



CAPITAL AREA FIRE DISTRICTS ASSOCIATION BULLETIN



MAY 18, 2024

EDITOR - TOM RINALDI tom@rinaldi.com
Serving the fire service community since 2004

CAPITAL SHORTS:

- AN OSHA INFORMATION SUPPLEMENT HAS BEEN MOVED TO THE END OF THE BULLETIN AND Page 27, how to file a Public Comment to OSHA, You Tube Video!!
- PROVIDES ADDITIONAL INFORMATION AND LINKS TO IMPORTANT DOCUMENTS. STAY INFORMED!!
- Welcome Caryville Fire District

CAFDA NEWS AND OPPORTUNITIES:

WWW.CAFDA.NET

General Membership Meetings - - In person and Zoom

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

Printable 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.

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
Financial issues should be addressed to: TREASURER@CAFDA.NET

THE LATEST FROM THE STATE CAPITAL

***THE SCORECARD IS BEING UPDATED EACH WEEK WHILE
THE LEGISLATURE IS IN SESSION***

Senator Helming Calls for Moratorium and Further Review of New OSHA Regulations for Fire and EMS Services

Dear Governor Hochul,

The U.S Department of Labor's Occupational Safety and Health Administration (OSHA) has recently proposed new amendments to its Fire Brigade Standard, 29 CFR 1910.156. These new regulations will apply to all fire departments in New York State, including volunteer departments.

These proposed regulations include required updates to personal protective equipment (PPE), changes to first responder medical and physical requirements, and additional training requirements, among many others. In fact, these proposed changes total over six hundred pages.

These new OSHA requirements will place further stress on already struggling departments. Fire departments across New York have struggled to recruit and retain personnel in recent years, an issue which will be exacerbated by these new requirements. Updates to equipment and procedures will also impose new costs on departments, many of which already face financial challenges.

While we support efforts to ensure the safety of our fire department personnel, many departments, and the Firefighters Association of the State of New York (FASNY) have raised concerns regarding the impact of these new regulations on departments' ability to continue to protect the public.

To ensure that these new regulations do not place undue burdens on New York State fire departments, we ask that you **place a moratorium on the implementation of these new regulations for fire and EMS services. During this moratorium, we also ask that you establish a Blue-Ribbon Commission to review these new regulations and provide guidance to fire departments to help them comply with these mandates.**

Thank you for your consideration.

Lawmakers Push For Package Of Bills To 'Rescue' EMS Providers

Jim Franco, Times Union

Before heading Tuesday to the Capitol to rally with lawmakers to push for the passage of bills aimed at “rescuing” emergency medical services providers, Jeffrey Call delivered a baby.

Call, general manager of Guilfoyle Ambulance Service in Jefferson County and past chair of the United New York Ambulance Network, asked lawmakers to pass a package of seven bills in the final weeks of the legislative session to update “an antiquated model that is detrimental to patients, ambulance service providers and the health care system as a whole.” “We are used to EMS rescuing us, and they have come together and appealed to us that they need rescuing,” state Assemblywoman Donna Lupardo said.

Lupardo and 13 other lawmakers are sponsoring legislation that would increase funding for providers and incentivize volunteers to continue working for EMS providers.

One bill would increase the rate of reimbursement under Medicaid to “more closely approximate the cost of providing the service,” according to a statement from the state Association of Counties. Steve Kroll, legislative chair of the state Volunteer Ambulance and Rescue Association, said **providers are losing money when providing care to Medicaid recipients, which make up about half of the state population.**

Kroll said the vast majority of their funding comes from reimbursement from privately insured patients, as well as donations and government support.

The package also includes legislation that would authorize reimbursement for treatment provided at the site of the emergency that does not result in a patient being transported to a hospital — care that is not reimbursed under Medicaid.

Kroll said that he recently treated a diabetic man who had his blood sugar drop by getting him some food to eat and caring for him on-site.

“He didn't need to go sit in the emergency room for a couple hours. He needed just to get treated, so we sat with him,” Kroll said. “We spent 90 minutes with him and we got paid zero. We would have gotten paid more if we just took him to the hospital, but then he'd sit in a waiting room. He'd have to wait hours to be seen.”

Kroll said allowing reimbursement for treatment without transportation to a hospital will also relieve pressure on overburdened emergency rooms, as well as saving money by avoiding unnecessary hospital visits and bills.

Other elements of the package would allow for special taxing districts to be created to fund EMS and would remove providers from the state's real property tax cap in efforts to allow municipalities to increase funding for agencies and companies providing services.

The package of legislation comes after the March release of an audit from the office of the state Comptroller Thomas DiNapoli detailing the need for government intervention to help local emergency medical services agencies, who are dealing with a worker shortage and inadequate funding.

Legislators supporting the “Rescue EMS” package said the proposed changes will promote recruitment and retention of employees, as well as increasing funding to providers.

DiNapoli's audit noted that the number of active EMS workers in New York fell from more than 40,000 in 2019 to 33,000 by 2022 — a 17.5 percent drop. The report said agencies are also dealing with declines in volunteers. Some EMS agencies said difficulties in recruiting qualified staff and low pay for emergency medical workers compared to other health care and public safety professions are attributing to the staffing shortfalls. New York has almost 1,000 EMS agencies, including 487 volunteer-led providers and 194 paid-worker providers, while 308 agencies use a combination of both, the audit said. Nearly 64 percent of the agencies are run by corporations, while almost 35 percent are operated by municipalities.

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**

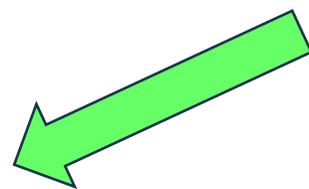
Life as a first responder can be rewarding, but it can also be difficult. First responders encounter traumatic events and life-threatening situations on a regular basis. Not only is it a physically demanding job, but it can also take a toll on one's mental health. After 31 years in law enforcement, John 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



[Roundtable Talk: Answering the Call - Volunteer EMS Recruitment & Retention Strategies](#)

May 22 at 2pm ET

Presenters:

Dr. Candice McDonald (moderator), Eric Quinney, Jules Scadden, and Joseph Schmitter

[Webinar: Managing Combination Departments - Leadership Challenges](#)

May 29 at 2pm ET

Presenter:

Quentin Cash

Sponsored by [Amazon Business](#)

[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=001QgijJOVQLrxoJOVXQuNzwQXUGd6iwCILMjODLAEkF8mB9dVo0B0B4iLC-pqjvoqPDqKhhL9421x6MPikFDtQOwu89yLrMDy2EQF33gN3G3Qal_OUdiKS3f6qCjW2GZnrvmMAjsIfU11DT74Xscpsd6BDfW-2KdQKXByM5vDZfuz2gLxJ16uAL_nzprWOyWlW-bc1XYNniWqOeR6aVrZGFA==&c=njemGLFFRkLehXZL7NP50JG4cjM-QYuvzEh2ggYWZRu6aef1sh1Sg==&ch=CQGZanOfgDqGncicjMetLTABs114Qu9JEP8RrKLP79IcyL_mYG8NgQ==

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). The NFPA uses technical committees to put together these requirements from the fire service, manufacturers, laboratories and other groups, but also relies heavily on input from interested individuals. The involved committees and the NFPA strive to strike the highest levels of safety for these critical components while still trying to achieve reliable and attainable protective products.

A large transformation will take place in late 2024 when the NFPA combines the standards for clothing (NFPA 1971), work uniforms (NFPA 1975), SCBA (NFPA 1981) and PASS devices (NFPA 1982) into a new consolidated standard, NFPA 1970.

In this webinar, firefighter experts Jeff Stull and Battalion Chief Matthew Cox discuss the upcoming standard and changes fire departments will encounter, as well as how they may affect purchase decisions. The discussion includes how the NFPA process works to address firefighter protection needs, the significant changes that will be applied in NFPA 1971 and NFPA 1981, and overall implications for the new standards for the fire service.

You will:

- Understand the importance of and how NFPA provides a process for developing standards on firefighter PPE.
- Become aware of the specific changes in a new consolidated NFPA standard that are likely to be adopted and how these revisions will affect the purchase of new gear and SCBA.
- Recognize how the new consolidated NFPA standard will be applied once adopted, how industry will react, and how fire departments can anticipate its effects.

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

IF NOTHING ELSE READ THE ARTICLES PRECEDED BY **

THE LATEST FROM WASHINGTON

MEMBERS OF THE NY CONGRESSIONAL FIRE SERVICE INSTITUTE

- [SENATOR KIRSTEN GILLIBRAND](#)

- [SENATOR CHARLES SCHUMER](#)
- [CONGRESSMAN ANDREW GARBARINO \(NY-2\)](#)
- [CONGRESSMAN ANTHONY D'ESPOSITO \(NY-4\)](#)
- [CONGRESSWOMAN NYDIA VELAZQUEZ \(NY-7\)](#)
- [CONGRESSWOMAN NICOLE MALLIOTAKIS \(NY-11\)](#)
- [CONGRESSMAN RITCHIE TORRES \(NY-15\)](#)
- [CONGRESSMAN PAT RYAN \(NY-18\)](#)
- [CONGRESSMAN PAUL TONKO \(NY-20\)](#)
- [CONGRESSWOMAN CLAUDIA TENNEY \(NY-24\)](#)
- [CONGRESSMAN BRIAN M. HIGGINS \(NY-26\)](#)

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

Former Woodmere Fire Commissioner Convicted In Fraud Scheme

Adina Genn

A former Woodmere fire commissioner has been convicted in a fraud scheme involving sending falsified court documents in a multimillion-dollar lawsuit against the Woodmere Fire District and Fire Department as well as Nassau County, officials said.

Judah Karkowsky was convicted of sending a knowingly falsified court transcript to a representative of his synagogue to attempt to regain access after a misdemeanor sex abuse case against him was dismissed on procedural grounds, Nassau County District Attorney Anne Donnelly said late Friday afternoon.

"In more than three decades of prosecuting cases, I have never seen a defendant go to the lengths this defendant did to stand by his blatant fraud," Donnelly said in a news release.

"Through his actions, Judah Karkowsky launched a brazen attack on the integrity of the criminal justice system," she added. "Karkowsky's earlier sex abuse case had been dismissed on procedural grounds, but he wanted so badly to have the charges dismissed on their merits, that he doctored the court's official transcript. Karkowsky invented language, attributed it to a sitting district court judge, and then distributed the fraudulent transcript."

Donnelly added that "this defendant was determined to go to trial despite the existence of an audio recording of the dismissal proceedings that clearly and concretely refuted his sham and exposed his guilt. Even after his indictment, instead of withdrawing his duplicitous notices of claim, this defendant pushed forward and filed his lawsuit in federal court."

A volunteer emergency medical technician in the Woodmere Fire Department, Karkowsky was arrested in September of 2021, for two misdemeanor offenses, including a sex abuse charge. After his arrest, he was suspended from the fire department. The misdemeanor case was dismissed in May of 2022 because of a violation that required the people to be ready for trial within 90 days of the defendant's arraignment on the charges.

Karkowsky ordered a copy of the minutes, or court transcript, from the court appearance in which Nassau County District Court Judge Douglas Lerosé ordered that the case be dismissed and explained the procedural grounds for the dismissal.

In May of 2022, officials said, Karkowsky sent a photograph of a page of the minutes to the co-chairman of the board of trustees at his synagogue that included a sentence that did not appear in the original, official minutes of the proceeding. The sentence said, "Notwithstanding, this court has believed for some time that the People's case lacked substance and should not have reached this point."

The DA's office claims that Karkowsky intended to use the forged minutes to convince the leadership of the synagogue that his case was dismissed on merit, that he was innocent of the charges and that he should be welcomed back to the synagogue. He was reinstated to the Woodmere Fire Department after his case was dismissed but was not allowed to return to the synagogue.

In August of 2022, Karkowsky served a notice of claim on the Woodmere Fire District and Fire Department seeking \$15 million in compensation, claiming that members of the fire department caused him to be falsely arrested. The notice of claim quoted the fraudulent statement attributed to the judge from the May 2022 minutes as evidence of

Karkowsky's innocence. Karkowsky swore before a public notary to the contents of the statements in the notice of claim.

He also served a notice of claim on Nassau County seeking another \$15 million in compensation, alleging that members of the Nassau Police Department and district attorney's office willfully ignored exculpatory evidence. Karkowsky is due back in court for sentencing on June 20. ***He faces up to 2-1/3 to 7 years in prison.***

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.

FIRE APPARATUS PURCHASING!

Apparatus Cab Design and Layout

Mark Miller

Fire department apparatus committee members and fire apparatus manufacturers alike have made great strides over recent years in taking full advantage of the space that's within the cab of custom fire apparatus. Whether an organization practices a Clean Cab concept or a "Cleaner Cab concept," there's significant space for both fire and EMS equipment that can enhance the operational effectiveness of the fire company greatly. Furthermore, interior cab specification items that the apparatus committee can identify can allow for the future addition of equipment that requires proper mounting and/or charging ports.

EMS COMPARTMENTS

Storage compartments for EMS equipment are, perhaps, the most common in-cab compartments that are added to fire apparatus. This simply is because most staffed fire apparatus respond to more EMS incidents than to fire incidents. Mounting options for these compartments are on the standard rear-facing seat riser or the forward-facing rear seat riser.

The apparatus committee must determine which layout, or combination thereof, best will fit the equipment that the department plans to carry. This includes compartment dimensions, shelving requirements, 12- and 120-volt power, and door type. Another question to ask: Is exterior access required for the compartment via the sidewall of the apparatus.

Most apparatus are staffed with cross-trained firefighter/paramedics. This allows for the most efficient EMS deployment model because of the strategic location of fire stations within communities. With this level of prehospital care comes an extraordinary amount of essential equipment that must not only be carried but secured. The apparatus committee must take great care to ensure that the compartment dimensions can accommodate all of the equipment that's required. Door options include netting, roll-up doors, Lexan, aluminum plate and simple straps. Security of ALS medications as well as temperature regulation must be taken into account.

Exterior door access into the EMS compartment on the rear-facing seat riser is an extremely popular option these days. It's more commonly located on the officer's side of the unit. Compartments that are in the cab extension that transverses under the forward-facing rear seat riser also are commonplace. These compartments either can include roll-up or traditional pan doors. Either way, these doors should be lockable if a medications bag is stored within the compartment. If the apparatus is equipped with electronic door locks, doors can be programmed into the system.

OVERHEAD COMPARTMENTS

Overhead storage compartments can be built into the raised roof of apparatus and can be forward- and rear-facing. These compartments are more common on heavy rescue and squad companies, but they can play a vital role in basic engine companies as well to increase valuable storage space.

Specification of overhead compartments by the apparatus committee is similar to specification of EMS compartments. However, often, the equipment that's stored in these areas is different.

We regularly see storage of ice and swift-water rescue gear in these compartments for rapid deployment at time-sensitive incidents. Meter banks for hazmat incidents usually are kept in these locations, too.

Again, electrical requirements for, in this case, charging meter banks must be taken into consideration by the apparatus committee.

Shelving and horizontal dividers also are options.

Lastly, the door options for these compartments include horizontally hinged Lexan, netting, aluminum plate and sliding Lexan doors.

Overhead storage compartments and EMS compartments are considered “bolt-on” options. With the price of purchasing new fire apparatus today, these items might need to be added later as additional funding becomes available. (Departments also might wish to add these compartments to older apparatus or to apparatus for which the mission of the unit changed. Most of these items can be fabricated locally and easily installed for a nominal cost.)

TOOLS

Interior tool mounting is another area of concern for the apparatus committee. Often, equipment that’s specific to a company’s seat-riding assignment is mounted. This includes hooks, irons, water cans, box lights, TICs and search ropes.

Tool mounting locations include the back of the engine house, the side of EMS compartments, doors, doorsteps and rear cab walls and in the cab extension on the exterior. Any equipment that’s in the cab must be mounted with approved hardware and brackets that meet rollover requirements.

Mounting plates for engine houses are another good way to ensure that equipment is secured properly. Often, these plates are constructed out of ¼-inch aluminum plate.

Other mounting systems, such as tool boards and peg boards, also are good ways to secure equipment and to allow for future addition of equipment on vertical surfaces.

When aluminum plate is used in the engine house, it’s recommended that it be mounted on a ½-inch riser, so the bottom side can be used as a wire chase. The aluminum plate is a premium location to mount map boxes, TICs, light boxes and portable batteries. Another advantage of the mounting plate: When the layout is changed over the life of a vehicle, drilling directly into the engine house isn’t necessary. This can prevent costly errors down the road.

POWER

In-cab electricity (12- or 120-volt) should be provided for the current and future needs of the apparatus that’s being designed. Members of the apparatus committee should specify whether outlets are “battery hot” or “ignition hot” and the location of each.

Also, if shoreline power is required, it must be identified by the committee in the written specification.

Cigarette lighter plugs and USB outlets are common locations for 12-volt outlets to be installed.

All of these outlets should be marine grade.

MDTS AND RADIOS

Mobile data terminals (MDT) and mobile radios are another area of concern for the apparatus committee in addressing apparatus cab design. It’s important that the MDT and mobile radio(s) be mounted so as not to obstruct the operator’s view of the officer’s side mirror.

Putting the MDT on a slide-out tray can help to bring the unit off of the dash and closer to the officer.

Other items that can be mounted in these locations include mobile radios, arrow stick controllers, Knox Box systems, preemption systems, headset controllers and AM/FM stereos.

Power requirements also must be carefully considered for these units as well as any accessories, such as GPS. Each requires its own 12-volt power supply. Note: Cowl-mounting the officer’s side mirror also can help with the operator’s view of the mirror.

ELECTRICAL COMPONENTS

I’m a proponent of allocating for future growth in apparatus design. This not only includes space but electrical components, too. With the multiplexed generation of fire apparatus, you don’t want personnel getting into the chassis wiring system if at all possible. Specifying 12-volt marine-grade power panels at various locations on the apparatus can keep this from happening. This allows for future additions without getting into the main wiring of the apparatus down the road. Additional radio power studs in the dash are another good idea and allow for future electrical growth for radio components. We often specify one being “ignition hot” and the other “battery hot” for versatility.

VEHICLE LIFETIME

Spending time at the initial stages of the specification process by the apparatus committee can allow a significant amount of customization to the interior cab at a relatively low cost. This is the case for storage of valuable fire and EMS equipment that can be safely stored or mounted. Additionally, smart dash layouts and electrical components allow for better operator visibility and modifications over the life of the unit without getting into the onboard chassis wiring.

FIRE DISTRICT/COMPANY FINANCES!

What is NYCLASS?

GENERAL INFORMATION

New York Cooperative Liquid Assets Securities System (NYCLASS) is a short-term, highly liquid investment fund, designed specifically for the public sector. NYCLASS provides the opportunity to invest funds on a cooperative basis in short-term investments that strive to prioritize safety, liquidity and yield. Appropriate for Fire District Reserve Funds.

WHO CAN PARTICIPATE?

Participation is available to any municipal corporation or special-purpose district empowered under New York state statute including counties not within the City of New York, cities, towns, villages, school districts, boards of cooperative educational services, **and fire districts**. Also eligible are county or town improvement districts where the respective county or town is required to pledge its faith and credit for the district's debt service.

NYCLASS is subject to the Municipal Cooperation Agreement Amended and Restated as of March 28, 2019 (the Agreement) and is structured in accordance with New York State General Municipal Law (GML), Article 3-A and Article 5-G, Sections 119-n and o, and Chapter 623 of the Laws of 1998. All NYCLASS investment and custodial policies are in accordance with GML, Sections 10 and 11 (as amended by Chapter 708 of the Laws of 1992). The Agreement is between the Village of Potsdam (Lead Participant) and each district and/or municipal corporation that formed the original NYCLASS fund or that subsequently elects to participate; all parties to the Agreement are collectively referred to as "the Participants."

The Agreement is administered by an elected Governing Board (the Board) of up to fifteen members. The Governing Board is responsible for:

- Administering all aspects of the Agreement.
- Entering into appropriate contracts to assist in the management of the Agreement.
- Monitoring compliance with the investment policy, maturity limitations, and reporting and disclosure requirements established under the Agreement.
- Testing the investments made pursuant to the Agreement, at least once a month, for sensitivity to changes in interest rates.
- Disclosing to Participants any rating or change in rating from a nationally recognized statistical rating organization.

A Board member must be either a Participant's Chief Fiscal Officer, other designated officer, or employee of the Participant who has knowledge and expertise in financial matters.

The Board invests cooperative funds only in securities that are legal for public funds investment in New York. The Board limits these investments to repurchase agreements collateralized at 102% with U.S. Treasury securities and agency securities backed by the full faith and credit of the U.S. Government, U.S. Treasury bills and notes, collateralized bank deposits, and other U.S. Government guaranteed obligations such as small business administration pools.

NYCLASS HAS FOUR GENERAL OBJECTIVES:

1. **Legality**
 - To invest only in investments legally permitted under New York State GML.
2. **Safety**
 - To minimize risk by managing portfolio investments to preserve principal and maintain a stable Net Asset Value (NAV).

- To maintain the highest money market rating for the NYCLASS portfolio from a nationally recognized statistical rating organization.
3. **Liquidity**
- To manage portfolio investments so cash can be available as required to finance Participants' operations.
4. **Yield**
- To enhance current income to the degree consistent with legality, safety, and liquidity.

TAKE YOUR FIRST STEP TOWARDS INVESTING IN NYCLASS!

Learn more about investing public funds on behalf of your municipal corporation. We encourage you to try out our Investment Calculator and see how much your investments could have earned if you had already started your investment journey with NYCLASS. Let us help by providing a quality investment option for your municipal corporation!

<https://newyorkclass.org/investmentcalculator/>

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 \[pdf\]](#)

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

****Expectations and Accountability: Setting Expectations, Dealing With Conflict, and Practicing Accountability [not only for chiefs, also company presidents]**

Matt Aalto

THE POWER OF CLEAR AND CONCISE EXPECTATIONS

In the fire service, clarity is paramount as it promotes safety. The primary mission is to protect lives and property. Clear expectations regarding safety protocols and procedures are the bedrock upon which this mission is built. Firefighters must know precisely what is expected of them when facing the chaos of an emergency. Unclear or ambiguous expectations can lead to confusion, errors, and dire consequences. *When expectations are unclear, aggressive behavior diminishes, and individuals' default into mere fireground robots, which is profoundly worse.* Alternatively, when setting expectations, clarity is vital regarding which ones apply to everyone and which are specific to a few individuals. The question must be asked: Are they fair, and, most importantly, are they enforceable?

In the high-stakes world of the fire service, where lives and property hang in balance, the significance of setting clear and concise expectations before holding someone accountable cannot be overstated. Determining which expectations are formal and informal can offer critical guidance to your crews. This guidance helps them manage their shifts, reduce stress, build confidence, and allows them the remaining bandwidth to provide creativity, problem-solving skills, and growth. Understand that firefighters desire to solve as many problems as possible, as quickly as possible. If the expectations of those individuals are not clear, then we've roadblocked their determination and succeeded in minimizing their impact.

Firefighters are entrusted with the safety of their communities, and accountability is a cornerstone of their profession. **Yet, a disturbing trend has emerged in recent years – conflict avoidance.** This modern dagger threatens the effectiveness and integrity of fire departments across the nation. In this article, we'll explore why setting expectations is crucial, and **how avoiding conflict can undermine the very essence of the fire service.**

EFFICIENCY IN EMERGENCY RESPONSE, TRAINING, AND RESOURCE MANAGEMENT

Clearly defined roles and responsibilities are vital for efficient and effective emergency responses. **When every firefighter knows their role, it streamlines operations and minimizes response times.** Without these expectations, freelancing or laziness ensues, and the results may lead to injuries and unpredictable outcomes. Off the fireground, firefighters continuously train to enhance their skills, a process tightly connected to expectations. Training expectations set standards for the knowledge, skills, and abilities required to perform the job. Holding firefighters accountable for their professional development ensures they remain prepared for the critical challenges they will encounter. Training expectations should also be clear and include SOPs, frequency, and feedback.

Fire departments often operate with limited resources. Expectations and accountability play a crucial role in resource management, preventing waste or misuse of equipment, time, and personnel. Proper resource allocation is essential to ensure the fire department's ability to respond to emergencies effectively. **In many cases, well-intentioned but poorly-prepared drills are a motivational killer for its members.** Providing an annual drill calendar with a substantial training budget and assigned personnel can remedy many of these problems. Creativity with internal and external instructors along with emerging trends and trade shows can stimulate growth and morale in an organization.

COMMUNITY TRUST AND PROFESSIONALISM

Firefighters are respected community figures. Our professionalism, ethics, and performance impact the trust the community affords us. Clear expectations and accountability maintain public confidence and ensure that the fire service remains a symbol of reliability and trustworthiness. The greatest risk we run as an organization is the loss of trust from our community.

CONFLICT ISN'T BAD

If you ask yourself if you enjoy conflict, the common and most predictable answer is no. At an early age, conflict is typically viewed as a negative and it's rationally understood that it would be avoided. **However, conflict fosters innovation.** When managed correctly, it can lead to creative problem-solving, constructive negotiation, and new or innovative solutions. **Conflict solving improves communication and strengthens relationships.** It can help highlight misunderstandings, incorrect perceptions, and encourages active listening which can help people gain a better understanding of each other. *One of the most compelling reasons to support an environment where conflict is viewed as a solution is to reduce the toxic effects of Groupthink. Groupthink is where members of a group strive for a consensus and avoid conflicting opinions.* When conflict is encouraged, it allows for those individual thoughts and opinions to be heard and measured against the topic. *Conflict also has another surprising health benefit which is it reduces unhealthy bottling up of feelings which can be detrimental to the mental wellness of the people involved.* Addressing conflicts as they arise can prevent the buildup of stress and anxiety.

CONFLICT AVOIDANCE – THE MODERN DAGGER

Conflict avoidance in the fire service refers to the reluctance or failure to address issues, mistakes, or violations of expectations. It occurs when Officers or Crew leaders shy away from holding individuals accountable for their actions, in the name of maintaining harmony and often arises from a desire to maintain a positive work environment and avoid difficult or uncomfortable conversations. Conflict avoidance erodes the very essence of accountability. When leaders fail to hold individuals accountable for their actions, it sends a message that deviations from expectations are acceptable. This not only undermines discipline but also endangers safety, efficiency, and professionalism. **Conflict is sometimes rooted in well-intentioned but misguided efforts to be a 'nice' leader.** However, this cultural shift can lead to weak leadership that fails to uphold standards, endangering the fire department's effectiveness. **Often, when members are asked why they are unhappy with an organization, it's because not everyone is held accountable to the same standards or in the same ways.** Sometimes it's due to favoritism, nepotism, or perhaps perception, but in many cases, it's simply because of the fear of having difficult conversations with people that they know and care about but don't want to upset. Many leaders have mastered the art of becoming conflict avoidance masters. They have found every which way to avoid a difficult conversation with the hopes that the problem will just fix itself, fade away, or be forgotten altogether. Sadly, we know this not to be true. The fire service has a very long memory and when problems arise that have unresolved issues attached to them, it becomes much more difficult to unpack that baggage. Another name for this is intractable conflict. **Intractable conflict refers to conflicts or disputes within an organization that are extremely challenging to resolve due to their**

deep-rooted nature and resistance to traditional conflict resolution methods. These conflicts can be related to issues like leadership disputes, cultural clashes, long-standing grievances, or differences in operational approaches.

THE HIDDEN COSTS OF CONFLICT AVOIDANCE

Conflict avoidance incurs hidden costs. **While it might seem like a way to maintain peace within the team, it often leads to simmering resentment and a breakdown in trust as it erodes professionalism by allowing substandard performance to persist without consequences.** Firefighters may feel disheartened and demotivated, believing that their hard work and dedication will go unnoticed or unappreciated. This has a direct impact on morale, teamwork, and culture. We must defend our culture to the teeth. Our culture is our currency, and when we choose to not deal with tough issues, we are making a cultural withdrawal with zero short- or long-term investment. We should be making cultural deposits and creating a professional department where it's okay to have these critical conversations as they come up. Only then will they become the norm and no longer be feared. Just like any other fireground activity, it may be tough to learn at first, but with practice, it becomes easier. Then when it matters the most, it's muscle memory. Conflict management works the same way. When a conflict is identified, your memory will kick in as to how you may have handled a similar situation in the past, and you are already prepared to deal with the issue. Think of it as conflict pre-planning by putting those experiences into place when the issue is present.

ESTABLISHING A CULTURE OF ACCOUNTABILITY

Fire departments must establish a culture of accountability where expectations are clear, and deviations are addressed promptly and constructively. This begins with leadership, setting the tone for accountability at all levels. Firefighters and leaders need training and education on conflict resolution, communication, and constructive feedback. Understanding how to address issues effectively is essential to overcoming conflict avoidance. Leaders must strike a balance between maintaining a positive work environment and holding individuals accountable. Supportive leadership can provide feedback and correction without initially resorting to punitive measures. If your first reaction as a leader is going straight to discipline before you even seek clarity, your people already know this about you and will act accordingly. ***If you can remove the emotion behind error and speak to the issue, understand the thought process, and consider coaching first, you will gain their respect and will then have made a cultural deposit into your organization.***

CONSISTENCY IN EXPECTATIONS AND CONSEQUENCES

Expectations must be consistently communicated and enforced. This consistency fosters a sense of fairness and trust within the team, ensuring that everyone is held to the same standards. Training is required to hone the skills required to have these conversations. ***Passive aggressiveness, intimidation, fear, and anger can all be expected, but skilled leaders will apply their focus on the individual to understand the problems and work towards a solution, not a separation. Remember, our culture is our currency.***

OUR CHANGING FIRE SERVICE –CHALLENGES & POSITIVE IDEAS!

POSITIVE IDEAS THAT MIGHT WORK FOR OTHERS:

MN Eyes 'Sprint' Paramedics to Ease Rural Shortages, Lagging Emergency Response

Jeremy Olson – Star Tribune

Lawmakers are considering spending \$6 million to test the use of "sprint" paramedics in three northern Minnesota counties and confront the state's worsening rural emergency response. ***(we call them FAST or FLY cars)***

The hope is that paramedics, roving the Iron Range and northwest lakes region in cars and trucks, could shave minutes off response times, and sort out calls that don't need fully loaded ambulances in the first place.

"Could mean the difference in surviving and not surviving," said Jim Rieber, who has led efforts to use sprint paramedics in Otter Tail and Grant counties.

When rural EMS agencies are notified about medical emergencies, they often page paid or volunteer first-responders to hustle to the station and drive ambulances to the scene. This long-standing approach is breaking down in some small towns, because the pool of first responders is shrinking and taking longer to assemble.

Sprint paramedics by comparison would drive directly to the scenes in standard vehicles and begin treatment, even with ambulances on the way.

The solution gained House approval Tuesday and is awaiting Senate action after it was proposed by a legislative task force to address problems in Minnesota's system of emergency medical services, or EMS. Lawmakers also proposed replacing the existing licensing agency, and its industry-selected leadership with an agency that features more state oversight and a commissioner appointed by the governor. **A 2022 audit found the state was lax in its existing oversight of its EMS providers.**

Newly released response time data highlights the concerns, especially when looking at the 10% of emergency ambulance runs in Minnesota that took the longest in 2023. Ambulances in Hennepin County took 13 minutes on average to respond to these longest calls once they were notified by 911 dispatchers. The average was 17 minutes in St. Louis County and 22 in Otter Tail. **In Lake of the Woods County, the average was 44 minutes.**

Rieber said response times are acceptable when local crews are available, but when they aren't, EMS agencies are relying on neighboring communities to send ambulances from miles away. That often happens when agencies send ambulances and don't have enough medics to provide backup for other calls.

Some disparity in urban and rural response times is inevitable, especially in a county such as Otter Tail that spreads over 2,000 square miles and is dotted by 20 small towns and hundreds of cabin-country lakes.

Sprint paramedics could close the gap, said Becca Huebsch, the EMS director in Perham, Minn., by being placed strategically in vehicles with life-saving equipment. Their start positions would vary each day depending on which local EMS agencies in Otter Tail and Grant counties were the most understaffed. Problems are often greatest on weekdays for small EMS agencies, because their volunteer first-responders work full-time in other communities.

Paramedics have more training than emergency medical technicians, who make up the bulk of rural ambulance crews, and can do more complex life-saving techniques such as inserting breathing tubes and intravenous lines. Depending on the type of 911 call, a sprint paramedic might be sent first to assess a patient, or at the same time as a single EMT in the nearest ambulance. If a transport to a hospital is needed, the paramedic would leave the sprint vehicle behind and monitor the patient during the ambulance ride. In some cases, the paramedic could handle treatment on scene and keep ambulances with advanced-life support equipment from being dispatched unnecessarily.

"It opens up flexibility we've never had before," Huebsch said.

Rieber said EMS agencies have been pressed since the COVID-19 pandemic, which burned out volunteer medics and thinned their ranks.

"Before, you paged (about an emergency call) and you had 20 people, and the first two people there went out," he said. "Now, you have six people left on the ambulance service, and they have already made six or eight calls that week," he said.

Sprint paramedics have gone by many names, such as fly cars and intercepting paramedics, but the concept borrows from successes at larger urban ambulance services. Fire departments in the Twin Cities often have paramedics on board fire trucks or send them ahead in separate vehicles. The University of Minnesota deploys SUVs with mobile ECMO equipment, which can maintain blood-flow and circulation for patients in cardiac arrest.

Rieber said the state's test project, including St. Louis County, would be among the first in the nation to use sprint paramedics to confront rural shortages and response challenges. When sprint paramedics aren't on calls, they would visit frail residents in the region or check those who were recently discharged from hospitals. Methodist Hospital in St. Louis Park pioneered that approach a decade ago, sending local firefighters to check on discharged patients.

EMS leaders said they are underpaid by the federal Medicare program for ambulance runs, and the state legislation isn't solving this problem. Rieber said agencies used to make up the difference through higher reimbursements by private insurers, but they have started paying at Medicare levels as well. EMS agencies also don't get paid when medics stabilize patients on scene and don't transport patients.

Rural agencies as a result can't afford sprint paramedics on their own, Huebsch said, so the goal of this test is to prove their worth and justify ways to pay in the future.

[One Oregon Fire Department To Start Training With Virtual Reality Headsets](#)

Clackamas Fire Department is getting some major upgrades thanks to virtual reality or VR. The station's brand new VR simulation program was funded by the State Homeland Security Program (SHSP) grant. The department is now the

second fire agency to use this program in the U.S., a department in Oklahoma was the first. "When you go into a virtual space, your brain thinks you're actually in there and it's pretty compelling," Division Chief Rick Huffman told KATU. "What we would do is use a scenario that is extremely high risk, that doesn't happen very often and is hard to train on." Huffman says there's not always a lot of opportunities to train on specific scenarios that don't happen in Oregon every day, and the new VR headsets help fill that gap.

CHALLENGES:

8 Md. Firefighters Injured When Car Strikes Apparatus During Interstate EMS Call

Multiple Kingsville firefighters were injured while responding to a medical emergency on a highway. Upon arriving at the scene on May 10, both the engine and squad were struck by a vehicle on I-95 South, resulting in significant damage to the apparatus, according to the Kingsville Volunteer Fire Company. The collision also led to two individuals being trapped and firefighters injured, the department stated on social media. The engine struck was placed in service in April.

Atlanta Fire Truck Hit on Highway; Firefighter Hurt

An Atlanta firefighter was injured after a vehicle struck a fire truck on a highway late Saturday night. The person driving the vehicle is being investigated for possibly being under the influence, [ANF](#) reported. There was no word on the severity of the firefighter's injuries.

BEEFING UP THE RANKS

****Winslow Township, New Jersey Closing 3 Fire Stations Due To Volunteer Firefighter Shortage**

Brandon Goldner

Winslow Township Fire Department announced Tuesday it's closing three of its stations and consolidating them into one station at the end of the year due to a lack of volunteers. The remaining volunteer firefighters at Winslow Township's stations in Tansboro, Albion and Elm will be consolidated into one "super station" at the fire headquarters along Cedar Brook Road.

"To be honest with you, it's very sad," Chief Marc Rigberg said. "It's a struggle in today's world for us to bring people in due to a variety of reasons that challenge us."

Rigberg said the reasons range from a general lack of interest in volunteering to people who want to help but work multiple jobs and simply can't keep up with the training requirements.

In fact, the number of volunteer firefighters nationwide dropped 24% between 1984 and 2020.

"This is not just a Winslow Township problem," Rigberg said. "It is a Camden County problem. It is a state of New Jersey problem, and it is a nation problem."

He said response times shouldn't be affected because the township does have career firefighters, but volunteers are still critical to supplementing their department.

Suzanne Childers lives next to the Tansboro station, and she said she's going to miss her neighbors.

"It's sad. It's going to be really sad to see them all go because I made a lot of friends there over the years," Childers said. "They're great because the guys look out for my property, the other properties around, and I look out for their property and help them out in any way I can."

RAINING 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



Presents: Managing Combination Departments Webinar

May 29, 2024 02:00 PM

JOIN THE WEBINAR AT THIS LINK:

https://us06web.zoom.us/webinar/register/WN_QIW4aPGCRihPmUtRR2Lfg#/registration



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

June 5th, 2024 at 2:00PM

JOIN THE WEBINAR AT THIS LINK:

https://us06web.zoom.us/webinar/register/WN_mp0FqjoSSpaROU1KL7iyXA#/registration



BY McNeil & Co.

Heads are Spinning on Busy Roadways ESIP WEBINAR SERIES

It's getting to be that time of the year when everyone starts to travel for vacation and there are more vehicles on the roadways. Let's review some important tips to stay safe when responding to incidents on busy roadways.

Date: 5/22/2024 Time: 7:00 PM EST

REGISTER AT THIS LINK:

<https://mcneilandcompany.us8.list-manage.com/track/click?u=03596f243a9d922954ebaf15e&id=8a4b6868d8&e=781e9a2c81>

Plus:-----

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:	Topics include:
<small>These times are all Eastern Standard Time</small>	<ul style="list-style-type: none"> Risk Management Intersection Safety Response Driving Defensive Driving Discussion regarding the hazards and challenges of vehicle operations.
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	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_YE6vp89dymWfQQD1d7q4ZRwVDbNdE8ByVmF5_856fUrB-yGihYJigwEPzCbQfCVeEoeEALHRXrk_M-dbDWBRYRtKiko1vLice_oi1AFseMKfN01xTmCmiyzyMWYur-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>



University Provides a Wealth of Training Opportunities UPDATED FOR 2023

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 aspiring firefighter is currently in critical condition after experiencing a sudden cardiac arrest. During the Citizen’s Fire Academy awards ceremony on May 9, Jakob Perez, 18, collapsed while participating in an agility demonstration at Allen’s Central Fire Station. Two paramedics standing by administered life-saving

interventions, and by the time Perez arrived at the hospital, his pulse had returned. We are glad to report that although still in critical condition in the ICU, Perez is making significant progress in his recovery.

Colorado Springs Officials to Cover Firefighters' Out-of-Pocket Expenses for Treatment of Cancer and Other Issues

Firefighters will not have to pay out-of-pocket expenses for medical treatment related to certain kinds of cancer, heart disease, and behavioral health issues.

Mayor Yemi Mobolade signed into the Colorado Firefighter Trust, allowing firefighters to get their medical expenses compensated without having to fight for workman's compensation. "Our firefighters have a 9% greater chance of being diagnosed with cancer, a 40% greater chance of dying from cancer. These first responders risk themselves for the greater good, and the last thing they should do is worry about when they face," the mayor said.

San Francisco Poised To Become First U.S. City To Ban 'Forever Chemicals' In Firefighter Gear

San Francisco is poised to become the first city in the country to issue a ban on firefighter clothing manufactured with so-called forever chemicals. **Local lawmakers are expected to pass an ordinance on Tuesday prohibiting the use of protective equipment made with per- and polyfluoroalkyl substances, or PFAS.** The long-lasting compounds do not break down, allowing them to linger almost permanently in the environment. PFAS can be ingested or absorbed into the skin and have been linked to harmful health effects, including decreased fertility, low-birth weight and developmental delays in children, a higher risk of certain cancers and increased cholesterol levels, according to the Environmental Protection Agency.

**BUILDING & FIRE CODE ISSUES – WHY ARE THEY IMPORTANT TO YOU?
 SNAPSHOT WEEKLY FIRE FATALITY DATA AS REPORTED BY THE
 MEDIA**

UNATTENDED COOKING LEADS TO UNINTENDED FIRES

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!!

CHIEFS NEED TO SPEAK UP: Our fire problem would not be as bad if there were residential sprinklers!!

HOME FIRE FATALITIES REPORTED BY THE MEDIA FROM THE US FIRE ADMINISTRATION	
Fire Deaths in 1&2 Family Dwellings in NYS	25
Last fire death 5/10/24 Ellicottville, Cattaraugus Co. Male 82, Female 80	
Fire Deaths in any type of Dwelling in NYS	52
Fire Deaths in 1&2 Family Dwellings Nationally	574
Top 3 States with the greatest 1&2 Family Deaths	#1 PA/47
	#2 TX/36
	#3 NC/30

There has been a total of **0950** civilian home fire fatalities in 2024
There were a total of **2127** residential fire fatalities reported in 2023 in the US media.
Both the states of Maryland and California require sprinklers in residential dwellings

LIVING WITH NEW GREEN TECHNOLOGY

New Bill Cracking Down On Lithium-Ion Batteries Introduced By New York Lawmakers

New York lawmakers have introduced a bill that would crack down on lithium-ion batteries, which have caused a record number of fatal fires in New York City. Rep. Ritchie Torres introduced the Setting Consumer Standards for Lithium-Ion Batteries Act on the House floor Tuesday. The bill requires the Consumer Product Safety Commission to establish a safety standard for rechargeable lithium-ion batteries used in devices like electric scooters and bikes. "Poorly manufactured lithium-ion batteries, largely imported from China, are hidden ticking time bombs waiting to detonate in American homes and communities," Torres said. CBS New York's Lisa Rozner spoke with Torres before he went on the House floor. "One of the safety standards is to require that all lithium-ion batteries conform to UL certification, to voluntary standards of certification," he said. **[EDITOR'S NOTE; HERE IS THE ISSUE I ALWAYS RAISE, WHO WILL ENFORCE THESE RULES, AND NOTE THAT THE ENFORCEMENT WILL ALWAYS TAKE PLACE AFTER THE EVENT OCCURS.]**

Oakland (CA) Port Fire at Lithium Battery Plant Contained

Sooty Nickerson – Bay Area News Group

A small fire that kicked up considerable black smoke at the Port of Oakland on Sunday has already been contained, according to a spokesperson for the Oakland Fire Department.

The fire started inside a lithium battery plant when a pile of batteries caught fire Sunday mid-afternoon. The small blaze does not pose a risk to nearby structures, authorities said. A single fire engine is still on scene dousing lingering flames with water. No broader health threats are reported from the lithium plant at this time.

*****Unintended Consequences - Residents of Rural CA Community Face Rising Fire Insurance Costs, Battery Storage Facilities***

Jaclyn Cosgrove Los Angeles Times

On five acres in Acton, Christina Weyer and her husband care for rescued senior and special-needs equines. At the moment, six horses and 13 donkeys, along with a dog and a clutter of feral cats, share the property.

In this dry, windswept rural landscape dotted with homes and ranches about 50 miles from downtown Los Angeles, wildfires have always been a threat. ***Insurers have recently hiked premiums to what residents say are unaffordable levels, as climate change worsens the frequency and intensity of the flames.***

With a proposal to build a 12-acre lithium-ion battery storage facility, as well as another proposal for a similar facility on 68 acres, residents such as Weyer worry that their slice of rural tranquility could be ruined.

Many fear what would happen if a wildfire from the nearby Angeles National Forest spreads to the battery sites, sending toxic chemicals into the air and potentially threatening the groundwater.

Save Our Rural Town, which advocates for rural communities in the Antelope Valley, is suing the L.A. County Board of ***Supervisors, which governs the unincorporated community of about 7,300, to stop the 12-acre battery proposal from Chicago-based Hecate Energy.*** Several Acton residents have donated thousands of dollars to cover the legal fees for what could be a long fight.

Weyer's main concern is for her animals. It would be near impossible, she said, to evacuate them all if a wildfire made it to a nearby battery site and sent toxic fumes their way. ***"I do not think [lithium-ion batteries] should be in anybody's backyard,"*** said Weyer, whose home sits less than a mile from one of the proposed sites. ***"But of all the places, why are you choosing somewhere that's really close to an earthquake fault, and an extremely high fire hazard area, and often very windy?"***

Renewable energy developers have identified Acton's open spaces as prime real estate because acres of lithium-ion batteries — often housed in dozens of rows of shipping containers — can be connected to a large electrical substation there. Energy would flow from wind turbines and solar farms, such as those in the nearby desert, into the batteries,

charging them during low-demand times. During peak hours, the companies would then sell the green energy to the regional grid.

Hecate's site, which according to a rendering would have 440 battery containers, could be used to power roughly 250,000 homes, according to a company representative.

"To fulfill that need, Hecate Grid undertakes a very deliberative approach to potential development," said Bobby Howard, a senior manager of development and origination at Hecate Energy. "Any proposed project must fulfill a demand for more energy, prioritize a suitable location that is close to grid infrastructure, include collaboration with private landowners and local governments, and avoid protected environmental or cultural areas." **State and local leaders view battery storage sites as an essential part of ensuring that California can meet its goal of being carbon neutral by 2045.**

Supervisor Kathryn Barger, whose district includes Acton, said state officials have made it clear that the batteries are vital to harnessing and storing power, and L.A. County is "behind the eight ball on that."

At the same time, location "is going to be important — I don't want a high concentration in one area," Barger said. Gov. Gavin Newsom recently visited a battery storage and solar facility in Winters, a small city west of Sacramento, to celebrate that California has increased its battery capacity by 1,250% since he took office in 2019.

"Our energy storage revolution is here, and it couldn't come at a more pivotal moment as we move from a grid powered by dirty fossil fuels to one powered by clean energy," Newsom said.

As part of Newsom's energy road map, lithium-ion batteries are being added to the state's electric grid at a rapid rate, with companies creating the infrastructure for the first several thousand megawatts over the last few years and making plans to install many times more over the next two decades. As the number of batteries grows, "so does the urgency to address safety," a report commissioned by the California Public Utilities Commission said.

With proper engineering, **lithium-ion battery storage sites are safe and pose little risk of starting a fire,** said Shirley Meng, a molecular engineering professor at the University of Chicago who is an expert on batteries and studies ethically sourced, recyclable materials for energy storage.

Lithium-ion batteries in smartphones have caught fire spontaneously, as in 2016 when Samsung announced a global recall of its Galaxy Note 7. The technology has improved since then, and the failure rate is now about 1 in 10 million for all types of lithium-ion batteries, Meng said.

She noted, however, that "when something bad happens, it's a catastrophe."

And the threat of groundwater contamination if a wildfire spreads to a battery site is real, because of the chemical compounds in the batteries, she said. (The headwaters of the Santa Clara River are near Acton.)

Howard said that there have been no incidents at Hecate sites and that safety features include 24/7 monitoring for fire, smoke and gas as well as systems controlling temperature and ventilation. [SO THE REMEDIATION IS ALWAYS AFTER THE FACT-AND IT ONLY TAKES ONE-ITS ALL GREAT TIL IT ISN'T]

The Acton project would also include "seismic bracing, safety zones around the perimeter, substantial setbacks from parcel boundaries, gravel breaks and a masonry wall around the facility," Howard said.

Acton residents are familiar with the risks that are the downside of life in a place with poppy-covered mountainsides and striking views of the Antelope Valley.

Their community is about seven miles from the San Andreas fault.

Its wildfire risk is higher than 97% of communities in the U.S., according to Wildfire Risk to Communities, an awareness effort led by the U.S. Forest Service.

They include Paradise, which was devastated by the Camp fire in 2018, and Malibu, which regularly burns in wildfires. When strong winds are forecast for communities at high risk of wildfires, utility officials shut off the power as a precaution. Acton residents have endured several Thanksgivings with no power. Many use wells for water and must rely on generators to run their water pumps when the power goes out. In recent months, some residents have gotten letters notifying them of huge increases in their fire insurance premiums. Chris Chacon, a real estate agent, and his wife moved to Acton in 2019 so they could have space for their two horses, Thor and Scooter. At the behest of their insurance company, the Chacons cleared 30,000 pounds of brush and created a five-foot buffer around their home so it could be certified as "wildfire prepared."

"I get the certification, I turn it in, and [my agent] is like 'OK, cool, you're gonna get renewed, but your annual premium is going from \$2,600 to \$8,800,'" Chacon said.

For some Acton residents, any added fire risk from a battery storage facility would be the last straw. Ruthie Brock runs the Acton Takes Action community task force, which is campaigning against the facilities and supports the group suing L.A. County. A retired hairstylist and salon owner nicknamed “Ruthie Brockovich” for the environmental activist portrayed by Julia Roberts in the 2000 biopic, Brock has lived in the community for 32 years. “This is the fight of our life right now,” Brock said. “If it goes through, it opens the door to all the other facilities that are trying to come in and would industrialize our rural community.” [THE GREEN ACTIVISTS DON’T CARE!]

Working with Jacqueline Ayer, an Acton resident and environmental engineer conversant in the technicalities of the proposed project, Brock marshaled about 40 community members to plead their case at an L.A. County Board of Supervisors meeting in December. Many in the group wore T-shirts that said “Don’t BESS With Acton,” an acronym for “battery energy storage system.”

The Hecate project had already received approval by county planners to move forward in the process, which includes submitting a building plan and several other steps that will be adjudicated by officials from the fire department and the building and safety department.

At the meeting, L.A. County Fire Chief Anthony C. Marrone said his agency won’t approve any project if it is unsafe and doesn’t meet fire code and national standards. “Even if you are in the very high or high fire severity danger zone, we’re going to make sure that we put things in place to make sure that the communities are not at risk,” Marrone said. [ITS ALL GREAT TIL IT ISN’T]

The initial approval process by L.A. County did not require a public hearing, a key issue raised in the Save Our Rural Town lawsuit, and the lack of community involvement remains a sore point.

Hecate’s Howard said the company has tried to engage with residents by hosting community events, sending mailers and making phone calls.

Another proposed battery storage facility run by a California company, Avantus, would be built on 68 acres of agricultural land stretching about a mile long, meandering among ranches and homes. The proposal would probably require public hearings, because the property would need to be rezoned.

Steve Kaplan, a retired elevator inspector who has lived in Acton for 28 years, has dealt with the power shutoffs, and his insurance premium recently increased by \$980. Kaplan, 63, had planned to stay in Acton for the rest of his life — but not if a battery facility comes to town. “If they put the battery thing in, I’m putting my house up for sale,” he said. “I’m thinking Montana, maybe the upper part of Arizona, but I’m not going to stay here.”

Fire at CA Energy Storage Facility Forces Evacuation Warning

Caleb Lunetta – The San Diego Union-Tribune

A fire at an energy storage facility in Otay Mesa that houses lithium-ion batteries prompted an evacuation warning for nearby businesses and shelter-in-place orders at a state prison Wednesday, a Cal Fire official said.

Inmates and staff at the Richard J. Donovan State Prison were told to shelter in place due to the potential danger of the fire. For several hours, people working in a nearby commercial park buildings and employees at the Otay Mesa Energy Center also were put under an evacuation warning, Cal Fire Capt. Brent Pascua said.

George F. Bailey Detention Center was not affected by the orders, sheriff’s officials and Pascua said. A witness reported seeing smoke rising from one of the buildings at the Gateway Energy Storage facility on Camino De La Fuente around 3:45 p.m., Pascua said.

When firefighters arrived, they didn’t immediately enter the building because lithium batteries can heat up quickly. Officials feared fire and chemicals could spread to nearby buildings, he said. **Fire crews sent a drone with a camera and an unmanned robot into the building to get an assessment of the conditions.** *The robot tested the air quality and showed it was unsafe to send firefighters into the building, he said.*

Pascua said firefighters planned to work through the night to pump water into the building’s sprinkler system.

“The building is still standing,” Pascua said. “You wouldn’t even know there’s a fire in there. Every once in a while, you see a puff of smoke come out.” Around 6:35 p.m., officials issued an evacuation warning for people within a few blocks of the Alta Road and Paseo De La Fuente intersection where the battery storage facility is located. The warning was lifted at 10:20 p.m.

“These precautions are because the batteries are so unpredictable,” Pascua said. “They react with air and water. They take a lot to extinguish, and so if there’s a lot of them, that can be a very dangerous situation.”

The cause of the fire was not immediately known. This isn't the first time a fire has ignited at a battery storage facility in the region.

In September 2023, a fire broke out at a storage site in Valley Center. Firefighters put out the blaze in about 45 minutes but businesses and homes within a quarter mile of the site were evacuated while others a half mile away were ordered to shelter in place.

The 250-megawatt Gateway Energy Storage facility is owned and operated by LS Power, a New York City-based energy company with an office in California. When it opened in 2020, Gateway was the largest battery storage project in the world.

The facility provides power by storing low-cost clean energy from midday solar production hours to be used during the evening peak demand hours, according to LS Power's website.

HAPPENING IN THE NEIGHBORHOOD

Gansevoort Fire Company Breakfast

Sunday May 19th and Sunday June 16th Father's Day from 8am to 11am

LAUGH OUT LOUD

I don't know if Facebook has ever caused the lame to walk but it sure has caused the dumb to speak!!

CLASSIFIED – FOR SALE – JOB OPENINGS

LINK TO JOB OPENINGS AT THE NY NATIONAL GUARD FOR A AIRPORT FIREFIGHTER 1 TRAINEE, GRADE 10

https://dmna.ny.gov/jobs/?id=state&fbclid=IwZXh0bgNhZW0CMTEAAR0XzMjUMx7xXJgcrQvsC7wfyUjaCAJf3WCVFNV8ot96opsuLfSr9RTVIUY_aem_AdUg_-

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NOTE: The following position(s) are not in the Classified Service of New York State, but are covered under the New York State Military Law. If selected, current Civil Service employees will lose their seniority within the Classified Service, thereby exempting them from applying for promotional exams within Civil Service.

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The Capital Area Association represents any fire district that wishes to join CAFDA. Fire District Officials include Commissioners, Treasurers, and Deputy Treasurers. Secretaries and Chiefs are also invited to participate!

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

CAFDA PO Box 242 East Schodack, NY 12063

EMAIL TREASURER: TREASURER@CAFDA.NET

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

Vital Statistics on the State Association Regions – the break out is on our web site.

CAPITAL AREA BUSINESS PARTNER'S

PLEASE SUPPORT THOSE WHO SUPPORT US!!

Business Partner Applications Available At: WWW.CAFDA.NET

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 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

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
2024				
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!
AUGUST				
NO MEETING				
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
DECEMBER				
NO MEETING				
2025				
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)				
2025				
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!
AUGUST				
NO MEETING				
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
DECEMBER				
NO MEETING				
2026				
Saturday, January 3, 2026	9:00 AM	General Membership Mtg.	Clifton Park	Organizational/Morning Meeting

OSHA INFORMATION SUPPLEMENT

NEWEST INFORMATION ALWAYS AT THE TOP IN RED

[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>

[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.

[Letter from Congressman Jared Golden from the 2nd 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,

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.votervoice.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/>.

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>

******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.

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

WEDNESDAY, May 15th: OSHA 1910.156 Information Session (Cortland)

Please join us for an ***in-person*** seminar where we'll be discussing what we know about the proposed OSHA 1910.156 Regulations. This is an opportunity for you to come and engage in discussion and ask your questions regarding the proposed legislation.

Registration Required

REGISTRATION LINK: <https://forms.office.com/r/ZyA3zzdaVu>

Location: McNeil & Company Hub, 11 Main St. Cortland, NY **Time:** 7:00 to 9:00 pm **Register:** [Click Here](#)

WEDNESDAY, May 29th: OSHA 1910.156 Update: What You Need to Know (Westchester & Rockland)

The proposed new OSHA standard will bring significant changes in how we deliver fire and EMS services in NYS. In this session we will discuss the history of OSHA 1910.156. We will look at what changes this could mean for your department and talk about how to formulate a public comment and file it. *Open to all.*

Location: Rockland County Fire Training Center, 35 Firemen's Memorial Drive, Pomona, NY **Time:** 7:00pm

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 Please include: Agency Name, Contact Person, Phone Number, and number of personnel attending.



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.

Call To Action

We are sounding the alarm **for all firefighters, EMS providers, and their communities** to flood the public comment portal by the **June 21 deadline** to let OSHA and our elected officials know that this proposal would have disastrous effects on your communities.

READ CALL TO ACTION AT THIS LINK:

<https://gma5qspab.cc.rs6.net/tn.jsp?f=001L6aLm->

[Ax7THBUrMdNSMphNIFj1WWWXRRzYxdUshoNVzVUkCq2FlyoxhE-Ayblw8OQP-](https://gma5qspab.cc.rs6.net/tn.jsp?f=001L6aLm-Ax7THBUrMdNSMphNIFj1WWWXRRzYxdUshoNVzVUkCq2FlyoxhE-Ayblw8OQP-)

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[gpTK9dENyqA1Rv5PwzXZ1xIkZP-JITscwLK8iGsQ==](https://gma5qspab.cc.rs6.net/tn.jsp?f=001L6aLm-gpTK9dENyqA1Rv5PwzXZ1xIkZP-JITscwLK8iGsQ==)

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-](https://gma5qspab.cc.rs6.net/tn.jsp?f=001L6aLm-Ax7THBUrMdNSMphNIFj1WWWXRRzYxdUshoNVzVUkCq2FlyoxhE-Ayblw8OnamjN0BiBpzyC-)

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[fFHeGl_qUJw==&ch=lefmM7sGv75CYv](https://gma5qspab.cc.rs6.net/tn.jsp?f=001L6aLm-fFHeGl_qUJw==&ch=lefmM7sGv75CYv)

Webinar: Update from OSHA on the Proposed Emergency Response Standard

Attend this NVFC webinar on **THURSDAY, May 9 at 2pm** ET to hear from OSHA staff about how volunteers would be impacted by this standard and what you can do to make your voice heard.

REGISTER FOR WEBINAR HERE:

https://gma5qspab.cc.rs6.net/tn.jsp?f=001L6aLm-Ax7THBUrMdNSMphNIFj1WWWXRRzYxdUshoNVzVUkCq2FlyoxhE-AybLw8UorDrXr2IToZDLtXqpO8jsPZsEcNvhceAz6IsYRrWvFAAI7rjBUQ2hQGeGyb0V4He5RmF33sfa ISNcaU7P2gLBcAzgTzDbk1eBGzvvAR_PY-OLZ1K2ctTDKtJ6RU55CcB0qOezxEUzSwfS0B6zCbXYwIkMEiqBaJPyeY0Lu2s=&c=LauWWHLcf9ha42GymhqekGbW4yjk_uTH862UfuVJahY7fFHeGl_qUJw==&ch=IefmM7sGv75CYvgpTK9dENyqA1Rv5PwzXZ1xIkZP-JITscwLK8iGsQ==

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>



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 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-) (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.

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>

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

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.

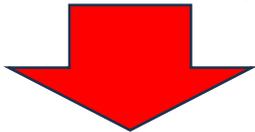
President

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-slc.gov/section-1910.156-emergency-response)

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-osha-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!!!]

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-WTKII-F5Sqw

Tom Miller and I are doing a similar webinar on **Wednesday Dec. 10th 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

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.

OSHA IS EXTENDING THE PERIOD FOR SUBMITTING COMMENTS BY 45 DAYS (Until June 21st) TO ALLOW STAKEHOLDERS INTERESTED IN THE NPRM ON EMERGENCY RESPONSE ADDITIONAL TIME TO REVIEW THE NPRM AND COLLECT INFORMATION AND DATA NECESSARY FOR COMMENT.

WRITTEN COMMENTS: You may submit comments and attachments, identified by Docket No. OSHA–2007–0073, electronically at 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 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.

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, except 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 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.

SBA Submits Request for Extension

The SBA Office of Advocacy has just submitted to regulations.gov recommending that OSHA extend the comment period for its [proposed Emergency Response rule](#) by ninety days and plan for a post comment hearing on the rule.

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

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 INROADS 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://cafdanet.com/wp-content/uploads/2024/03/Extension-Request-from-CAFDA.docx>

Posted to the CAFDA.net website.

Where To Go To Upload A Formal Comment To The Proposed Emergency Response Standard

https://www.federalregister.gov/documents/2024/02/05/2023-28203/emergency-response-standard?utm_campaign=subscription+mailing+list&utm_medium=email&utm_source=federalregister.gov

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.

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

OSHA Proposes Major Changes to Regulations for the Fire Service

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.

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 \(oshaedne.com\)](#)

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>