTIL IT ISN'T!!]***

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## ***UNATTENDED COOKING LEADS TO UNINTENDED FIRES***

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***Home builders and realtors already "drive" legislation with a history of disregard for life safety and a disgusting misinformation campaign about the cost of residential fire sprinklers, deaths are an awfully expensive price to pay to save money. Stop the carnage, install residential sprinklers.***

***Residential sprinklers are a component of the plumbing system, with approximately 1 head per room. The purpose of residential sprinklers is to allow time for the occupants to escape. Residential sprinklers are designed for quick response and only one at the most two heads may be triggered. With residential sprinklers present, the civilian death rate is 89% LOWER. Residential sprinklers will assist responding firefighters to do their jobs and save firefighters lives also, especially since everyone is short staffed!!***

<b>HOME FIRE FATALITIES REPORTED BY THE MEDIA FROM THE US FIRE ADMINISTRATION</b>	
<b>Fire Deaths in 1&amp;2 Family Dwellings in NYS</b>	<b>29</b>
<b>Last fire death 5/26/24 Oneida Castle, Oneida Co. Male 31, Female 61</b>	
<b>Fire Deaths in any type of Dwelling in NYS</b>	<b>54</b>
<b>Fire Deaths in 1&amp;2 Family Dwellings Nationally</b>	<b>624</b>
<b>Top 3 States with the greatest 1&amp;2 Family Deaths</b>	<b>#1 PA/52</b>
	<b>#2 TX/36</b>
	<b>#3 NC/31</b>
<b>There has been a total of 1014 civilian home fire fatalities in 2024</b>	
<b>There were a total of 2127 residential fire fatalities reported in 2023 in the US media.</b>	
<b>Both the states of Maryland and California require sprinklers in residential dwellings</b>	

## **LIVING WITH NEW GREEN TECHNOLOGY**

### **Lithium Batteries Spark Fire That Destroys ME Shed Manufacturing Warehouse**

Chris Burns, Bangor Daily News

The fire that destroyed a Maine shed manufacturing building over the weekend was caused by lithium batteries. The fire broke out Sunday at New England Rent to Own on River Road in Chelsea, according to Maine State Police Lt. Aaron Turcotte. The blaze started about 1 p.m., according to the Chelsea Fire Department. New England Rent to Own lost “building #2,” but stressed that “EVERYONE IS OKAY!” Once the fire was extinguished, investigators determined that the fire started in an area of the warehouse where lithium batteries were stored. The Maine fire marshal’s office ruled the blaze accidental, Turcotte said Wednesday morning.

### **Firefighters Find E-Bike In Aftermath Of Albany Houses Fire In Brooklyn**

Firefighters were dispatched to a fire at the Albany Houses overnight in Brooklyn, and a **charred electric mobility scooter was found in the aftermath**. The FDNY says the fire started around 1:30 a.m. on the second floor of Building 2 of the Albany Houses, located on Park Place between Troy and Albany avenues. The fire was put out quickly. *It's unclear if the bike caused the fire*, but firefighters were seen wheeling it out as they got the flames under control. The FDNY says one person was injured. Family members of the victim tell News 12 the man lives in the apartment where the fire started. They say he relied on the scooter to get around due to having mobility issues from battling cancer. They say he is currently recovering from burns at the hospital. The fire marshal will now determine the official cause and if the electric scooter played a role.

### **Lithium-Ion Battery Explodes in MA Apartment**

Lance Reynolds - Boston Herald

**A lithium-ion battery meant for an electric scooter burst into flames in a Chelsea apartment, injuring five people** and prompting a reminder from fire officials on how to safely handle the popular devices. Chelsea firefighters responded to 32 Carmel St., at about 12:40 a.m. last Saturday after receiving reports of a fire. As they arrived, they observed smoke and flames on the first floor in the rear of the three-story, four-unit dwelling, the state Fire Marshal’s Office said in a release Wednesday. Firefighters quickly extinguished the fire, but four occupants of the building were taken to the hospital for treatment of injuries that authorities described as not life-threatening. The Chelsea Fire Department and Massachusetts State Police fire investigators determined a “lithium-ion battery intended for an electric scooter had been left charging for several hours, caught fire, and exploded,” the state Fire Marshal’s Office said in the release. “The high energy density of lithium-ion batteries means they pack a lot of power into a small device,” State Fire Marshal Jon M. Davine said. “Overcharging, overheating, and physical damage can cause them to fail rapidly and violently, like this one did. Fortunately, the residents were awake and aware of the danger. A few hours later and this could have been a very different story.” Firefighters across Massachusetts are facing the “nearly impossible” task of extinguishing lithium-ion battery fires more than ever, according to data the state released last month. The figures showed how such blazes have spiked sharply since last October.

Roughly 38 cities and towns identified 50 lithium-ion battery fires between last October and the middle of April, more than double the annual average detected by a national fire data reporting system.

"The increase since last fall could be due to the growing number of consumer devices powered by these batteries, increased attention by local fire investigators, or other factors," Davine said last month.

The state Department of Fire Services created a checklist last fall to make it easier for local departments to track the number of fires caused by lithium-ion batteries, which power large devices like electric vehicles and smaller items like smartphones and e-cigarettes.

"Lithium-ion batteries power many of the devices we use every day," Chelsea Fire Chief John Quatieri said in a release. "It's important to use, charge, and store them according to the manufacturer's instructions."

"Always use the original charging equipment, ***disconnect it when the device is fully charged***, and protect it from damage or abuse," he added. "If you use an e-bike or electric scooter, store it outside if possible. If you must store it indoors, keep it clear of doors, windows, and other escape routes."

## HAPPENING IN THE NEIGHBORHOOD

### **Gansevoort Fire Company Breakfast**

**Last Breakfast** until returning in September, Sunday June 16<sup>th</sup> Father's Day from 8am to 11am

## LAUGH OUT LOUD

**Last night my neighbor came home drunk and banged on *his* door for at least 15 minutes.  
Problem is he lives alone.  
So, I went outside to tell him that he wasn't there!  
He left.....**

## CLASSIFIED – FOR SALE – JOB OPENINGS

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*Please advise your secretaries that all correspondence should be mailed to:*

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**[Long Way to Travel Zoom into the General Membership Meetings!](#)**



*It's our desire that every member fire district have the opportunity to attend Capital Area meetings. We know we cover a large area, in 8 counties and beyond, and wish to give all of our members a chance to participate in the general membership meetings. You have a voice, and we would like to hear it. Join us at our next meeting either in person or via Zoom. The link will be sent via constant contact prior to each general membership meeting. Thank you for being a member and we hope you will join us.*

**FIRE DISTRICT RESOURCES - -THE BACK PAGE - - FOR YOU TO FOLLOW UP!**

[What are the duties and responsibilities of a Commissioner?](#)

*The Answer is posted on our web site at [www.CAFDA.net](http://www.CAFDA.net)*

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[Vital Statistics on the State Association Regions – the break out is on our web site.](#)

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We invite our business partners to submit educational information to be included in this Bulletin for district commissioners and chief officers

If you have information on new products you wish to showcase or is educational and informative for fire districts, please submit it and we will use it in this Bulletin under the appropriate heading.

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The Capital Bulletin is reaching well over 400+ fire district members and now other members of the fire service on a regular basis. Since the Capital Area Association covers an area the size of Connecticut it is difficult to meet in person to exchange information and ideas.

This is a service of the Capital Area Association through the effort of Tom Rinaldi who can be reached at [tom@rinaldi1.com](mailto:tom@rinaldi1.com) for comments or content contributions are always welcome.

**YOU CAN BECOME AN INDIVIDUAL MEMBER OF THE CAPITAL AREA ASSOCIATION!**

The Capital Area Association has voted to amend its By-laws to allow both individual and regional or county Fire District Associations to join. The updated By-laws are posted to the CAFDA.NET website.

Individual membership fee will be \$50 annually, fire district association fees will be \$300 annually.

Download THE APPLICATION available on the home page at CAFDA.NET

**MEMBERSHIP IN THE CAPITAL AREA FIRE DISTRICTS ASSOCIATION (CAFDA)**

Would you like to join Capital Area Fire Districts Association along with 76 members in 10 counties? Individuals, fire district associations, fire protection districts and Village departments are all eligible for membership.

Annual dues (January 1st to December 31st) shall be as follows and shall be based on the annual budget of the Fire District/Organization;

\$0 to \$200,000: \$50

\$200,001 to \$400,000: \$100

\$400,001 to \$600,000: \$200

\$600,001 plus: \$300

**Individuals \$50.00** or Other County or Regional Associations \$300 annually.

**Business Partners: \$100.00 annual member fee**

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**If You, Your Fire District or Department is not a Member of CAFDA You Can be?**

Individuals can be members of CAFDA. The annual membership fee is \$50, which will provide you access to this Bulletin, attendance at meetings and social gatherings. Provides networking with other fire district officials and a source of the constant barrage of information related to today's fire service.

**FOR A MEMBERSHIP APPLICATION OR A BUSINESS PARTNER APPLICATION GO TO THE FOLLOWING LINK:**

<https://cafda.net/membership-info/>



## CAFDA UPCOMING TRAINING AND MEETING CALENDAR

***The following calendar, while tentative, provides our members and participants some insight into the planned activities to be provided locally to our membership and other fire district participants for '23, '24 and '25. We hope you will join us on this journey to provide reasonably priced, quality training in a local setting for your convenience.***

For General Membership meetings food is served 1 hour prior to the start time of the meeting, at 6pm, meetings begin promptly at 7PM

### CURRENT CAFDA CALENDAR

Capital Area Meetings/Seminars/Trainings/Conference Dates (As of 1/3/2024 - Subject to Change)				
Day/Date	Time	Type	Location	Notes
<b>2024</b>				
Thursday, April 25 - Saturday April 27, 2024	Per Schedule	CAFDA Conference	Fort William Henry Conference Center	Lake George
Thursday, May 9, 2024	7:00 PM	General Membership Mtg.	Clifton Park	
Thursday, June 13, 2024	7:00 PM	General Membership Mtg.	Clifton Park	
Thursday, July 11, 2024	7:00 PM	Board of Directors Meeting	Clifton Park	
Friday, August 9, 2024	1:00 PM	Membership Activity	Saratoga Race Course	NYRA Day at the Races!
<b>AUGUST</b>				
<b>NO MEETING</b>				
Thursday, September 12, 2024	7:00 PM	General Membership Mtg.	Clifton Park	
Thursday, October 10, 2024	7:00 PM	General Membership Mtg.	Clifton Park	Officers/Director Nominations
Saturday, November 2, 2024	8:00 AM	Fall Workshop	Verdoy	
Thursday, November 14, 2024	7:00 PM	General Membership Mtg.	Clifton Park	Officer/Director Elections
<b>DECEMBER</b>				
<b>NO MEETING</b>				
<b>2025</b>				
Saturday, January 4, 2025	9:00 AM	General Membership Mtg.	Clifton Park	Organizational/Morning Meeting

### 2025 DRAFT CAFDA CALENDAR

Capital Area Meetings/Seminars/Trainings/Conference Dates (As of 5/8/2024 - Subject to Change)				
<b>2025</b>				
Saturday, January 4, 2025	9:00 AM	General Membership Mtg.	Clifton Park	Organizational/Morning Meeting
Saturday, February 1, 2025	8:00 AM	Commissioner Training	Averill Park	Snowdate - Sunday, February 2, 2024
Thursday, February 13, 2025	7:00 PM	General Membership Mtg.	Clifton Park	
		Financial Training for Fire District Officials		TBD
Saturday, March 1, 2025	8:00 AM	Commissioner Training	Clifton Park	Snowdate - Sunday, March 2, 2025
Saturday, March 8, 2025	5:00 PM	Officer Installation	Century House	
Thursday, March 13, 2025	7:00 PM	General Membership Mtg.	Clifton Park	
Saturday, March 29, 2025	8:00 AM	Commissioner Training	Berkshire FD	Snowdate - Sunday, March 30, 2025
Saturday, April 5, 2025	8:00 AM	Commissioner Training	Warrensburg FD	Snowdate - Sunday, April 6, 2025
Thursday, April 3, 2025	7:00 PM	Board of Directors Meeting	Clifton Park	
Thursday, April 10 - Saturday April 12, 2025		CAFDA Conference	Fort William Henry Conference Center	Lake George
Thursday, May 8, 2025	7:00 PM	General Membership Mtg.	Clifton Park	
Thursday, June 12, 2025	7:00 PM	Board of Directors Meeting	Clifton Park	
Thursday, July 10, 2025	7:00 PM	Board of Directors Meeting	Clifton Park	
Friday, August 8, 2025	1:00 PM	Membership Activity	Saratoga Race Course	NYRA Day at the Races!
<b>AUGUST</b>				
<b>NO MEETING</b>				
Thursday, September 11, 2025	7:00 PM	General Membership Mtg.	Clifton Park	
Wednesday, October 8, 2025	7:00 PM	General Membership Mtg.	Clifton Park	Officers/Director Nominations
Saturday, November 1, 2025	8:00 AM	Fall Workshop	Verdoy	5 Saturdays in November
Saturday, November 8, 2025				
Thursday, November 13, 2025	7:00 PM	General Membership Mtg.	Clifton Park	Officer/Director Elections
<b>DECEMBER</b>				
<b>NO MEETING</b>				
<b>2026</b>				
Saturday, January 3, 2026	9:00 AM	General Membership Mtg.	Clifton Park	Organizational/Morning Meeting

# OSHA INFORMATION SUPPLEMENT

PROVIDED AS A SERVICE FROM THE CAPITAL AREA FIRE DISTRICT'S  
ASSOCIATION – CAFDA  
*NEWEST INFORMATION ALWAYS AT THE TOP IN RED*

## **What Are Your Pain Points Associated With The Proposed Standard?**

- FF Physicals according to the NFPA 1582 standard that is proposed, estimated to be between \$4200-\$6800 per firefighter annually.
- If you have to be trained to the fire officer 1,2 & 3 level, how many officers would you have remaining?
- With all of the administrative requirements, how much would it cost your department to hire an administrative title to task with the required work load?
- What is the staffing time required to perform an annual assessment of all the commercial occupancies in your first due area and keep those records up to date? Where would you obtain such staffing, especially in a volunteer staffed department?

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## **\*\*\*COMMENT DEADLINE EXTENDED UNTIL JULY 22ND another 30 days**

**THIS IS STILL TENTATIVE AND HAS NOT BEEN PUBLISHED YET, BUT WILL BE COMING—ANOTHER 30 DAYS**

Sorry I missed the call today. I was tied up in at meeting in NYC at that time.

**I just received notice that OSHA is extending the deadline another 30 days to July 22.** Nowhere near what we asked, but each day helps. Obviously, OSHA is still not over interested in trying to work with us and is just feeling some pressure at this point. We need to continue to focus on the data that OSHA used building this rule. **It is dated, has many holes in it and frankly shows they do not understand how the fire service operates in this country. They used data from a Firehouse magazine article to look at average budgets, etc.**

**Please encourage everyone to write comments, telling their story.** My budget is XXX, we have xxx members, we respond to xxx calls for service, our community is xxx size, population, avg income etc. We get our funding from xxx. We need them to understand the vast difference in departments and structure across this country.

**It is clear that they do not understand the make up of the rural fire service.**

Answers to a couple of questions that came up on today's call.

1. The letter from congress was submitted with 43 signatures. 13 were Democrat so we got some bipartisan support. Congress asked for an extension but felt they had to remove the Sept 21 date as they felt it crossed some type of federal rule.
2. We have not submitted the proposed legislation yet as I am not sure we have enough data to propose the "phase in" schedule. One example is the fire officer 3 requirement. If NYOFPC and others are telling us 5-7 years to even make it possible, how do we account for that in the "phase in" request. If anyone has additional thoughts, please share.

Let me know what else you need.

Dave

**WRITTEN COMMENTS:** You may submit comments and attachments, identified by Docket No. OSHA–2007–0073, electronically at [www.regulations.gov](http://www.regulations.gov), which is the Federal e-Rulemaking Portal. Follow the online instructions for making electronic submissions. The Federal e-Rulemaking Portal at [www.regulations.gov](http://www.regulations.gov) is the only way to submit comments on this NPRM. Instructions: All submissions must include the agency's name and the docket number for this rulemaking (Docket No. OSHA–2007–0073). All comments, including any personal information you provide, are placed in the public docket without change and may be made available online at [www.regulations.gov](http://www.regulations.gov).

### **EDITOR'S NOTE:**

**Make no mistake, there are many positive comments being made in relation to the proposed standard, many of those positive comments are coming from organizations that would stand to make a tidy profit off teaching fire companies how to cope with the proposed changes.**

---

## **\*\*House Sub Committee Hearing**

On **Tuesday, June 4<sup>th</sup>**, the House Sub-Committee on Emergency Management and Technology will be holding a hearing on Stakeholder perspectives of the proposed OSHA Emergency Response rule. Mr. Denniston will be speaking. We believe the link to view the **10:00 am ET** hearing is here:

<https://homeland.house.gov/hearing/stakeholder-perspectives-on-oshas-proposed-rule-to-update-the-fire-brigades-standard/>

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***<https://afdsny.org/>***

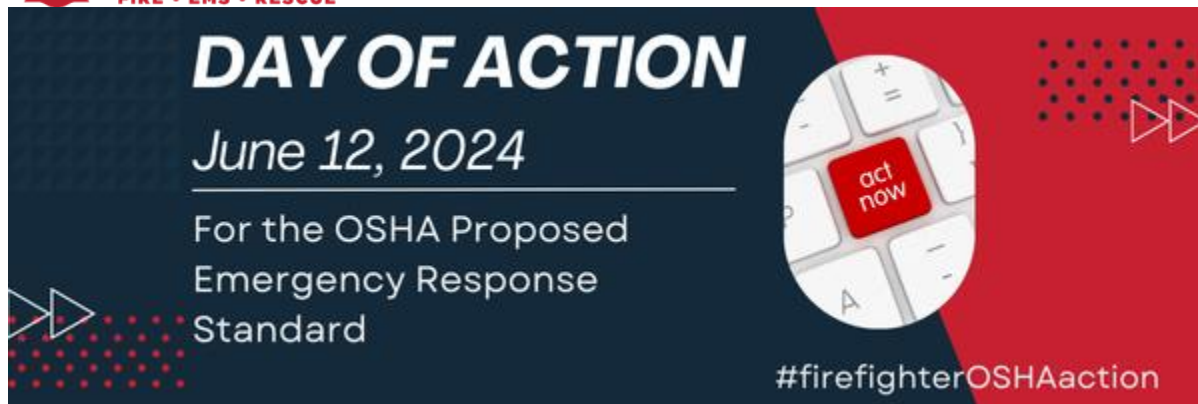
<https://afdsny.org/>

The Website for the Assoc. of Fire Districts of the State of New York

<https://www.nvfc.org/osha-standard/>

The National Volunteer Fire Council

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***Join the NVFC for a Day of Action on Wednesday, June 12***

***Don't assume someone is going to do it For You, you need to step up and submit comments!!  
How is this change going to create pain for your department!!***

As you may have heard by now, the Occupational Safety and Health Administration (OSHA) is proposing an extensive new safety and health standard, titled “Emergency Response,” to replace the existing “Fire Brigades Standard.” While many of the proposed provisions would be helpful and improve health and safety, the standard as currently written would issue hundreds of new requirements that may be very burdensome, and in many cases impossible, for volunteer fire departments to comply with.

The current public comment period is open until ~~June 21~~, although extension is possible **July 21, 2024**. The National Volunteer Fire Council (NVFC) wants to make sure that every first responder hears about the proposal and has the opportunity to learn more and submit a comment so that all voices are heard.

**ABOUT THE DAY OF ACTION**

On **Wednesday, June 12**, the NVFC will hold a nationwide Day of Action, encouraging fire and EMS personnel to view and share the [resources and information](#) needed to understand the potential impact on their community and to prepare their comments. Additionally, special virtual events will be planned throughout the day to help answer your questions, including:

- 10-11am ET - Q&A with David Denniston (details to be announced)
- 1-2pm ET - [Office Hours](#) with Ryan Woodward, NVFC's chief of legislative and regulatory affairs
- Virtual comment-writing group throughout the day on the NVFC's member platform, [Volunteer Voices](#)

**HOW YOU CAN HELP**

- Visit [www.nvfc.org/osha-standard](https://www.nvfc.org/osha-standard) for resources and information.

- Spread the word about the Day of Action and available resources with your contacts and followers by sharing the NVFC's social media posts leading up to and on the day of the event.
- Schedule a Wednesday, June 12 training/meeting night at the department to learn about the standard and write comments.
- Ensure your local government representatives are aware of the proposed standard and how it would effect your department's ability to serve the community.

Join us on Wednesday June 12, and help spread the word. Together, we CAN make a difference!



### ***\*\*\*Take the NVFC's Survey on OSHA's Proposed Emergency Response Standard***

As you may have heard by now, the Occupational Safety and Health Administration (OSHA) is proposing an extensive new safety and health standard, titled "Emergency Response," to replace the existing "Fire Brigades Standard." While many of the proposed provisions would be helpful and improve health and safety, the standard as currently written would issue hundreds of new requirements that may be very burdensome, and in many cases impossible, for volunteer fire departments to comply with.

The public comment period is open until June 21. The National Volunteer Fire Council (NVFC) is formulating our comments to submit to OSHA and we want to hear from you. If you haven't already done so, please take 10 minutes to [fill out this survey](#) to help us best understand the impact the proposed standard would have on your fire department.

**TAKE THE SURVEY NOW AT THIS LINK:**

[https://gma5qspab.cc.rs6.net/tn.jsp?f=001hzbdiUhfYDgCq-whFLi-ZGErPe2xYxFxshxkNHNe3D0TLbkVd\\_VIFQsYQyL64YDI12QYeRBd6QVcq-XTUWGLfilyi7yRjw9qZXF4RvjX00LCyY0QhzC66-IdJp\\_oL2Wo1OsRSNoWnPzZ8tv9L8x8JJ3ZVOMMK47CXklwMVo6Ls=&c=MX746IPd8xHyTIMLiqcITBaQM4ea6iTBpMR9yqkqB564uNN1ihK\\_e4w==&ch=-00QWHPmpkbPRdFXPYtFj2B4MCRjDLNIE9D3WNBAt7soAvevnSgA==](https://gma5qspab.cc.rs6.net/tn.jsp?f=001hzbdiUhfYDgCq-whFLi-ZGErPe2xYxFxshxkNHNe3D0TLbkVd_VIFQsYQyL64YDI12QYeRBd6QVcq-XTUWGLfilyi7yRjw9qZXF4RvjX00LCyY0QhzC66-IdJp_oL2Wo1OsRSNoWnPzZ8tv9L8x8JJ3ZVOMMK47CXklwMVo6Ls=&c=MX746IPd8xHyTIMLiqcITBaQM4ea6iTBpMR9yqkqB564uNN1ihK_e4w==&ch=-00QWHPmpkbPRdFXPYtFj2B4MCRjDLNIE9D3WNBAt7soAvevnSgA==)

In addition, you can use the resources on the [NVFC web site](#) to learn more about the Emergency Response Standard and formulate your own comments to submit to OSHA by the JULY 21ST deadline.



### **Comment Period Extended for OSHA Proposed Standard**

The comment period for the proposed OSHA Emergency Response Standard has been **extended to July 22**. It is important that members of the emergency service community submit their comments to inform OSHA of how the proposed standard will impact their department and changes that should be made before the standard is adopted.

**WHAT YOU CAN DO: Don't wait for someone to do it for you!!!**

- Use the resources on the NVFC's [landing page](#) to read and understand the standard and formulate an effective comment.
- Participate in the NVFC's [Day of Action](#) on June 12.
- Take the NVFC's [10-minute survey](#) to help us better understand the impact the standard will have on your department.



### **NVFC CONTINUES TO SOUND ALARM ON PROPOSED OSHA STANDARD AND CLARIFIES IMPACT ON NON-OSHA STATES**

**May 21, 2024**

The National Volunteer Fire Council (NVFC) continues to raise awareness on the Occupational Safety and Health Administration's (OSHA) proposed Emergency Response Standard and offer resources to help first responders take action. On February 5, OSHA published a Notice of Proposed Rulemaking (NPRM) to replace the agency's "Fire

Brigades” standard with a proposed new “Emergency Response Standard.” This NPRM’s publication triggered the beginning of a public comment period that is scheduled to conclude June 21, 2024.

While many of the proposed provisions would be helpful and improve the safety of emergency responders, the proposed standard contains multiple new requirements that would be very burdensome, and in many cases impossible, for volunteer fire departments to comply with. Nothing in this proposed standard is final and this public comment period is your opportunity to explain to OSHA what you believe should be changed in the proposed standard and why. The NVFC has launched a landing page to assist volunteers in understanding and commenting on this proposed standard, which can be accessed [here](https://www.nvfc.org/osha-standard/): (<https://www.nvfc.org/osha-standard/>)

In addition, the NVFC has held several webinars, including two over the past two weeks, to break down the concerns regarding the proposed standards and help responders formulate their comments. These webinars may be viewed [here](https://virtualclassroom.nvfc.org/webinars): (<https://virtualclassroom.nvfc.org/webinars>) The NVFC hosting a Roundtable Talk on May 23 at 2pm ET with the National League of Cities and the National Association of Counties to highlight areas of mutual concern and provide recommendations on how volunteer departments can collaborate with their local government to express these concerns to OSHA. [Register here](https://us06web.zoom.us/join): (<https://us06web.zoom.us/join>)

The NVFC has also been raising attention for the proposed OSHA standard in Congress. During the last week, a letter supported by the NVFC has been circulating around the House of Representatives urging OSHA to consider exempting volunteer fire departments from some or all parts of the proposed standard, identify additional areas where financial and logistical burdens could be reduced, and extend the proposed standard’s public comment period. The letter is expected to be sent tomorrow, and so far approximately 40 Members of Congress have signed it.

One of the most frequent questions the NVFC has received is how the proposed standard would impact non-OSHA states (refer to [this map](https://www.osha.gov/stateplans): at this link <https://www.osha.gov/stateplans> to see which states are OSHA states). The answer is this proposed standard would impact non-OSHA states if adopted as written. The immediate impact on non-OSHA states would be related to volunteer fire departments that are nonprofits and unaffiliated with municipalities. Reading through the NPRM on this proposed standard, it appears OSHA is unaware that such departments exist. It is possible that firefighters in these departments would be covered by this standard if they receive any compensation, regardless of the state they live in.

*In addition to the immediate impact, the proposed standard would likely have secondary impacts on non-OSHA states. It could be used as a baseline of compliance for the purpose of seeking insurance and judgements in civil liability in every state.*

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### **[How to File a Comment to OSHA on You Tube...Just Follow the Directions](https://www.youtube.com/watch?v=9TuPF2ZDrow)**

<https://www.youtube.com/watch?v=9TuPF2ZDrow>

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### **[Maine’s Senator Collins Questions Acting Secretary of Labor Julie Lu on Proposed Changes to Volunteer Fire Dept. Standards](#)**

Click [HERE](#) to watch and [HERE](#) to download.

**Washington, D.C.** – Last week at an Appropriations hearing, U.S. Senator Susan Collins questioned Acting Secretary of the Department of Labor (DOL) Julie Su on proposed [changes](#) by the Occupational Safety and Health Administration (OSHA) that, in current form, would be detrimental to volunteer fire departments in rural communities in Maine and throughout the country. Senator Collins is the Vice Chair of the Appropriations Committee.

**During Q&A, Senator Collins said:**

*I want to switch to another issue that I'm hearing a lot about in the State of Maine from our firefighters and our first responders, and that has caused me to focus on aspects of the new Emergency Response Standard proposed by OSHA in February.*

***When I talk to my small, rural volunteer fire departments, they have huge concerns about the compliance costs and the potential training requirements that this proposed standard would entail. And indeed, OSHA itself has estimated nationwide compliance costs could exceed \$100 million per year for volunteer fire departments alone.***

*When I talk to the larger cities in Maine, there are fewer problems with complying with the standards.*

***As your Department finalizes this standard, will you commit to working with small, rural volunteer fire departments to ensure that we don't, essentially, force them to close down, which would hurt public safety rather than help it?***



Acting Secretary Su:

***Yes, I will definitely commit to you that we will work with all stakeholders, but especially what you're saying, the voluntary and rural first responder forces that are so vital, both to make sure that we hear them, and that we produce a standard that keeps them safe as well.***

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**Letter from Congressman Jared Golden from the 2<sup>nd</sup> District, Lewiston, Maine**

***Presented if you wish to borrow any of the thoughts from this letter for your Comments to OSHA!***

May XX, 2024

The Honorable Douglas L. Parker  
Assistant Secretary of Labor for Occupational Safety and Health  
Occupational Safety and Health Administration  
U.S. Department of Labor  
200 Constitution Ave NW  
Washington, D.C. 20210

Dear Assistant Secretary Parker:

We are writing to share our strong concerns with the Occupational Safety and Health Administration's (OSHA) proposed rulemaking to replace the existing "Fire Brigades Standard." While we appreciate OSHA's efforts to improve the safety of our first responders, we have heard from small and rural fire departments in our districts that the new requirements proposed in the rule would result in their closure, undermining public safety and leaving many communities without essential emergency services. Earlier this year, OSHA announced a Notice of Proposed Rulemaking (NPRM) that would update existing regulations for the safety and health of firefighters and other emergency responders, including municipal volunteer departments covered by OSHA-approved State Plan programs and potentially non-profit volunteer fire departments in non-State Plan states. **This new "Emergency Response" standard would impose new written emergency response plans, hazard vulnerability assessments, training, personal protective equipment, medical screening and behavioral health services, and other requirements. OSHA estimates that over one million emergency responders are anticipated to fall within the scope of the proposed rule, 331,472 of whom self-identify as volunteers.** *As drafted, this rule fails to recognize the significant financial and personnel limitations that are unique to small and volunteer departments that serve our communities.* The vast majority of these departments operate under very small budgets or self-fundraise. Volunteers donate their own time and resources to ensure that communities have readily available access to emergency services, often serving as the only source of emergency response within miles or hours of response time away. Under the proposed "Emergency Response" standard, small and volunteer departments would be required to implement additional requirements, including additional training and fitness standards for veteran first responders with years of experience, recordkeeping, and other activities. The rule would also require the incorporation by reference of over twenty industry consensus standards. While these are excellent as best practices, these departments lack the economic resources to carry them out as a requirement in statute. These concerns were conveyed to OSHA by stakeholders participating in the agency's Small Business Advisory Review (SBAR) panel in the fall of 2021. In their report, the SBAR highlighted that "concern about the economic feasibility of implementing these requirements in smaller, particularly volunteer, fire departments was common." Alarming, the SBAR also received feedback from numerous emergency service organizations (ESOs) that, "given the limited resources of many volunteer fire departments, this standard, if promulgated, would force small ESOs to close." ***It is clear that as proposed, this new standard imposes a significant unfunded mandate that is simply untenable for our small and volunteer departments.*** That is why the SBAR recommends that OSHA consider exempting these entities from some

or all parts of the standard as well as identify additional areas where financial and logistical burdens can be reduced. We do not believe the proposed standard as written adheres to SBAR’s recommendation and we urge OSHA revisit this to ensure this proposed standard does not damage emergency response capabilities in our districts.

Additionally, we are hearing from small and volunteer fire departments that with the conclusion of the public comment period just over a month away, they do not have the time or the capacity to compile the necessary information to ensure that OSHA fully understands the impacts the proposed standard would have on them. We therefore also request that OSHA grant an additional 90-day extension to the public comment period so that your agency can receive a more accurate picture of the nation’s fire service.

We appreciate OSHA’s support for improving the health and safety of our first responders. However, as drafted we believe the new “Emergency Standard” would make both our departments and our communities less safe. It is our hope that your agency will consider the unique circumstances of small and volunteer departments to ensure that they can continue to operate and provide lifesaving services.

Thank you for your attention to this important matter.

Sincerely,

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### **OSHA Weighs In: Detailing The Newly Proposed PPE Regulations**

Jeff and Grace Stull – Fire Engineering

The U.S. Occupational Safety and Health Administration (OSHA) provided a Notice of Proposed Rulemaking (NPRM) in early February that it would be overhauling Title 29 Code of Federal Regulations (CFR) Section 1910.156, titled “Fire Brigades.” Few in the fire service know of the existence of these regulations, and frankly, over the past several decades, the regulations probably remained unnoticed because they were thought to apply principally to industrial fire brigades and were well out of date – thus of no real particular relevance to most contemporary fire service operations. That could now change with what can only be characterized as a sweeping, broadly comprehensive federal rewrite of how the fire service complies with requirements and all aspects of its operations.

The notice of the proposed regulations appears at the Emergency Response Rulemaking OSHA page.

Here we’ll answer some questions about how this change could impact the fire service.

#### **WHAT IS THE CURRENT RELATIONSHIP OF OSHA REGULATIONS TO THE FIRE SERVICE?**

To get some sense of what this all means, we need to look at the current situation. With our focus on PPE, it is a little easier to describe how OSHA regulations factor into fire service operations. Specifically looking at the 29 CFR 1910.156, these regulations apply to the organization, training and PPE of fire brigades whenever they are established by an employer. Because the term “fire brigade” is not defined in regulations, it would be easy to connect it to the mainstream fire service, especially given such language as “whenever they are established by an employer.” Nonetheless, these regulations do and have been applied within the fire service as a basis for ensuring that firefighters are adequately equipped with appropriate PPE. Still, given that these regulations were first promulgated in the early 1980s and had not been updated in any serious way until now, the requirements of the regulations have been very much out of date. For example, for interior firefighting, 29 CFR 1910.156 references the 1981 edition of NFPA 1971. Since 1981, there have been six new editions with substantial content updates and criteria that have expanded from garments to the full ensemble. Likewise, for respiratory protection, 29 CFR 1910.156 first mandated positive-pressure SCBA but did not reference the yet-to-be-developed NFPA 1981 standard for first service positive pressure open circuit SCBA.

Of course, there have been many other regulations that affect OSHA fire service operations in direct and indirect ways. The mandatory regulations in 29 CFR 1910.134 on “Respiratory Protection” dictate the practice of “two in and two out” when it comes to entry into immediately dangerous to life and health (IDLH) environments. This requirement was directly written to support fire service operations.

In other related matters, 29 CFR 1910.120 for “Hazardous Waste Operations and Emergency Response” helps define first service responsibilities for hazmat responses, particularly in terms of training and competence of firefighters in these types of operations, as well as the use of PPE.

Following the country's focus on infectious diseases with HIV and hepatitis in the late 1980s, the promulgation of 29 CFR 1910.1030 established requirements around protection of employees from bloodborne pathogens. As first responders to medical calls, firefighters were considered subject to these regulations that mandated PPE protect the wearer (firefighter) from skin or underclothing contact with blood and other potentially infectious fluids. Even OSHA Subpart I on PPE, which generalizes protection of any worker in any type of exposure situation (found in 29 CFR Sections 1910.132 through 1910.138), makes it incumbent upon the fire service to conduct a hazard assessment for the selection of firefighter PPE and further requires that employers (fire departments) provide adequate training for its use and hold the responsibility of providing PPE in a clean and sanitary condition.

Regardless, the implementation of these or newer OSHA regulations is dependent on whether the state has its own regulations.

### **WHAT ARE THE FEDERAL VS. STATE REQUIREMENTS RELATIVE TO OSHA REGULATIONS?**

OSHA regulations set forth workplace safety and health standards for employers to protect workers in the United States. Workers include firefighters, and employers include fire departments. While OSHA is a federal agency, states may also have their own occupational safety and health programs, either run by the state government or through a state-plan approved by OSHA. The following describe how OSHA regulations apply across states:

OSHA regulations apply to most private sector employers and workers in the United States, regardless of the state they work in. These regulations set minimum standards for workplace safety and health that include respiratory protection and PPE.

- Some states have chosen to develop their own occupational safety and health programs, known as state-plan states. These programs must be at least as effective as federal OSHA standards and may have additional requirements. State-plan states have their own OSHA-approved state agencies responsible for enforcing workplace safety and health standards.
- In states without a state-plan program, federal OSHA regulations apply directly. However, some states may adopt additional regulations or standards that go beyond federal OSHA requirements. These state-specific regulations may address industries or hazards not covered by federal standards.
- In state-plan states, the state agency is responsible for enforcing workplace safety and health standards. This includes conducting inspections, issuing citations for violations, and working with employers to ensure compliance. In states without a state-plan program, federal OSHA is responsible for enforcement.

It is important to note that while OSHA standards do not apply to volunteers, some volunteers are covered in states with OSHA-approved state-plan programs.

Overall, while OSHA regulations set federal standards for fire departments for firefighter safety and health, states may have their own requirements or programs that supplement or go beyond federal standards. Fire departments must be aware of and comply with both federal and state regulations applicable to their workplaces.

### **WHAT MAKES THE PROPOSED OSHA REGULATIONS SO SIGNIFICANT?**

The new regulations go well beyond interior structural firefighting as was originally covered in 29 CFR 1910.156. These regulations are described in the [Notice of Proposed Rulemaking \(NPRM\)](#), which was published in the Federal Register. A large part of the document explains why OSHA is undertaking the revision and why it has expanded scope of the regulations to address all types of operations associated with fire and emergency services. This includes statistics that cover some of the specific challenges and history related to firefighter injuries and fatalities. This preamble includes a substantial amount of evidence and cited references for supporting the regulations as proposed.

Within the 250-page document, the actual proposed revised 29 CFR 1910.156 starts on page 240. An important aspect for understanding these proposed revisions comes about in the terminology. Obligations or responsibilities for compliance with the regulations are established for what is called a Workplace Emergency Response Employer (WERE) or an Emergency Service Organization (ESO), which is defined as any organization that provides firefighting, EMS, and technical search and rescues. Clearly, definitions are an important part of these regulations to fully understand how they may impact a given organization.

An observation of substantial import is the reference to multiple NFPA standards across the range of incident operations, professional qualifications, training and PPE. Pertinent to PPE, the proposed new regulations provide a level of specificity relative to using equipment that meets the respective NFPA standards in the different areas of emergency response covered in the proposed rule. This covers 12 different NFPA PPE standards related to structural

and wildland firefighting (NFPA 1971 and NFPA 1977), technical rescue (NFPA 1951), swiftwater rescue (NFPA 1952), contaminated water diving (NFPA 1953), hazardous materials and CBRN response (NFPA 1990), and emergency medical operations (NFPA 1999) as well as different respiratory protective products and related emergency equipment for structural firefighting (NFPA 1981 and NFPA 1982), wildland firefighting (NFPA 1984), and technical or tactical operations (NFPA 1986 and NFPA 1987). Currently, there are no specific requirements in the proposed OSHA regulations for complying with the respective companion NFPA standards for selection, care and maintenance, such as NFPA 1851 for structural gear and NFPA 1852 for SCBA. Nevertheless, there are specific areas of the regulations to address how departments manage PPE, especially for keeping it free from contamination.

The mandatory compliance of departments with these regulations will indeed cause some increased demand for ensuring that their members have equipment that meets the respective standards if and when these regulations are promulgated. On the other hand, promoting a level of future performance of PPE that is consistent with agreed-upon, consensus-based standards is a most worthy goal.

### **HOW CAN I MAKE MY OPINIONS KNOWN TO OSHA ABOUT THE NEW REGULATIONS?**

For many departments, the new regulations will be a lot to take in. While mandatory use product specifications, such as those covering

PPE, probably fit into the existing practices for most fire service organizations, the need for compliance with other NFPA standards, such as those for selection, care and maintenance, as well as training and professional qualifications that directly require department compliance, could be difficult challenges for many organizations.

***Nevertheless, as with any rulemaking process, OSHA is seeking to understand the impact created by potential future compliance with these regulations by opening a period of public comment for individuals and organizations to share their feedback. [Comment on the new regulations here](https://www.regulations.gov/docket/OSHA-2007-0073) [https://www.regulations.gov/docket/OSHA-2007-0073]. Note: This webpage also allows you to see comments provided by others relative to 29 CFR 1910.156, which includes many comments that predate the new rulemaking efforts.***

OSHA is seeking feedback related to these topics:

- Whether the agency should specify retirement age(s) for PPE. Commenters should provide information and data to support specific retirement/remove from service criteria for PPE.
- Whether WEREs and ESOs are currently isolating and/or separating contaminated PPE and non-PPE equipment from team members and responders and also how this separation is being accomplished.
- Whether there is evidence of per- and polyfluoroalkyl substances (PFAS) in PPE causing health issues for team members and responders. Commenters should provide information and data to support release of PFAS from the PPE and movement of PFAS into the responder.
- Whether the scheduled updates to NFPA 1971 will address or alleviate stakeholders' concerns about PFAS in PPE.

***Of course, comments can be submitted on any topic. Overall, this is a big change for the fire service, and organizations and individuals are encouraged to consider the impact on their department and share feedback.***



As you may be aware, the Occupational Health and Safety Administration (OSHA) released a notice of proposed rulemaking in February for a proposed Emergency Response Standard. If adopted as written, this proposed standard could impose requirements that would be economically infeasible for small volunteer fire departments to implement and could cause these departments to shut down.

***Rep. Jared Golden (D-ME) and Rep. Anthony D'Esposito (R-NY) are circulating a letter addressed to OSHA for other Members of Congress to cosign expressing concern about their proposed Emergency Response Standard.*** The letter highlights the issues and economic burdens the proposed standard poses for volunteer departments. The letter also requests that OSHA consider exempting volunteer fire departments from some or all parts of the proposed standard, identify additional areas where financial and logistical burdens could be reduced and extend the proposed standard's public comment period by an additional 90 days.

It's crucial that as many Members of Congress as possible cosign this letter to OSHA. Please use the NVFC Action Alert below to contact your Representative and ask them to cosign this letter.

**CONTACT YOUR REPRESENTATIVE AT THIS LINK:**

<https://www.voterve.net/NVFC/Campaigns/115571/Respond>

Additionally, the public comment period for OSHA's proposed standard is ongoing and concludes on June 21. The NVFC encourages all departments to submit comments. Please visit NVFC's OSHA landing page for guidance on submitting comments and other resources at this link: <https://www.nvfc.org/osha-standard/>.

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***NVFC TACKLES OSHA PROPOSED STANDARD***

The National Volunteer Fire Council (NVFC) held its annual board of directors meeting on April 25-27 in Arlington, VA. Sixty-eight directors from 43 states were in attendance. The board conducted Council business, held committee meetings, heard from guest speakers, and honored its achievement award recipients. A pressing issue addressed during the meeting was the proposed OSHA Emergency Response Standard.

**Committees and Sessions**

Several of the NVFC's committees met on a range of issues including hazmat response, wildland, recruitment and retention, legislative, membership, and health, safety, and training. The EMS/Rescue Section also held its bi-annual meeting. In addition, general sessions were held with the full board to discuss matters of national and state interest, vote on issues before the board, and provide input and strategic direction for the organization.

**OSHA Task Force**

The NVFC board created a task force to address concerns around the Occupational Safety and Health Administration's (OSHA) proposed Emergency Response Standard, which is intended to replace the 44-year-old Fire Brigade Standard. If enacted in its current form, the standard will place new requirements on fire and emergency services that will be burdensome, and in many cases impossible, for volunteer departments to comply with. This would have a devastating impact on local volunteer departments, forcing many to close or else operate outside of the federal standard, leaving them open to fines, citations, and huge civil liability exposure.

The board adopted a "call to action" statement on the issue and directed the newly formed task force to create a landing page with resources and tools to help responders understand the issue and submit a comment to OSHA during the public comment period. The NVFC is also working on developing its comment prior to the June 21 deadline. Learn more, read the statement, and access the public comment guide at <https://www.nvfc.org/osha-standard>

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***\*\*\*Important Update from Dave Denniston...Please Read...Please Act!!***

Extremely important status update. May 1, 2024: My friends through the hard work and dedication of several individuals and our friends in Congress, I am happy to report that we have put an initial knock on this fire and we ARE being heard. Having said that, ***we have a long hard fight ahead.***

***OSHA has now agreed to extend the comment period. Only 45 days, but it is a start. They have also agreed to in-person hearings. Virtual format, but it is a start. There will also be an additional written comment period after the hearings. It's a start.***

We have our seat at the table! We can now roll up our sleeves and eat this beast one bite at a time, or we can dribble gravy down the front of our shirts and look like idiots hoping someone else will do it for us, the choice is yours.

**This fire will quickly rekindle if we fail to do some immediate salvage and overhaul.**

- 1) We need to flood the portal! You need to read the rule and make meaningful comments. What is doable, what needs to be tweaked? You NEED to tell YOUR story. What will the cost be? What is not possible? Where are the pain points? What can and can't you do? June 21st is not far away. WE NEED YOUR HELP NOW!
- 2) We need to take a serious look at how we do business. We are doing stupid and dangerous things. The days of the "wild west" fire department are behind us. The days of misplaced pride, tradition, and sacred cows are over. Period. What can each of us do today to reduce injuries and deaths? Here is a novel idea, stop at negative right of way intersections. Stop driving these million-dollar rigs like they are stock cars. They are not! Grow the hell up and understand that. Sorry, I'll get off the soap box, but much more on that later.
- 3) *One message was clear from Congress and our state officials over the last 90 days. We heard over and over how we need to look at our structure. We need to offer alternatives and suggestions. We are not delivering fire service in a completely effective manner. I am not talking about closing firehouses and hiring all paid people. However, we do need to look at cases where we have 10 separate entities in one small town. Folks this is not effective, efficient, or sustainable. It's time to wake up and smell the coffee.*



4) We need to have uncomfortable conversations. We need to think outside of the way we have always done it. We need to, oh my god he is going to say it, "CHANGE".

Here we are kids. We raised our voices, and we were heard! This thing, however, is not going away. Be part of the solution. Roll up your sleeves and climb on board. Those just sitting in the corner throwing grenades are NOT the answer. We have gotten to this point, we are being heard, but we have so much work to do in a short period of time. We have never turned our backs and walked away from a fire, don't walk away from this.

I hope you will join me in taking the next steps. If you're not willing to help, do us all a favor. Pop open a beer and go join your local cornhole league. Have fun and enjoy life.

**If you truly call yourself a firefighter, let's get in there and tackle this beast together. We have way too much invested to not finish this project!**

**Are you in? I am 110% invested. Are you willing to help? Please share with others.**

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## **Upcoming Webinars & In-Person Informational Sessions regarding the Proposed OSHA 1910.156 Regulations**

### **MONDAY, June 10th: OSHA Regulations Seminar (Herkimer)**

The Herkimer County Fire Chief's Association is sponsoring an OSHA Regulations Seminar. Our speaker will be David Denniston, 2nd Vice President, AFDSNY, Past Chief of Cortlandville Fire Dept., Commissioner of Virgil Fire District. And he was just appointed to the National Volunteer Fire Council Task Force on OSHA. *Registration Required*

**Location:** Herkimer College, Stribel Auditorium Lou Ambers Blvd. Herkimer, NY **Time:** 7:00 to 9:00

**EMAIL REGISTRATIONS TO:** [herkcofirechiefs@gmail.com](mailto:herkcofirechiefs@gmail.com) Please include: Agency Name, Contact Person, Phone Number, and number of personnel attending.

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## **OSHA Proposed Standard: NVFC Issues Statement, Offers Resources for Comments**

The Occupational Safety and Health Administration is replacing its 44-year-old Fire Brigade Standard with the proposed new Emergency Response Standard. While the National Volunteer Fire Council (NVFC) agrees that several of the proposed provisions would be helpful and improve the safety of emergency responders, we are opposed to the implementation of the rule in its current state as it will place new requirements on emergency service organizations that would be impossible for many volunteer departments to fully comply with.

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### **Landing Page with Resources**

The NVFC has created a landing to provide resources to help members of the fire and emergency services and the public better understand the issue and submit a public comment by June 21. This includes an outline of the proposed standard, comment guide, and recorded webinars. This page will be updated periodically with new resources and information.

#### **LANDING PAGE LINK HERE:**

[https://gma5qspab.cc.rs6.net/tn.jsp?f=001L6aLm-Ax7THBUrMdNSMphNIFj1WWWXRRzYxdUshoNVzVUkCq2FlyoxhE-AybLw8OnamjN0BiBpzyC-pPzLiiYEvhxQ9sAxH0UIN-rMeW-UojESKwKkPDdMRzXK8VXBP-Sh4YQDWc0PJekSA9BGQCOh6lo\\_AGJ2vqw1b4iSBqWLs=&c=LauWWHLcf9ha42GymhqekGbW4yjkuTH862UfuVJahY7fFHeGl\\_qUJw==&ch=lefmM7sGv75CYvgpTK9dENyqA1Rv5PwzXZ1xIkZP-JITscwLK8iGsQ==](https://gma5qspab.cc.rs6.net/tn.jsp?f=001L6aLm-Ax7THBUrMdNSMphNIFj1WWWXRRzYxdUshoNVzVUkCq2FlyoxhE-AybLw8OnamjN0BiBpzyC-pPzLiiYEvhxQ9sAxH0UIN-rMeW-UojESKwKkPDdMRzXK8VXBP-Sh4YQDWc0PJekSA9BGQCOh6lo_AGJ2vqw1b4iSBqWLs=&c=LauWWHLcf9ha42GymhqekGbW4yjkuTH862UfuVJahY7fFHeGl_qUJw==&ch=lefmM7sGv75CYvgpTK9dENyqA1Rv5PwzXZ1xIkZP-JITscwLK8iGsQ==)

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### **More States Coming On Board!**

Its important to note that we are finally seeing some breakthrough with other states being aware of the proposed changes to the Standard and moving toward comment; including South Carolina, Maine, Illinois, Michigan, and Texas.

#### **The following is an excellent read and something to ponder:**

POSITION PAPER AND FORMAL RESPONSE TO OSHA FROM THE SOUTH CAROLINA STATE FIREFIGHTER'S ASSOCIATION: CLICK THE LINK HERE:

<https://cafda.net/wp-content/uploads/2024/04/Final-Draft-SC-FF-Assoc-OSHA-Response-Letter.docx>

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## **OSHA NEEDS TO HEAR FROM YOU REGARDING THEIR PROPOSED EMERGENCY RESPONSE STANDARD**

On February 5, the Occupational Safety and Health Administration (OSHA) published a Notice of Proposed Rulemaking (NPRM) to modernize the agency’s “Fire Brigades” standard with a proposed new “Emergency Response Standard.” This NPRM’s publication triggered the beginning of a public comment period that is scheduled to conclude June 21, 2024.

Anyone, organization or individual, is encouraged to [submit comments](https://www.federalregister.gov/documents/2024/02/05/2023-28203/emergency-response-standard) (https://www.federalregister.gov/documents/2024/02/05/2023-28203/emergency-response-standard) to OSHA during this public comment period (ignore the May 6 deadline as it has been extended to June 21). Reading through the NPRM, it is clear OSHA does not have an accurate understanding of the nation’s volunteer fire service and there are several new requirements that would be very burdensome, and in many cases impossible, for volunteer fire departments to comply with in this proposed standard. Nothing in this proposed standard is final at this stage, and now is your opportunity to explain to OSHA what you believe should be changed in the proposed standard and why.

As of April 22, there have been 692 comments submitted to OSHA regarding the proposed Emergency Response Standard; however, many of these comments are ineffective and will likely not do anything to encourage OSHA to change this proposed standard. The reason for this is many of the submitted comments are form letters or simply state that the proposed standard is too burdensome with no information or context explaining why.

To be effective, your comments need to explain to OSHA exactly what provisions in the proposed standard are too burdensome and why. Your comments should also describe your department to OSHA: How many people are in your department? What’s your budget? What’s the area you serve like? Do you have the funds to comply with this proposed standard? Do you have the staffing to comply with this proposed standard? How would your area be negatively impacted if your department had to shut down due to this standard? Does your department rely on fundraising for much of your income? If so, how many pancake breakfasts, raffles, or spaghetti dinners would you need to hold to comply with this proposed standard? Would your municipality be able to assist you in covering the costs of this proposed standard? If not, why? What alternatives to this proposed standard should OSHA consider to improve the safety of volunteer departments? Is your department a nonprofit department?

The National Volunteer Fire Council (NVFC) understands that this NPRM is long and very time consuming to understand, that is why we have assembled a [comment guide](https://www.nvfc.org/wp-content/uploads/2024/03/NVFC-Comment-Guide-OSHA-Standard.pdf) (chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.nvfc.org/wp-content/uploads/2024/03/NVFC-Comment-Guide-OSHA-Standard.pdf) and accompanying [outline](https://www.nvfc.org/wp-content/uploads/2024/03/OSHA-Emergency-Response-Outline.pdf) (chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.nvfc.org/wp-content/uploads/2024/03/OSHA-Emergency-Response-Outline.pdf) to provide you with guidance on how to draft effective comments. The comment guide also contains links to other helpful resources like a [Roundtable Talk](#) the NVFC did regarding the proposed Emergency Response Standard.

Additionally, the NVFC is in the process of drafting our own comments on OSHA’s proposed Emergency Response Standard. Please fill out [this survey](#) so we can submit the most informed comments possible to OSHA.

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### **Template to present to your County Board of Supervisors: A Resolution Advocating Against OSHA Reforms for NYS Firefighters**

Make the corrections and replacement where you see the blue text.

<https://cafda.net/wp-content/uploads/2024/04/Draft-OSHA-Reform-County-Resolution-20240417.doc>

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### **Federal Legislation Introduced Mandating a Phased In Approach**

#### **A BILL**

To amend the Occupational Safety and Health Act of 1970 to clarify the process that the Secretary shall use in promulgating and implementing regulations containing more than five individual directives and govern fire or emergency services.

**Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,**

#### **SECTION 1. SHORT TITLE.**

This Act may be cited as the “Emergency Response Standard Implementation Reform Act of 2024.”

**SEC. 2. PHASED IN IMPLEMENTATION OF STANDARDS WITH FIVE OR MORE DIRECTIVES GOVERNING FIRE OR EMERGENCY SERVICES.**

Section 655(b) of the Occupational Safety and Health Act of 1970 (29 U.S.C. § 655) is amended –

(1) By designating paragraph (5) as subparagraph (5)(A);

(2) By inserting, in paragraph (5), after subparagraph (A), as so designated, the following:

“(B) In promulgating any standards amending five or more sections of a regulation governing fire or emergency services, the Secretary shall utilize a phased-in implementation of such standards, based on prioritization schedule of such sections issued by the Secretary, under which the effective date of each successive section of a regulation shall not take effect until at least 180 days after the effective date that such previous standard took effect. Further, and in furtherance of the above, the Secretary shall conduct an assessment of the systems and resources in place at federal, state and local government levels, including funding programs, to determine the level of preparedness of subject agencies to comply with any such promulgations, and shall base the prioritization schedule provided for herein upon the finding of such assessment.”

***Hopefully this will be passed quickly by the House and the Senate, but the speed of legislation in Washington lately will make a snail blush!***



***ESIP Emergency Services Insurance Program***

We have received several requests for a 30,000-foot view of what would be required for an AHJ to comply with the proposed 1910.156 standard. We've put together a FAQs & Fact Sheet that helps break down all of the information into bite-sized chunks. While this list is not comprehensive, it is our best understanding of what would be required under the standard if adopted, as written, today.

**DOWNLOAD HERE:** [https://www.afdsny.org/docs/OSHA\\_1910.156\\_Fact\\_Sheet.pdf](https://www.afdsny.org/docs/OSHA_1910.156_Fact_Sheet.pdf)

***FASNY Urges Members to Take Action!***

April, 2024

Dear FASNY Member,

I wanted to provide you with an update regarding the proposed rulemaking by the Federal Occupational Safety and Health Administration (OSHA) impacting the fire service. While a primary concern of the fire service is always firefighter health and safety, many aspects of this proposed rule would put additional stress on both volunteer and career departments to comply. Worse, in some case it would be impossible to achieve compliance.

FASNY has been very active in responding to this rulemaking. In addition to working with other fire service associations, we have filed preliminary comments with OSHA. We have also reached out to our Federal representatives and are scheduled to meet with several of them at the end of the month. Due to our efforts with other organizations, OSHA has granted an extension to the comment period until June 21. **It is imperative** that your department review the proposed rule and file a comment as to how it would affect them. Comments can be filed at:

<https://www.regulations.gov/docket/OSHA-2007-0073/document>

Our goal is to make this rulemaking effective but achievable. If departments cannot meet this new standard then it is just words on paper. If this is the case, it could wind up reducing firefighter health and safety and cause many current members of the fire service to leave.

We will continue our efforts, but we need your help. The only way the rule that is finally adopted will benefit the fire service is if we all provide input now.

Fraternally,

Edward Tase Jr.

President

**LINK TO FILE COMMENT HERE:** <https://firefightersassociationofthestateofnewyork.cmail19.com/t/y-l-xutuhiy-ikjuyhjliy-i/>

--The heart of the proposed regulation is here: [Section 1910.156, Emergency Response \(osha.gov\)](https://www.osha.gov/section-1910.156-emergency-response)

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## **SIGN THE PETITION, GET YOUR FRIENDS AND FAMILY TO SIGN THE PETITION**

The purpose of the petition is to gain a seat at the table for a negotiated Standard, please sign the petition, get each of your Board members to sign and each of your members and your member's family members, the goal is more than 10,000 signatures.



<https://www.change.org/p/call-to-action-osh-1910-156> :LINK TO THE PETITION AT CHANGE.ORG:

**[NOTICE: Once you sign the petition the Change.org site directs you to their website asking for donations, the donations do not benefit this petition, it benefits the Change.org platform and you could be fooled into donating each month read carefully!!!]**

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### **Meeting with NYS-DOL/PESH**

Dave Denniston Writes: We had a great meeting with PESH at the end of last week. They are willing to work with us, but admit that their hands are tied some. The NY PESH Officials have stated we have to get in front of OSHA and get a seat at the table. They could not stress enough that the head of OSHA needs to know our names and concerns.

I have also been contacted by one of our congressional friends that said they are behind us, but we have to get in front of OSHA and a seat at the table. They fear legal options are our only other remedy. NVFC is looking at that angle now.

I have attached my comment to OSHA that will be submitted today. **Along with this one we are going to have an online petition with a goal of 50K signatures.** More details to follow. SEE DAVE'S LETTER AT THIS LINK

:[<https://cafda.net/wp-content/uploads/2024/04/OSHA-1910.156-REQUEST-FOR-ACTION-1.docx>]

Lee and I will be doing a more detailed bulleted dive of the specifics of 29CFR 1910.156 on Thursday night at 7 PM. The good news, as of this morning Zoom has us up to 1000 log in capacity. Over half of that is registered now, but let's fill it up. Most webinars have a about 60% hit ratio. These OHSA ones have been exceeding that hit ratio which is awesome. Please share the registration link with your email lists and organizations. There is also a link for one more geared to Ohio in a couple weeks.

This is being run as a ESIP webinar on **Thursday 4/4 at 7pm**. Here is the registration link, **PLEASE SHARE:**

[https://archcapgroup.zoom.us/webinar/register/WN\\_9GtqnblySa-WTKil-F5Sqw](https://archcapgroup.zoom.us/webinar/register/WN_9GtqnblySa-WTKil-F5Sqw)

Tom Miller and I are doing a similar webinar on **Wednesday Dec. 10<sup>th</sup> for the Ohio State Firefighters**. All are welcome to that one if the date is better. That one is a little more geared to a state where the volunteers are not "employees" but the main message is the same.

Register for OHIO Webinar Here: [https://archcapgroup.zoom.us/webinar/register/WN\\_ae-TdGcUR3SDQJzuEaG\\_aQ](https://archcapgroup.zoom.us/webinar/register/WN_ae-TdGcUR3SDQJzuEaG_aQ)

*We cannot stress enough, our message is not that we oppose changes, and that in fact the fire service needs to embrace this and make serious changes in how we do business for firefighter safety. This has been our message since day 1, and some continue to ignore it. We need change and we need to do better for our people. What we do want is a seat at the table and some simple tweaks in the logistics of how this should be delivered, so it is in fact usable and will save lives and reduce injuries. WE CAN DO BETTER! There are still folks out there claiming we are trying to kill this thing. That could not be further from the truth, and we need to make sure that message is heard loud and clear.*

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### **Some Facts About the NFPA Standards Adopted as Part of The OSHA Emergency Response Standard**

7 Page analysis of the NFPA Standards Included in the Proposed Emergency Response Standard

- [NFPA 1910/2024 \(263 page document\)](#)

Standard for the Inspection, Maintenance, Refurbishment, Testing and Retirement of In-Service Emergency Vehicles and Marine Firefighting Vessels.

- This standard defines the minimum requirements for establishing inspection, maintenance, refurbishment, retirement and testing program for in-service emergency vehicles and marine firefighting vessels.
- This standard shall provide minimum requirements for marine firefighting vessels.
- This standard also identifies the minimum job performance requirements (JPRs) for emergency vehicle technicians.
- The purpose of this standard is to specify the minimum requirements for the construction of new marine firefighting vessels or for the conversions of existing vessels to become marine firefighting vessels and...
- To specify the minimum JPRs for service as an emergency vehicle technician.
- 106 additional reference standards
- This standard establishes a check list of items to be checked and maintained by the personnel placed in charge of said equipment.

- [NFPA1001 \(35 page document\)](#)

#### **Standard for Fire Fighter Professional Qualifications**

This standard identified the minimum job performance requirements for FF 1 & FF 2 professional qualifications. [references 9 additional standards]

List of skills needed in Chapter 4 also refer to Table C.1 *Overview of JPRs for Fire Fighters*.

- AHJ shall have written policies and procedures in compliance with the standard and distributed to all, with instructions on execution.
- *Prior to entering training to meet the requirements of Chapters 4 & 5 of this standard the candidate shall meet the following requirements:*
- *Minimum educational requirements established by the AHJ*
- *Age requirements established by the AHJ*
- *Medical requirements of NFPA 1582 (106 page document) (this standard clearly references a career FF setting, job duties and performance)*

- [NFPA1407 \(23 page document\)](#)

#### **Standard for Training Fire Service Rapid Intervention Crews**

This standard specifies the basic training procedures for fire service personnel to conduct firefighter rapid intervention operations as specified in 1710 and 1720. [references at least 7 additional NFPA standards, in part.]

- Program shall be developed for all suppression personnel
- Written policies which shall address entry level requirements for crew members, training objectives, basic skills, equipment and training evolutions contained in the standard.
- Comprehensive training program
- Requirements for instructors
- Training shall be documented
- All RIC leaders shall be minimal Fire Officer 1
- AHJ shall have written policies and procedures in compliance with the standard and distributed to all, with instructions on execution.

- [NFPA 1002 \(30 page document\)](#)

#### **Standard for Fire Apparatus Driver/Operator Professional Qualifications**

- Outlines requisite skills and knowledge
- References in part 16 other NFPA standards.
- AHJ shall have written policies and procedures in compliance with the standard and distributed to all, with instructions on execution.
- **While not specifically stated, is it the intent that this standard applies to volunteer fire Drivers, it is not stated in the Scope nor in the Explanatory Material.**

- [NFPA 1021 \(41 page document\)](#)

#### **Standard for Fire Officer Professional Qualifications**

- References 10 other NFPA Standards in part.
- 17 Pages of requirements
- Requisite skills and knowledge for Fire Officer 1 through Fire Officer 4
- **While not specifically stated, is it the intent that this standard applies to volunteer fire Officers, it is not stated in the Scope nor in the Explanatory Material.**

- [NFPA 1140 \(124 page document\)](#)

#### **Standard for Wildland Fire Protection**

Purpose is to specify the minimum requirements for fire protection and emergency services infrastructure in wildland, rural and suburban areas; wildland fire management practices and policies; methods of assessing wildland fire ignition hazards and job performance requirements for wildland fire positions.

- 44 pages of requirements
- 30 referenced NFPA publications in part, plus 12 ASTM standards in part, plus others.
- **While not specifically stated, is it the intent that this standard applies to volunteer fire fighters who occasional respond to wildland fires, it is not stated in the Scope nor in the Explanatory Material.**

- [NFPA 1006 \(171 page document\)](#)



### Standard for Technical Rescue Personnel Professional Qualifications

- This standard references in part 10 additional NFPA Standards.
- The Scope of this Standard identifies the minimum job performance requirements for technical rescue personnel. The intent is to ensure that individuals serving as technical rescue personnel are qualified.
- There are 92 pages of requirements including several specialty rescue scenarios.
- **While not specifically stated, is it the intent that this standard applies to volunteer fire fighters who *occasional* respond to Technical Rescues, it is not stated in the Scope nor in the Explanatory Material. Would those occasional volunteers have to be trained to the entire standard or to a portion of the standard?**
- [NFPA 1005 \(28 page document\)](#)

### Standard for Professional Qualifications for Marine Fire Fighting for Land Based Fire Fighters

- The purpose is to specify the minimum job performance requirements for Land-Based Fire Fighters operating at marine fire-fighting incidents.
- There are an additional 7 NFPA standards reference in part.
- There are 11 pages of requisite skills.
- To meet the requirements for Marine Fire Fighter, the Fire Fighter II shall meet the JPRs in Sections 4.1 through 4.5 of this standard and the requirements defined in Chapter 5 of NFPA 1001 or Chapters 5 & 6 of NFPA 1081
- **While not specifically stated, is it the intent that this standard applies to volunteer fire fighters who *occasional* respond to Marine Fires, it is not stated in the Scope nor in the Explanatory Material. Would those occasional volunteers have to be trained to the entire standard or to a portion of the standard?**
- [NFPA 1951 \(68 page document\)](#)

### Standard on Protective Ensembles for Technical Rescue Incidents

Scope: minimum design, performance, testing and certification requirements for technical rescue protective ensembles for use by emergency services personnel during technical rescue incidents.

Shall also specify the minimum requirements for various elements of the technical rescue protective ensembles, including garments, helmets, gloves, footwear and eye and face protection.

This standard shall apply to the design, manufacturing, testing and certification of new technical rescue protective ensembles and new ensemble elements. i.e. for the manufacturer of such equipment.

Deals with: certification, inspection and testing, annual verification of product compliance, manufacturers' QA program.

- References 44 other technical documents.

**The job of the AHJ is to perform a risk assessment to identify the hazards present and to determine the suitability of protective ensembles specified by this standard.**

**The AHJ would need to create a matrix and document the evaluation of such equipment.**

- [NFPA 1952 \(76 page document\)](#)

### Standard on Surface Water Operations Protective Clothing and Equipment

Scope: Shall specify the minimum design, performance, testing and certification requirement for protective clothing and equipment items, including full body suits, helmets, gloves, footwear and personal flotation devices designed to provide limited protection from physical, environmental, thermal and certain common chemical and biological hazards for emergency services personnel during surface water operations.

Purpose: to **establish minimum levels of protection** for emergency services personnel assigned to or involved in surface water and rescue operations or other surface water incident operations.

- References 38 additional technical standards

Mostly for the manufacturer of such equipment, **the job of the AHJ is to perform a risk assessment to identify the hazards present and to determine the suitability of protective ensembles specified by this standard. The AHJ would need to create a matrix and document the evaluation of such equipment.**

- [FPA 1953 \(59 page document\)](#)

### Standard on Protective Ensembles for Contaminated Water Diving

Basically, this standard shall specify requirements for protective clothing and protective equipment used during operations in contaminated water dive operations. The purpose of this standard shall be to establish minimum levels of protection for emergency service personnel assigned to or involved in performing search and rescue activities in and below the surface of contaminated water. This standard shall apply to the design, manufacture, and certification of new contaminated water dive operations protective clothing and equipment.

This standard applies to the manufacture of such equipment and not to the persons, using the equipment or the operations related to the equipment.

- References 33 additional technical standards

- [NFPA 1971 \(198 page document\)](#)

### Standard on Protective Ensembles for Structural Firefighting and Proximity Firefighting

This standard shall specify the minimum design, performance, testing and certification requirements for structural fire fighting protective ensembles and ensemble elements that include coats, trousers, coveralls, helmets, gloves, footwear, and interface components.

The purpose of this standard shall be to establish minimum levels of protection for fire fighting personnel assigned to fire department operations including but not limited to structural firefighting, proximity firefighting, rescue, emergency medical and other emergency first responder functions.

In Chapter 8, 8.1.12 there are **procedures to be followed** for Washing And Drying Procedures For Garment, Gloves And Glove Pouches.

*This standard applies to the manufacture of such equipment and not to the persons, using the equipment or the operations related to the equipment, accept for **Chapter 8** which includes procedures for washing and drying protective equipment.*

- 74 additional reference technical documents.

- [NFPA 1977 \(118 page document\)](#)

#### **Standard on Protective Clothing and Equipment for Wildland Fire Fighting and Urban Interface Fire Fighting**

This standard shall specify the minimum design, performance, testing and certification requirements for items of wildland firefighting and urban interface fire fighting protective clothing and equipment, including protective garments, helmets, gloves, footwear, goggles and protective chain saw protectors; and for load-carrying equipment.

*This standard shall establish minimum standards for the equipment used by wildland and urban interface firefighters and does not apply to the personnel themselves or the operations of said firefighters.*

- 45 additional referenced technical standards.

- [NFPA 1981 \(81 page document\)](#)

#### **Standard on Open-Circuit Self-Contained Breathing Apparatus for Emergency Services**

This standard shall apply to all open-circuit SCBA and combination SCBA/SARs used by emergency services organizations for respiratory protection of its personnel during firefighting, rescue, hazardous materials, terrorist incident, and similar operations where products of combustion, oxygen deficiencies, particulates, toxic products or other IDLH atmospheres exist or could exist at the incident scene.

This standard establishes minimum standards for the design, performance, testing and certification of new SCBA and SCBA/SARs and for the replacement parts, components and accessories for these respirators.

- 22 additional referenced technical standards

[NFPA 1982 \(70 page document\)](#)

#### **Standard on Personal Alert Safety Systems**

This standard shall specify minimum requirements for the design, performance, testing and certification for all personal alert safety systems (PASS) for emergency services personnel.

Shall apply to the design, performance, testing and certification of PASS or RF PASS devices certified to an earlier edition of this standard that incorporate replacement parts, components and or software to be certified to this edition of the standard. PASS should be worn on protective clothing or protective equipment, or as an integrated part of another item of protective clothing or protective equipment and used whenever the member is involved in fire suppression or similar activities, regardless of whether SCBA is worn.

Note that NFPA 1500 requires that each person involved in rescue, firefighting or other hazardous duties be provided with and use a PASS.

*This standard applies to the manufacturer of PASS devices.*

- 18 additional referenced technical standards.

- [NFPA 1984 \(39 page document\)](#)

#### **Standard on Respirators for Wildland Firefighting Operations and Wildland Urban interface Operations**

This standard shall specify the minimum design, performance, testing and certification requirement for respirators to provide protection from inhalation hazards for personnel conditioning wildland firefighting and or wildland urban interface operations.

This standard shall apply to the design, manufacturer, testing and certification of new wildland firefighting or wildland urban interface operations respirators.

This standard does not mandate the use nor prescribe the use of approved respirators for use by firefighting personnel.

- 12 additional referenced technical standards

- [NFPA 1986 \(70 page document\)](#)

#### **Standard on Respiratory Protection Equipment for Tactical and Technical Operations**

This standard shall specify the minimum requirements for the design, performance, testing and certification of (1) new compressed breathing air open-circuit self-contained breathing apparatus (SCBA) and compressed breathing air combination open-circuit self-contained breathing apparatus and supplied air respirator (SCBA/SAR) and (2) replacement parts, components and accessories for those respirators.

This standard does NOT deal with the used of such respirators by emergency personnel.

- 17 additional referenced technical standards

- [NFPA 1987 \(98 page document\)](#)

#### **Standard on Combination Unit Respirator Systems for Tactical and Technical Operations**

- 71 additional referenced technical standards

This standard shall specify the minimum requirements for the design, performance, testing and certification of new combination unit respirator (CUR) systems and for the replacement parts, components and accessories for such respirators.

This standard is for the design and manufacture standard for such respirators NOT with the use by personnel.

- [NFPA 1990 \(152 page document\)](#)

#### **Standard for Protective Ensembles for Hazardous Materials and CBRN Operations**

- 59 additional reference technical standards

This standard shall specify the minimum design, performance, testing, documentation, and certification requirements for the following PPE which is used by emergencies and CBRN terrorism incidents:

1. Vapor protective ensembles and ensemble elements for hazardous materials emergencies and CBRN terrorism incidents.
2. Liquid splash-protective ensembles and ensemble elements for hazardous materials emergencies.
3. Hazmat/CBRD protective ensembles and ensemble elements for hazardous materials emergencies and CBRN terrorism incidents.

The purpose of this standard shall be to establish a minimum level of protection for emergency responders during hazardous materials emergencies and CBRN terrorism incidents.

The standard deals with the equipment not the operations by personnel.

- [NFPA 1999 \(94 page document\)](#)

#### **Standard on Protective Clothing and Ensembles for Emergency Medical Operations**

- 60 additional referenced technical standards

The purpose of the this standard shall be to establish a minimum level of protection from contact with blood and body fluid-borne pathogens for personnel performing patient care during emergency medical operations.

Shall specify the minimum design, performance, testing, documentation and certification requirements for new single-use and new multiple-use emergency medical operations protective clothing, including garments, helmets, gloves, footwear and face protection devices used by emergency medical responders prior to arrival at medical care facilities during emergency medical operations and used by health care workers providing medical and supportive care.

The Standard deals with the equipment not the operations by personnel.

- **ANSI 107 High-Visibility Safety Apparel**

- Performance requirements of high-visibility safety apparel, or HVSA, help with providing visibility to the user under any light conditions by day or night. This is particularly crucial for hazardous conditions, as well as any situation where threats can be presented. The performance requirements include color, retroreflection, the recommended configuration of the materials, and more. Please note that ANSI/ISEA 107-2020's specifications may be applied to many occupational HVSA, but it is not for firefighter turnout gear.
- The updated ANSI/ISEA 107-2020 standard includes changes vs. the 2015 edition such as:
  - Removing the criteria for high-visibility accessories in favor of continuing to emphasize the configurations and design requirements that contribute to the Type-Performance Class designation.
  - Adding accommodating scenarios since garments can become soiled easily because of the work environment. This edition includes specific criteria for a single-use disposable coverall, which complies with the requisite minimum material amounts and color requirements imposed on all compliant HVSA, and emphasizes that the associated material integrity requirements are only applicable to single-use disposable coveralls, for which unique marking is applied.
  - Updates to the tests methods in an effort to align more closely with other material integrity tests and to recognize current versions used for evaluating the materials.
  - Introducing the concept of measuring the overall nighttime luminance of a garment by including optional language that allows a manufacturer to test a garment according to ASTM E1501.

*In Total that is more than 1838 pages of additional document pages not including the thousands of pages of referenced documents within the NFPA Standards which the emergency response services would be legally liable for.*

### **OSHA's Proposed Emergency Response Standard Presents Challenges to Fire Departments**

The Occupational Safety and Health Administration (OSHA) is proposing an extensive new safety and health standard, titled "Emergency Response," to replace the existing "Fire Brigades Standard." The Notice of Proposed Rulemaking for the "Emergency Response Standard" was [published in the Federal Register](#) on February 5, with the public comment period open until May 6.

This proposed updated standard would issue hundreds of new requirements that may be very burdensome, and in many cases impossible, for volunteer fire departments to comply with. The National Volunteer Fire Council (NVFC) encourages volunteer departments and associations to [submit comments](#) on this proposed rule and request a public hearing so OSHA can have the best possible understanding of how this proposed rule would impact volunteer departments. We also encourage you to send a letter to OSHA requesting a 90-day extension to the public comment period on this proposed rule.

Additionally, please [fill out this survey](#) to assist the NVFC in collecting department data as we formulate our own comments on the proposed rule.

To assist you in developing your comments and public comment period extension letters, the NVFC has put has assembled [this comment guide](#). This guide provides guidance on:

- Where to find the text of the proposed standard
- Where and how to submit your comments on the proposed standard
- How to evaluate if your department is covered by the proposed standard
- How to develop your comments
- What part of the proposed standard will impact volunteer departments the most

The NVFC's comment guide also links you to a map of states with OSHA plans, a template for your comment extension letter, and webinars to further assist you in understanding whether or how the proposed rule would impact your department.

The NVFC recently hosted a Roundtable Talk on this issue, which you can watch [here](#). View some of the questions and answers resulting from the live discussion [here](#).

The NVFC has also put together [this outline of the proposed standard](#) to further highlight important language and provide additional context to the comment guide.

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**\*\*Paperwork Nightmare? OSHA Inks Emergency Response Proposal That Piles It On!**

JJ Keller Compliance Network

**[EDITOR'S NOTE: REMEMBER THAT JJ KELLER MAKES A LIVING OFF OF TRAINING FOR FIRE DEPARTMENTS AND INDUSTRIAL CUSTOMERS, THIS CHANGE WILL PROVIDE MORE BUSINESS OVER A LONG PERIOD OF TIME FOR THEM!]**

If you like paperwork, you'll "love" the upcoming Emergency Response proposed rule. According to the fine print, OSHA proposes to toss out three paperwork burdens. Yet, it will tack on over 25 new ones! While the proposal is not in the *Federal Register* yet, you can read the unofficial version on OSHA's website. Be sure to peek at the "Proposed Information Collection Requirements" starting on page 544.

**NEWS UPDATE:** The ["Emergency Response Standard" proposed rule](#) appeared in the February 5, 2024, *Federal Register*, on pages 7774 to 8023 of the pdf version. The "Proposed Information Collection Requirements" section of the preamble to the proposal begins on page 7999 in the third column. OSHA seeks comments on the proposed rule by May 6, 2024, for [Docket No. OSHA-2007-0073](#). The agency also says it will schedule an informal public hearing on the proposal if requested during the comment period, and, if such a hearing is requested, further notification will be announced in the *Federal Register*.

On December 18, the Office of Management and Budget gave OSHA the green light to publish the proposal in the *Federal Register*. Days later, OSHA issued a news release announcing that the proposal would appear in the *Federal Register* in January. At the same time, the agency posted a pre-publication version of the proposed rule on its ["Emergency Response Rulemaking"](#) webpage.

Stakeholders will have 90 days to comment in [Docket No. OSHA-2007-0073](#), when the proposal appears in the *Federal Register*.

### **SCOPE OF PROPOSED 29 CFR 1910.156**

"Emergency responders are critical workers in all of our communities, and they deserve protections that keep up with today's industry practices," said OSHA head Doug Parker. "We are proposing much-needed updates that will expand protections for emergency workers and bring our standards closer to common industry procedures."

The proposal, if finalized, would modernize [1910.156](#), Fire Brigades. The standard would be renamed "Emergency Response" and expand coverage to emergency responders, such as:

- Firefighters,
- Emergency medical service providers, and
- Technical search and rescue workers.

The new 1910.156 would not apply to:

- Employers performing disaster site cleanup or recovery duties following natural disasters;
- Activities covered by [1910.120](#), Hazardous Waste Operations and Emergency Response (HAZWOPER); or
- Activities covered by [1910.146](#), Permit-Required Confined Spaces.

The scope of OSHA's standard would:

- Be expanded to include a range of hazards that emergency responders encounter,
- Align the standard with the Federal Emergency Management Agency's (FEMA's) National Response Framework, and
- Modernize the standard to bring it in line with consensus standards issued by the National Fire Protection Association (NFPA).

For more background, please see our earlier article, ["OSHA's Responder Proposal May Pop Up by End of January,"](#) dated November 17, 2023.

### **OTHER REGULATIONS IMPACTED**

In addition, the proposal pulls other regulations into the fold:

- [1910.6](#), Incorporation by Reference;
- [1910.120](#), Hazardous Waste Operations and Emergency Response;
- [1910.134](#), Respiratory Protection;
- [1910.155](#), Scope, Application and Definitions Applicable to This Subpart;

- [1910.157](#), Portable Fire Extinguishers;
- [1910.158](#), Standpipe and Hose Systems; and
- [1910.159](#), Automatic Sprinkler Systems.

### PAPERWORK BURDENS

Despite concerns raised years ago by small business about the cost and time commitments of the *draft* standard, the latest proposal would remove three but add over 25 new “information collection requirements.” Specifically, OSHA proposes to eliminate existing language under:

- [1910.156\(b\)\(1\)](#) that requires employers to develop and maintain an organizational statement;
- [1910.156\(b\)\(2\)](#) that requires employers to obtain a physician’s certificate of certain employees’ fitness to participate in fire brigade emergency activities; and
- [1910.156\(c\)\(4\)](#) that requires the employer to inform fire brigade members about special hazards to which they may be exposed during fire/emergencies.

In place of these information requirements, OSHA’s proposed rule builds in collections for:

Category:	Paperwork:
Emergency/risk planning	<ul style="list-style-type: none"> <li>• A facility vulnerability assessment</li> <li>• A written emergency response program</li> <li>• An annual evaluation of the emergency response program</li> <li>• Keeping previous versions of emergency response programs</li> <li>• A written comprehensive risk management plan</li> <li>• Identifying the location of each fire hose valve</li> </ul>
Vehicle procedures	<ul style="list-style-type: none"> <li>• Policies and procedures for operating certain vehicles</li> <li>• Policies and procedures if responders cannot be seat belted in a vehicle</li> <li>• A procedure for vehicle operator training</li> </ul>
Incident planning	<ul style="list-style-type: none"> <li>• Pre-incident plans for locations within the facility</li> <li>• Pre-incident plans for the facilities where incidents may occur</li> <li>• Pre-incident plans for each facility subject to EPA 40 CFR 355 within the primary response area</li> <li>• A comprehensive and ongoing size-up of an incident scene</li> <li>• A risk assessment for an incident scene</li> <li>• An incident action plan</li> <li>• Established, marked, and communicated control zones</li> <li>• Standard operating procedures for emergency events</li> <li>• Post-incident analyses</li> </ul>
Medical/health records	<ul style="list-style-type: none"> <li>• Minimum medical requirements for team members and responders</li> <li>• Keeping confidential records for each team member and responder related to duty restrictions, work illnesses and injuries, and exposures</li> <li>• A medical evaluation program</li> <li>• A record of each responder’s exposure to combustion products</li> <li>• Behavioral health and wellness resources</li> <li>• A health and fitness program</li> </ul>



Other	<ul style="list-style-type: none"> <li>• Team members and responders to report safety and health concerns</li> <li>• Posting your procedures for reporting safety and health concerns</li> <li>• A hazard assessment for personal protective equipment selection</li> </ul>
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OSHA estimates that the proposed paperwork burdens will: **[EDITOR’S NOTE: IT IS GENERALLY FELT THAT THIS IS A SERIOUS UNDERESTIMATE, BUT REAL NUMBERS NEED TO BE DEVELOPED, REASON MORE TIME BEYOND THE 90 DAY COMMENT PERIOD IS NEEDED.]**

- Impact 22,551 entities,
- Take 3,896,719 hours in total each year to complete, and
- Cost a total of \$106,502,463 annually.

That averages to 173 hours and \$4,723 per year for each entity.

**KEY TO REMEMBER**

***OSHA proposes to remove three but add over 25 paperwork burdens amounting to 173 hours per year per entity. The move is part of an upcoming Emergency Response proposal.***

**[EDITOR’S NOTE: NATIONAL STUDIES HAVE PREVIOUSLY FOUND THAT THE ONE THING VOLUNTEER FIREFIGHTERS DON’T HAVE IS TIME. IS THIS NEW IMPOSITION BEING DONE ON PURPOSE TO SATISFY UNION ACTIONS TO CRIPPLE THE VOLUNTEER FIRE SERVICE? IF THEY WOULD BE PATIENT THE IAFF WILL GRADUALLY MAKE IN ROADS AS THE VOLUNTEER FIRE SERVICE CONTINUES TO ERODE. REMEMBER THE IAFF PROVIDES CONTRIBUTIONS TO A SLEW OF POLITICIANS THROUGH THEIR CAMPAIGN PACS, VOLUNTEERS PROVIDE VERY LITTLE CAMPAIGN FUNDING.]**

***Formal Comment Submitted by CAFDA on Your Behalf!***

<https://cafda.net/wp-content/uploads/2024/03/Extension-Request-from-CAFDA.docx>

Posted to the CAFDA.net website.

***OSHA Takes Action To Limit Emergency Responder Injuries And Fatalities***

Michael Fraley – Fire Rescue One

The Occupational Safety and Health Administration (OSHA) recently announced plans to update the outdated and scope-limited Fire Brigades Standard, 29 CFR 1910.156. The proposed new standard will be titled “Emergency Response” and aims to include emergency responders, including fire departments, EMS agencies, and technical search and rescue teams. It will also govern responders who work other jobs in commercial or industrial settings but are activated as part of a Workplace Emergency Response Team when an incident occurs in the facility.

This article is a brief overview of many of the standards mentioned in the proposed rule and is not meant to be an exhaustive analysis of each section. The highlighted segments are included to portray the variety of areas the rule would cover and the significant work that may be required of some services to comply.

This article also will not explore the details of who is legally obligated to comply with OSHA standards. This varies from state to state and is complicated by a variety of factors. It should also be noted that in some circumstances, volunteer agencies may be covered by OSHA standards. Regardless of whether OSHA has legal authority over a particular state or service, there is an argument that they set a standard that could be indirectly applied to everyone. This may be particularly true after an incident has occurred and no other standard exists.

The general purpose of the proposed rule is to reduce emergency response team member injuries and fatalities. The NPRM document begins with an impressive section of statistics highlighting the dangers emergency responders face and the need for standards to reduce the impact of these injuries and deaths. The rule is specific to protecting responders and does not directly apply to medical care, outcomes or safety as they relate to patients.

**SOME OF THE SPECIFIC SECTIONS OF THE PROPOSED STANDARD INCLUDE:**

- **Emergency response plan (ERP).** Agencies *will be required* to have a written program to ensure they are prepared to respond to, and operate safely in, the emergency and non-emergency situations that are likely

to occur in their primary response area. The ERP is intended to provide for the occupational safety and health of team members and encompass all aspects of emergency response, many of which are outlined below.

- **Vulnerability assessment of hazards.** Agencies *must assess* their primary response area *to identify the types calls they may respond to*. Resources in the plan must be matched to these hazards and the plan should identify mutual aid resources to be called when the agency cannot mitigate a particular hazard.
- **ERP tiers, types and levels.** The agency must identify the various tiers, types and levels of responders covered by the ERP. *Several sections of the proposed standard require the agency to identify training, evaluation, qualifications, duties and capabilities of responders based on these terms*. One size does not fit all.
- **Team involvement with the plan.** The Emergency Response Plan should be developed, implemented, reviewed and updated with involvement from team members. OSHA identifies that front-line responders have valuable insight into the work process particularly as it relates to safety.
- **Medical and physical requirements.** The proposed standard specifies that **responders will be required to meet medical and physical requirements based on their type and level of service**. This section is extensive and pays particular attention to cardiovascular health.
- **Behavioral health and wellness resources.** Agencies *would be required* to offer team members services that include diagnostic assessment, short-term counseling, crisis intervention and referral to additional resources. Records arising from any use of these resources must be kept confidential.
- **Health and fitness program.** Team members should have access to health and fitness programs that help them maintain fitness for duty and to prevent work-related illness.
- **Training program.** *A comprehensive training program must be in place* to include initial and ongoing training as well as *skills checks* at appropriate intervals. All training and assessments will be based on tiers, types and levels of providers employed. The program must detail instructor qualifications, member evaluation methods, and assurances that team members will not be tasked with duties until they demonstrate the skills and abilities to safely complete them.
- **Facility safety.** OSHA understands that fire and EMS responders spend significant time in stations between calls and requires that these facilities also be safe. The section details the need to provide adequate spaces to decontaminate, maintain and store PPE and other equipment separate from living quarters. It also lists requirements for fire alarms, sprinkler systems, carbon monoxide detectors and equipment to prevent vehicle exhaust from entering sleeping and living areas. And yes, they even set standards for fire pole safety.
- **Personal protective equipment (PPE).** Significant attention is paid to the provision of PPE to responders as well as training, testing, maintenance, cleaning and disposal of the supplies and equipment.
- **Vehicle safety.** Highlighting the high numbers of fire and EMS responders injured and killed in vehicle crashes, OSHA proposes broad-reaching standards related to maintenance, inspection and testing of vehicles. The standards also outline important benchmarks in training and operation of vehicles, and the policies that should be in place to cover both. OSHA even settles the debate about the proper name of a legendary fire prevention character when it highlights the need for procedures to ensure the safety of occupants that are not able to be belted in a seat. OSHA notes that mascots such as *Smokey Bear* may not be able to be seat belted in when riding on a vehicle in a parade! (Note they did not call him Smokey the Bear?)
- **Incident Management System.** To align with the National Response Framework, OSHA will expect Emergency Response Plans to contain language about implementation, training and use of the Incident Management System. An emphasis is placed on provider safety monitoring and reporting during incidents.
- **Respiratory protection.** Training, equipment and policies related to responder respiratory protection have long been a major area of concern for OSHA and the proposed Emergency Response standard will continue that emphasis.
- **Communication.** Language in the proposed rule encourages reliable communication between dispatch centers and responders including monitoring of on-scene radio transmissions to maintain safety and respond to any on-scene responder emergencies. The rule also calls for interoperability between mutual aid resources.

## TWO OPPORTUNITIES

EMS agencies and fire departments have two important opportunities right now.

- Review the proposed standard, whether OSHA rules directly apply to you or not, and provide comments to help shape the document into something that will improve safe practices in our industry.

- Review your department’s current responder safety program and take steps to build the program so it will meet or even exceed the standard that this rule will bring.

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### **Tailboard Talk: The OSHA Fire Brigade Standard from Fire Engineering**

[https://www.fireengineering.com/podcasts/tailboard-talk-the-osha-fire-brigade-standard/?utm\\_medium=email&utm\\_source=fe\\_daily\\_newsletter&utm\\_campaign=2024-02-26](https://www.fireengineering.com/podcasts/tailboard-talk-the-osha-fire-brigade-standard/?utm_medium=email&utm_source=fe_daily_newsletter&utm_campaign=2024-02-26)

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### **OSHA Proposes Major Changes to Regulations for the Fire Service**

Insight from Curt Varone

<https://www.firelawblog.com/2024/02/15/osha-unveils-major-changes-it-proposes-for-the-fire-service/>

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### **OSHA’S EMERGENCY RESPONSE STANDARD UPDATE THREATENS VOLUNTEER FIRE DEPARTMENTS**

National Vol Fire Council

On December 21, the Occupational Safety and Health Administration (OSHA) announced that it will issue a Notice of Proposed Rulemaking (NPRM) to modernize the agency’s “Fire Brigades” standard. This standard was first published and last updated in 1980.

This proposed updated standard would issue several new requirements that would be very burdensome, and in many cases impossible, for volunteer fire departments to comply with. Specifically, there would be prohibitively restrictive standards on physical exams, the purchase of new equipment, and the formation of emergency plans that exceed the staffing capabilities of many volunteer departments.

The proposed updated standard was published in the Federal Register on February 5, and public comments are being accepted until May 6. The National Volunteer Fire Council will be filing comments on this proposed rule and encourages members of the volunteer fire service community to submit their own comments and request a public hearing on this proposed standard.

Access the text of this rule and instructions on how to file comments [here](#). Additionally, OSHA Region 1 Training Institute Education Center recently conducted a [webinar](#) providing an overview of what’s in the standard and some of the impacts it would have on volunteers.

***We all know that whatever a bunch of bureaucrats in Washington put on paper will make all the difference in the world, this is the same federal government that told us everything was safe after the Twin Towers fell.***

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#### **LINK TO THE PROPOSED OSHA STANDARD, NO FLUFF:**

<https://cafda.net/proposed-changes-to-the-osha-standard-comment-period-opens-february-5th/>

Here are the links for the resources as Dave promised:

1. [Webinar: Emergency Response Rule | Oshaedne](#)
2. [OSHA’s NEW Proposed Rule 1910.156 Emergency Response rule on Vimeo](#)
3. [Microsoft PowerPoint - 1910.156 Webinar 1-31-2024 draft 2.pptx \(oshaedne.com\)](#)

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**OSHA PROPOSED UPDATE TO THE BRIGADE STANDARD COMPLETE TEXT:** <https://cafda.net/wp-content/uploads/2024/01/ER-NPRM-Unofficial-WORD-VERSION.docx>

**LINK TO MY SYNOPSIS OF THE PROPOSED UPDATE:** <https://cafda.net/wp-content/uploads/2024/01/SYNOPSIS-OF-THE-PROPOSED-UPDATED-OSHA-FIRE-BRIGADE-STANDARD-1.docx>