



CAPITAL AREA FIRE DISTRICTS ASSOCIATION



BULLETIN

AUGUST 17, 2024

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



CAPITAL SHORTS:

- NEW OSHA INFORMATION IS PRECEDED BY THE **RED ARROW**
- Legislation signed by Massachusetts Governor Maura Healey will require manufacturers to disclose if they are using per- and polyfluoroalkyl substances (PFAS)
- *Despite what was overstated at a recent Suffolk County meeting, I have no intention of returning to the State Association in any capacity. I am quite content with the direction and mission of CAFDA and feel that we are doing our best to provide information to, and educational opportunities for the 95+ members. I am happy to remain an officer of this organization and to continue to move it forward with our officers, directors, members and business partners.*

CAFDA NEWS AND OPPORTUNITIES:

WWW.CAFDA.NET



We enjoyed a great Day-at-the-Races watching the horses, making very little money, and enjoying each other's company. Some good networking went on between commissioners building a new station and a commissioner getting ready to build a new station. If you weren't there, we missed you and if you were there thanks for joining us. We'll do it again next year and hope to avoid any hurricane remnants.

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

Next General Membership Meeting, Thursday September 12th, dining at 6 Meeting at 7.

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

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

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

[Draft Fire Code Announced to Enhance Safety Standards for Battery Energy Storage Systems](#)

Governor Kathy Hochul today announced updates to the New York Fire Code that contains draft code language to address the recommendations from the Governor's Interagency Fire Safety Working Group. The draft code language includes updates and additions to improve coordination, safety and emergency preparedness in the planning of energy storage projects. As the battery energy storage system (BESS) industry evolves, the proposed recommendations will advance the safe and reliable growth of BESS capacity that is critical to the clean energy transition.

"Battery storage is a key element to building a green economy here in New York, and we have taken comprehensive efforts to ensure the proper safety standards are in place," **Governor Hochul said.** "With updating fire codes, we're ensuring that New York's clean energy transition is done safely and responsibly."

Governor Hochul convened the Working Group in 2023 to ensure the safety and security of energy storage systems, following fire incidents at facilities in Jefferson, Orange and Suffolk Counties. The Working Group was tasked with independently examining energy storage facility fires and safety standards and creating a draft Fire Code Recommendations Report.

Interested parties are invited to submit comments relating to the draft code language through the Notice of Rule in Development process with the New York Department of State by September 24, 2024. View [The Rule in Development](https://dos.ny.gov/notice-rule-development) [<https://dos.ny.gov/notice-rule-development>]

Proposed recommendations include:

- Requiring industry-funded independent peer reviews for all BESS installations exceeding energy capacity thresholds established for lithium-ion batteries;
- Requiring that qualified personnel or representatives with knowledge of the BESS installation are available for dispatch **within 15 minutes and able to arrive on scene within four hours** to provide support to local emergency responders in the event of a BESS fire.
- Extending safety signage requirements beyond the BESS unit itself to include perimeter fences or security barriers and include a map of the site, BESS enclosures, and associated equipment.
- Removing the Fire Code exemption for BESS projects owned or operated by electrical utilities to ensure that all projects comply with the Fire Code.
- Including a requirement that every BESS facility is equipped with an Emergency Response Plan (ERP) and requiring site-specific training to be offered for local fire departments to familiarize them with the project, hazards associated with BESS, and procedures outlined in the ERP.
- Including a Fire Code requirement in all BESS installations for monitoring of fire detection systems by a central station service alarm system to ensure timely, proper notification to the local fire department in the event of a fire alarm.
- Introducing a new provision in the Fire Code mandating regular industry-funded special inspections for BESS installations to ensure thorough safety and compliance.

The Working Group collaborated with national labs and other nation-leading subject matter experts to review all existing codes and testing procedures pertinent to the development and electrification of battery energy storage systems and create a draft Fire Code Recommendations Report. In early 2024, NYSERDA requested public comment from subject matter experts and interested stakeholders to provide feedback on the Report. Comments were received, reviewed and incorporated where appropriate by the Working Group.

View the final recommendations from [The Working Group](https://www.nyserdera.ny.gov/All-Programs/Energy-Storage-Program/New-York-Inter-Agency-Fire-Safety-Working-Group). [<https://www.nyserdera.ny.gov/All-Programs/Energy-Storage-Program/New-York-Inter-Agency-Fire-Safety-Working-Group>]

ScoreCard

- Just waiting for bills that passed the Assembly and Senate to be sent to the Governor for signature.

OTHER FIRE SERVICE ORGANIZATION NEWS

ASSOCIATION OF FIRE DISTRICTS OF THE STATE OF NEW YORK

2024 Annual Meeting and Leadership Expo

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

REGISTRATION IS NOW OPEN AT THIS LINK:

https://mms.afdsny.org/members/evr/reg_event.php?orgcode=FDNY&evid=40809591

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

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

Reservation deadline: September 18, 2024

IF NOTHING ELSE READ THE ARTICLES PRECEDED BY **

THE LATEST FROM WASHINGTON

NVFC Testifies Before House Committee on Education and the Workforce Regarding OSHA

July 30, 2024

The House of Representative's Education and the Workforce Committee's Subcommittee on Workforce Protections held a hearing on July 24 titled "Safeguarding Workers and Employers from OSHA Overreach and Skewed Priorities." Chief Tim Bradley, a National Volunteer Fire Council (NVFC) director from North Carolina, testified on the NVFC's behalf.

In his testimony, Bradley stated that the NVFC appreciates the Occupational Safety and Health Administration's (OSHA) efforts to promote our mutual goal of ensuring firefighter safety by putting forth the proposed Emergency Response Standard. The NVFC believes the proposed standard contains many provisions that would serve the fire service well and protect the wellbeing of firefighters. However, if adopted as written, this proposed standard would be economically infeasible for volunteer fire departments to comply with and could cause many of these departments to shut down. The proposed standard could also compromise the safety and emergency response capabilities of many small communities, particularly those in rural areas.

Bradley further explained that in addition to its economic infeasibility, the proposed standard would be problematic due to a number of other factors including: the incorporation by reference of industry consensus standards, numerous ambiguities on how volunteers would be covered, the lack of personnel expertise and availability to facilitate implementation, and an unrealistic proposed timeline for implementation. For these reasons, the NVFC is asking OSHA to exempt volunteer firefighters from the proposed standard, as written, and work with the organization on a better way to ensure volunteer firefighter safety.

The House Committee on Education and the Workforce has oversight of the Department of Labor and OSHA. This hearing and the NVFC's testimony will do a great deal to draw attention to the volunteer fire service's concerns regarding the Emergency Response Standard and show that Congress is actively engaged in monitoring this proposed standard. Watch the hearing [here](https://www.youtube.com/watch?v=9aSFVcbCVcC) (<https://www.youtube.com/watch?v=9aSFVcbCVcC>) and read the NVFC's written testimony [here](https://efaidnbmnnnibpajpcglclefindmkaj/https://edworkforce.house.gov/uploadedfiles/bradley_testimony.pdf).
(chrome-extension://efaidnbmnnnibpajpcglclefindmkaj/https://edworkforce.house.gov/uploadedfiles/bradley_testimony.pdf)

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

AUDIT LEGAL NOTICE AND RESPONSE REQUIREMENTS

Reprint from the AFDSNY Fire District Affairs

By this time of year, many fire districts have received their audit reports from external auditors. These reports, which audit the finances of the prior (2023) fiscal year, are due by the end of June. Under General Municipal Law §35, fire districts that receive an external audit report must publish a legal notice to inform the public. This notice is required whether the audit is conducted by an external auditor or by the Office of the State Comptroller. Once the report is filed with the Fire District Secretary, it is the Secretary's responsibility to arrange for the publication of the legal notice and to provide a copy of the report to the Board of Fire Commissioners. The notice must be published within 10 days of the report filing.

The format for the Audit Report Legal Notice can be found on our website under Sample Forms and listed as form https://www.afdsny.org/sample_forms_and_policies.php policy number 36

It is best practice to obtain an affidavit of publication when the notice is published as proof of publication.

When the report is issued by the Office of the State Comptroller it may be for a time period other than a prior fiscal year and the notice must specify the period stated in the audit report.

A copy of the actual report of external audit is also filed with the Office of the State Comptroller, and the town clerk of each town in which the district is situated.

As noted in the legal notice the Board must prepare a response and corrective action plan to address the findings of the auditor. The fire district must also implement the corrective action plan. One objective of the Board in the audit

process should always be to implement corrective action so that the same criticism is not made in subsequent annual audits.

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 DISTRICT FINANCES

[FIRE DISTRICT BUDGET CALENDAR FOR 2024 CAN BE FOUND AT THIS LINK ON THE CAFDA WEBSITE:](https://cafda.net/fire-district-budget-calendar-for-2024/)

<https://cafda.net/fire-district-budget-calendar-for-2024/>

The 2025 Tax Cap will remain at 2% for fire districts

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

FIRE APPARATUS TALK

Apparatus Innovations: Refurbish, Remount, Replace

Jeffrey D. Gaskin

It's time to replace a vehicle that's in the fleet. Do you buy new? Can you afford to buy new? If the answer is no, then you need to look at what your refurbishing options are.

[NFPA 1912: Standard for Fire Apparatus Refurbishing](#) is the document that you must consult for a refurbishment project. The NFPA uses two classifications for refurbishment that are based on the amount and type of work to be done. They are:

- 3.3.42.1 Level I Refurbishing. The assembly of a new fire apparatus by the use of a new chassis frame, driving and crew compartment, front axle, steering and suspension components, and the use of either new components or components from an existing apparatus for the remainder of the apparatus.
- 3.3.42.2 Level II Refurbishing. The upgrade of major components or systems of a fire apparatus with components or systems that comply with the applicable standards in effect at the time the original apparatus was manufactured.

Both of the options have further guidance in Annex A that should be read. Note that neither one of these options mentions the engine, transmission and drive axle. In a Level I refurbishment, these aren't mentioned purposely, so that the "glider kit" option remains as a choice. Level II doesn't reach that level of work.

SCRUTINY

"Remount" usually isn't used with fire apparatus, but it's common in the EMS world. Many ambulance companies operate on the premise that the body of the ambulance will be "remounted" twice. This means that an ambulance

body will be in service on three cab and chassis assemblies before the end of its projected lifespan. Is this feasible for fire apparatus? Three cab and chassis assemblies? Probably not. Two? Maybe.

Like so many other decisions that you must make about fleet management, this isn't a cut and dried scenario. A remount uses parts and components from your existing apparatus, but it involves an entirely new cab and chassis assembly.

For the purposes of illustration, I will use a triple combination pumper as an example.

Deciding which of the refurbishing options that you choose begins with inspection and understanding of the apparatus that's under consideration for refurbishment.

Your intention might be to do a Level II refurbishment, but conditions that are found when the apparatus is surveyed might indicate that refurbishment is impractical and ill-advised.

Where do you begin? Start by reading The Apparatus Architect article, "[Fleet Alternatives to Buying New](#)". Excellent information and considerations are highlighted.

The next step in the process is to look at the apparatus that's being considered for refurbishment with a critical eye.

Does the vehicle still service the operational needs of your department? In conjunction with this, do the pump and its components meet your needs? Are upgrades to the pump and its components needed to meet current operational needs? What are your "wish list" upgrades, if any?

Does the compartment body meet the currents need for tool and equipment storage? If not, what changes are needed? Send a sample of the motor oil, transmission fluid (automatic or manual), pump transmission fluid and rear end fluid to a laboratory for analysis. The comprehensive information that you get back will show whether there is a developing problem with these major components that could add significant cost to the refurbishment. This can include something that must be rebuilt or replaced that you didn't consider.

Perform a detailed physical inspection of the apparatus and its components. Are the apparatus chassis rails rust-jacked or deteriorated to the point that they must be replaced? Are there structural issues with the compartment body, pump house and/or cab?

Review the annual test reports for the past five years and the vehicle maintenance records for the past three years for the vehicle. Look for recurring problems and decreased performance.

COSTS

Budget drives every decision that we make with fleet services. All of the considerations and questions that are referenced above have a cost that's associated with them. Although almost everything is repairable, and almost any changes can be made, the question is, does the repair or change make sense operationally and economically?

A realistic budget must be set for the project. This helps to ensure that the refurbishment project is a success and that the finished product meets your apparatus needs. That said, cost is a difficult thing to quantify. If you're looking for general guidelines, SVI Trucks, through its [SVI Refurb](#) group, provides helpful information.

In general terms, a remount that falls under the NFPA Level I Refurbishing guidelines will be the most expensive option, followed by a more traditional Level I or glider kit project. The least costly option most likely will be a Level II refurbishment.

Having been involved in several refurbishment projects, I can offer this insight:

- From a budgeting standpoint, always budget a minimum of 25 percent more than what the refurbishment center that you will use told you that the project will cost. There always will be additional work that's needed that wasn't detected until the apparatus is disassembled.
- If you refurbish an aerial device, go back to the original manufacturer. Let the people who engineered that aerial device supervise the refurbishment work.
- If the manufacturer of the apparatus that's being considered for refurbishment is out of business, don't waste your money.
- If the apparatus was a marginal vehicle before it was refurbished, it will be a marginal vehicle after it's refurbished. If the apparatus was a good vehicle prior to it being refurbished, it will be a good vehicle after it's refurbished.

Good planning is the key to it all.

STEP INTO THE CHIEF'S OFFICE

Command & Control Success: Command Considerations

Curt Isakson

Communication is crucial in regard to fires. Communication to occupants that there's a fire is more critical than ever based on today's fire growth rate and less time to evacuate. The smoke that's produced today is deadlier than ever and in a shorter period of time. In the past, firefighters and civilians could take in some brown smoke from Class A combustibles. They can't take in that same amount today because of the hydrocarbon fuels that occupy almost every building, regardless of building classification. This emphasizes the importance of not only smoke detectors but monitored alarm systems that activate the 9-1-1 system, so as to not delay the response of firefighting forces. When a department is dispatched to a fire and the communication center announces that an incident initially was reported from an activated alarm, this hopefully signifies that there was less of a delay on notification to a potential fire. On the other hand, when a department is dispatched to a fire that initially came in via 9-1-1 callers, responding fireground commanders (FGCs) must consider that there might have been a delay in notification of the incident.

Years ago, shortly after midnight, a fire in a church that was located on a two-lane highway that had very little traffic was reported via a single 9-1-1 caller who observed a glow that was emanating from the rear and heavy smoke surrounding it.

While responding, and knowing that the communications center was reporting that a lone 9-1-1 caller was describing smoke and flames, I thought about the delay in notification and that the fire already might be self-venting. How a fire is communicated is a big part of the pre-arrival size-up to determine the strategy and tactics (and their order) that potentially are necessary for command success.

Time of day, day of the week and week of the year also are big factors regarding potential challenges. In addition to potentially determining notification time, they also determine occupancy numbers of a given building and/or travel time. This should be considered in regard to fire growth before the arrival of firefighting forces.

Another example: a serious fire in a vacant motel (Type 5). The fire occurred last Saturday before public schools and colleges returned for the fall. It was 7 p.m.,

one hour before sunset. The day of the week, week of the year and the time of day determined available water supply: Visitors getting in one last weekend at the beach before school started—taking showers/rinsing off the salt water—caused all of the above-ground water tanks to be empty.

When Tower 13 set up for master stream operations, there only was a very weak fire stream because of very low water pressure. The first hydrant (located in front of the building) provided less than 500 gpm. To make matters worse, wind speed was 20 mph or faster. These two factors determined an immediate need for the water department to boost pressure and for a request for tenders to respond.

With a large, fast-spreading fire in a vacant, wood-frame motel and significant exposure issues, a strategy that would work with a limited water supply in regard to the required fire flow needs was critical. In addition, a large number of people who occupied exposures and of spectators required consideration on deployment of resources and communicating the strategy, so all of the firefighting resources were on the same page, working toward stabilizing the incident. As the FGC, I had to communicate in a way that provided command presence and showed confidence. The sooner that the FGC determines the resources and logistics that are necessary for a given fire, the quicker that the FGC can request the resources and logistics from the communication center.

RADIO & FACE-TO-FACE

One of the most important tools that an FGC has is the mobile and/or portable radio to request resources, to communicate what's required of firefighting resources and to deploy them to support the overall strategy of extinguishing the fire. That said, the FGC must have a plan and immediately sound off the plan, utilizing fire companies to complete specific tactics that support other tactics that are carried out by other fire companies. These tactics might be done systematically and/or simultaneously.

When appropriate, the FGC should be as visible as possible to as many firefighting and other resources as possible. Communication then becomes audible, as command assignments are given over the radio. Note: Even when command assignments can be given face to face, sometimes, they should be communicated over the radio, so other firefighters and fire companies are aware that other tactics that support their tactical assignments are being assigned.

Of course, the FGC is only part of the two-way communication. There must be a receiver who hears and acknowledges the message, either through repeating it back or through the action of carrying out the command. This

is another reason why it helps that the FGC be in a position that provides the best view of the fireground. At a recent multi-alarm fire in an apartment building, I positioned myself in such a way. A few times, I observed that my message wasn't received by the firefighters, engineers and/or officers: Their actions didn't reflect my instruction. This immediately informed me to give the command assignment again and then request confirmation that the command was received.

MULTIPLE RADIOS

When operating outside of the command vehicle and/or remote from it, it's critical for the FGC to carry a minimum of two portable radios. This allows the FGC to have one radio on the command channel and another on the tactical channel, the latter to command firefighters/fire companies. I prefer this radio to be in a radio sling that's under my coat. This allows me to not delay if relieved of command and assigned as an interior or operations chief.

The second radio is in my coat pocket, or I hold it, depending on my current actions. I utilize this radio to request more resources, to communicate with responding resources and, when possible, to communicate anything that doesn't relate tactically but supports the strategy of fire extinguishment. This minimizes the radio traffic that operating firefighters and fire companies must process. When firefighters operate in the immediately dangerous to life and health (IDLH) environment/interior of a building fire, it's vital to minimize unnecessary radio traffic that they hear. This allows them to focus on the task at hand and also provides a higher probability that they keep their portable radio turned up and receive critical messages.

THE BATTLEFIELD

Once you are dispatched, you start to consider information that's reported to construct your playbook for the incident. Time is limited. Time-compressed decision-making under various challenges, such as sleep deprivation, is part of the job.

A key consideration is the building that's reported to be on fire, its type of construction, and intended occupancy versus potential occupancy at the time of fire. Floor plan design and fixed fire protection systems are among a variety of considerations, particularly anytime that a building was converted to a different occupancy/use. When a building was converted, more times than not, it was converted to a larger occupancy, which increases the odds of injury or death for trapped occupants. With this, the FGC must consider what resources are needed compared with that which would be required based on an original dispatch that pertains to old information.

In July 2024, my department and I responded in the middle of the night to a multi-alarm fire at a former motel that was converted to permanent living/apartments with rear additions. Further, in the rear of the building, people were living in a motor home that was converted to permanent living, and there were campers/squatters. In total, the density of people was way beyond what it was in previous years when people stayed temporarily.

The building was 70 years old. It was constructed of cinderblock. It had tongue & groove ceilings and a flat, gravel roof. A medium-pitch metal rain roof was added onto the gravel roof.

The units in the building still were the size of standard motel rooms, but they contained all of the things that people who live permanently in an apartment have. So, the fire load and egress issues increased within the same square footage. These factors also caused challenges/delays for both the fire attack team and the search team. Numerous separate units required command to consider the number of fire attack teams, search teams, vent teams and rapid intervention teams (RITs).

Breaching a wall wasn't realistic. Breaching a cinderblock or concrete wall is totally different than breaching a wood-frame wall that's covered with gypsum wallboard or plasterboard. Also, attacking fire that started in or spread to an attic is more challenging based on the tongue & groove compared with a newer gypsum wallboard or plasterboard ceiling. The metal roof added another compartment that might require fire attack. So, pulling ceilings, cutting the roof and getting water into the additional attic space presented a more challenging, more time-consuming operation. It's important to be ready and consciously realize when there's a need to deviate from traditional tactics—for example, utilizing a cellar nozzle or attic nozzle—to extinguish fire in void spaces with limited resources in a shorter period of time.

Also, take into consideration that a metal roof of this type probably won't self-vent and burn away. It potentially will cause more of a collapse hazard than a lightweight wood decking roof does. This causes a greater risk of entrapment to firefighters who operate under it. This increases the need for a well-trained RIT. The FGC also might consider two RITs, to stage in front of and in the rear of the building.

The tools that are carried must be considered. If firefighters become trapped, how long have they been operating on air, how much air do they have left and how long will it take to reach them with an additional supply?

LESSONS REINFORCED

The incident at the converted motel had active fire in numerous units, with heavy smoke pushing from the entire building. A large amount of fire and glow showed from the rear of the building on arrival. Because the building lacked a monitored alarm system and the incident occurred in the middle of the night, the fire had a longer burn time before the communications office was notified of the fire.

I arrived simultaneously with the first engine company. We both observed a large number of people exiting numerous units through a significant amount of smoke. This presented me with additional information to consider. I immediately requested a second alarm for more resources (including numerous search teams to search simultaneously) because of the large number of people who might need to be rescued, removed and, possibly, resuscitated. This resource is above and beyond the need for numerous attack lines in different units.

Also taken into consideration: This was a contiguous structure that was rather wide, and access to the rear was more challenging than that of an average private dwelling. A large number of the units didn't have rear doors, which hampered access to the rear even more.

Once I started to assign fire companies to fire attack (supported by forcible entry personnel where needed, search team members, ventilation crews, RIT personnel, water supply and the command team), the first-alarm and second-alarm fire companies were assigned, or all-hands operating, as some departments call it. This doesn't cover if one or more unconscious civilians and others who need medical care must be removed. Furthermore, this doesn't account for some type of significant event (e.g., an explosion, collapse or trapped firefighter, which would require more than the original assigned RIT) nor that it was very hot and humid that night, which caused more rapid fatigue of operating firefighters.

Based on experiences that I described in a previous Command & Control Success column, "[Depth on the Bench](#)," I rapidly requested a third alarm. I also took into consideration the time, distance and travel of the third-alarm companies, based on us being a county department that's spread over 664 square miles.

We must operate like the sports teams that have backup players and relief players in the event that a game goes into overtime. We also must operate like the marching band and play from one sheet of music, stay in tune and follow the band director, who's reading the music.

OUR CHANGING FIRE SERVICE –CHALLENGES & POSITIVE IDEAS!

POSITIVE OUTCOMES

FIRE SERVICE CHALLENGES

[Firefighters on Medical Call Declare Emergency After Shots Fired at Kansas City \(MO\) Apartment](#)

Firefighters declared a crew emergency and requested police to respond after hearing shots being fired outside or in the lobby of the building at 400 East Armour Blvd. in the Hyde Park area, said Battalion Chief Michael Hopkins, a spokesman for the Kansas City Fire Department.

The crew also asked that additional crews and resources be sent to the scene. Hopkins said the initial fire crew then treated and took one person to the hospital with critical injuries.

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



Human Trafficking Awareness ESIP WEBINAR SERIES

There are estimated to be more than 27.6 million people — adults and children — subjected to human trafficking around the world, including in the United States. We want to raise awareness about human trafficking and to educate First Responders about how to identify and report these crimes.

Wednesday 8/21/24 at 7PM

REGISTER AT THIS FOLLOWING LINK:

<https://mcneilandcompany.us8.list-manage.com/track/click?u=03596f243a9d922954ebaf15e&id=44a662f318&e=781e9a2c81>

NATIONAL VOLUNTEER FIRE COUNCIL – TRAINING TIMES – COURSES/WEBINARS/EVENTS

LINK TO THE VIRTUAL CLASSROOM: https://virtualclassroom.nvfc.org/featured_courses



Webinar - Finding Future Firefighters: Recruiting and Retaining Gen Z

Move over millennials, there's a new kid in town. Generation Z - those born between 1997-2012 - are becoming young adults. Harnessing the energy and potential of Gen Z volunteers is crucial for organizational success. This session will explore the unique characteristics, motivations, and communication preferences of Gen Z individuals to equip you with the tools necessary to attract and retain this dynamic demographic. From leveraging social media platforms to understanding their passion for purpose-driven initiatives, participants will explore innovative strategies tailored to effectively recruit and empower Gen Z volunteers.

REGISTER AT THIS LINK: 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_856f_UrB-yGihYJigwEPzCbQfCVeEoEALHRXrk_M-dbDWBRYRtKiko1vLice_oi1AFseMKfN01xTmCmivyMwYur-39p1T1V2_yChO2C2F1_fJn94LviwwZ3Aag==&c=AmhECQ6uFruSlwrKRKspNlivi3NWEIzhZOrf3KrFnUis83Dp1Q1JdQ==&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>



NEW online, self-study course at The National Fire Academy

The National Fire Academy announces the release of a new, on-line, self-study course *Introduction to Energy Systems (ESS)* (course code Q0757). Many of the modern devices that we use daily rely on some type of electrical source to power their operation. Many device manufacturers are using batteries to allow mobility and function without

connection to the electrical power grid. In this course, you will learn to recognize energy storage system (ESS) concepts and principles so you can analyze the hazards involved with ESS incidents.

After completing this course, you will be able to:

- Define an energy storage system (ESS)
- Recognize hazards associated with ESS
- Associate chemical ESS hazards with Lithium-Ion-Battery Energy Storage Systems (LiBESS)
- Associate thermal ESS hazards with LiBESS
- Identify response consideration during LiBESS incidents
- Identify the post-incident operations following an ESS response

APPLY ON-LINE NOW AT THIS LINK:

<https://links->

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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>

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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 **33** FIRE FIGHTER LODD'S*

*According to FirefighterCloseCalls.com**

In 2023 we experienced 82 LODDs reported nationally.

YOU NEVER KNOW!

- Paramedic Mark Gibson, 56, who was treating the patient in the ambulance and the driver of a Nissan, Janet Chapman, 67, were killed in a head on collision
- U.S. Forest Service firefighter Justin “Riley” Shaw, 26, is in critical condition at Providence Sacred Heart Medical Center’s ICU as a result of being struck by a falling tree, he is suffering from a traumatic brain injury and multiple broken bones.
- Supervising Fire Marshal George Snyder, 53 who was in charge of investigating lithium-ion battery fires across the city has died of a heart attack.
- 23 year old Firefighter Thomas Berry III was killed when he stopped to render aid to the vehicle occupants. Berry, a logistics technician with Sussex Count, Delaware Emergency Medical Services, also was a member of Georgetown, Delaware Fire Company.
- 45 year old Matthew Forand a New Bedford, Massachusetts firefighter died while on duty of a medical emergency. A father of two, had received multiple awards for rescuing people during his time as a firefighter.

BUILDING CODE, FIRE FATALITIES, AND FIREFIGHTER INJURIES – A LINK!

Y'a know, if we had sprinklers in 1 & 2 family homes by now the death toll of 700+ would be a hell of a lot less and fewer firefighters would be injured. But because builders and realtors make big contributions to politicians, sprinklers have been negotiated out of the Code!!

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	32
Last fire death 7/27/24 Ballston Spa, Saratoga Co., female 84	
Fire Deaths in any type of Dwelling in NYS	68
Fire Deaths in 1&2 Family Dwellings Nationally	799
Top 3 States with the greatest 1&2 Family Deaths	#1 PA/58
	#2 TX/51
	#3 CA/41
There has been a total of 1303 civilian home fire fatalities in 2024	
There were a total of 2127 residential fire fatalities reported in 2023 in the US media.	
We are in Week 29 of 2024, fire has claimed on an average 26 lives PER WEEK, perhaps OSHA should examine that death toll.	
Both the states of Maryland and California require sprinklers in residential dwellings	

LIVING WITH NEW GREEN TECHNOLOGY

Mercedes-Benz EQS Explosion Sends 23 to Hospital in South Korea

Owen Bellwood

More than 20 people are in hospital after a Mercedes-Benz electric car burst into flames in a South Korean parking garage. The car exploded and damaged more than 100 cars parked nearby. The fire released a cloud of toxic smoke into the building above, which left 23 people in need of medical attention.

The Mercedes-Benz EQE sedan was captured exploding in a parking garage in South Korea. The spontaneous fire on the electric car started while it was parked up in an underground garage in the city of Incheon, which is about 20 miles outside of the capital city of Seoul, South Korea.

The car initially started smoking, billowing plumes of white smoke into the underground garage for several seconds before a burst of bright orange fire erupted from the front of the Mercedes EQE. The EV was reportedly not charging at the time of the blaze.

The EQE fire caused damage to some 140 cars (of which 70 had more significant damage) that were parked on the same floor, and 23 people who lived in the building above were hospitalized for smoke inhalation. According to Korea JoongAng Daily, a total of 103 people were initially evacuated from the nearby buildings after they started filling up with black smoke.

The fire was so strong that it affected the electricity grid not only in the building where it happened but for the entire building complex. Later reports said that almost 500 households were without power and water for five days after the incident.

As a result of the smoke released by the fire, more than 200 residents were evacuated from their apartments and nearly half of those asked to vacate the premises had to be rescued from stairs and balconies by firefighters.

Mercedes-Benz Korea initially commented on the blaze, releasing a statement saying that it was working to “collaborate with fire authorities to determine the exact cause.” Local police and fire departments have already launched an investigation into the blaze, with some speculation suggesting that an earlier crash with the Mercedes may have compromised its power pack.

The Korean-spec EQE comes with a different power pack compared with its North American counterpart. In Asia, the car is sold with a nickel cobalt manganese pack that is sourced from Chinese Farasis Energy, while American models pack a CATL-sourced lithium-ion battery pack with a capacity of 90.6 kWh. Electric vehicle fires are notoriously tricky to get under control. In the past, firefighters have been forced to use more than 36,000 gallons of water to extinguish an EV blaze and warnings have repeatedly been made that firefighters aren’t prepared to deal with an onslaught of EV fires.

HAPPEN’N IN THE NEIGHBORHOOD

Groundbreaking Ceremony for Glenville Hill Fire Station

The Glenville Hill Fire District No. 8 will be conducting a groundbreaking on **August 20th at 1pm** for the construction of an upgraded fire station adjacent to their existing building located at 1086 Church Road in Glenville. The new building project recently approved earlier this year by District residents is valued at \$4.48 million dollars and will include 3 apparatus bays, a decontamination area and a firematic training mezzanine. The GHFD8 has provided Fire, EMS and wildland search and rescue to a rural 11.2 square mile community as well as providing mutual aid to neighboring departments since 1954. All fire District residents, neighboring fire departments and the public are invited to attend. Refreshments will be served.

Perth Volunteer Fire Department Cornhole Tournament

Perth Fire Station, 4080 State Highway 30, Amsterdam, NY
Saturday, September 21st.

Text or Call 518-866-1606 To Register

Airmail Challenge!!

Raffles-Cash Prizes-Drinks-Monty’s Food Truck on Site

[SEE ATTACHED SPONSOR LETTER FOR AREA BUSINESS](#)

<https://cafda.net/wp-content/uploads/2024/07/cornhole-sponsorship-letter.docx>

NASCAR First Responder Appreciation Day at Watkins Glen International

Join [NASCAR](#) on September 15 at Watkins Glen International for First Responder Appreciation Day! First responders and their friends and families can purchase tickets through this [special offer](#).

LEARN MORE AND PURCHASE TICKETS AT THIS LINK:

<https://fevo-enterprise.com/event/Watkinsglen66>

LAUGH OUT LOUD!!

Once you're in heaven, do you get stuck wearing the clothes you were buried in for
eternity?

and

Why do people pay to go up tall buildings and then put money in binoculars to look at things
on the ground?

ON THE LIGHTER SIDE

Sliding Down History: The Evolution And Legacy Of The Firehouse Pole

Rachel Engel

The iconic firehouse pole, a symbol synonymous with the fire service's quick response, has an intriguing history that reflects the ingenuity and evolving needs of the industry and its members over the years. This simple yet effective tool revolutionized the way firefighters responded to emergencies, significantly reducing response times and thereby saving countless lives.

THE BEGINNINGS OF A LIFESAVER

The [firehouse pole's origin](#) dates to the late 19th century, a period of rapid urban growth and technological advancements in the United States. Before the pole's invention, firefighters used stairs to descend from their living quarters, typically located on the upper floors of the fire station, to the ground floor where their equipment and fire engines were kept. This method, however, proved to be slow and cumbersome during emergencies.

💡 | DID YOU KNOW? Prior to the invention of the fire pole, many firehouses were equipped with spiral staircases to prevent the horses from climbing the stairs.

An unexpected solution was discovered in 1878 when Chicago Fire Department Captain David Kenyon, a member of the all-black Engine Company No. 21, observed fellow Firefighter George Reid sliding down a wooden pole used to move the horse's hay from the top floor in the firehouse. Inspired by Reid's swift descent, Kenyon saw the potential for using a pole to speed up the response time during fire alarms.

After convincing his chief and agreeing to personally pay for the cost of maintenance, Kenyon installed a 3-inch diameter wooden pole, coated with varnish and a coat of paraffin, from the hayloft to the ground floor. This innovation allowed firefighters to slide down quickly rather than taking the stairs, thus shaving precious seconds off their response time. While the idea was initially met with skepticism from others in the department, Kenyon eventually led the installation of fire poles in all CFD firehouses after it became clear the invention was a literal lifesaver.

UPGRADING FROM WOOD TO BRASS POLES

The early wooden poles, while effective, had their drawbacks. They could splinter and degrade over time, posing a safety risk to the firefighters. The solution came in 1880 when the first brass pole was installed in Worcester Fire Department's Engine Company No. 1. Brass, being smoother and more durable than wood, provided a safer and faster descent, and marked the beginning of a new era in fire station design.

By the early 20th century, brass poles became standard equipment in firehouses across the United States. Their installation required some structural modifications to fire stations, including the addition of a hole through the floor and reinforced landings to handle the weight and impact of firefighters in full gear.

THE FIRE POLE'S IMPACT ON FIREFIGHTING EFFICIENCY

The adoption of fire poles had a profound impact on the efficiency of fire departments. Studies from the early 20th century indicated that the use of poles could reduce the time it took for firefighters to respond to an alarm by up to 30 seconds. In situations where every second counts, this reduction was significant, enhancing the fire department's ability to save lives and property.

The efficiency of the fire pole was not just in the time saved descending but also in the smooth transition from rest to action. Firefighters, often awakened from deep sleep, found the pole to be a quick and reliable way to get from their dormitories to the apparatus floor without the disorientation that could come from rushing down a staircase.

MODERN CHANGES AND SAFETY CONSIDERATIONS

As with any longstanding tradition, the use of fire poles has come under scrutiny in recent years due to safety concerns. Injuries from sliding down poles, including broken limbs and strains, has prompted many fire departments to reconsider their use. Modern fire stations are increasingly designed with sliding poles replaced by fire poles with more safety features or even eliminated altogether in favor of sliding chutes, improved stair designs that allow for rapid descent or single-level firehouses.

Despite these changes, many traditional firehouses still retain their poles, and they remain a cultural icon of the fire service. The image of firefighters sliding down a pole, ready to face the dangers of their job, continues to inspire the public and remains a powerful symbol of the readiness and bravery that defines the profession.

THE FIRE POLE'S LEGACY AND FUTURE

What began as a simple solution to a practical problem has become a historical emblem of firefighting. While modern advancements may eventually phase out the use of poles, their memory will endure as a reminder of the innovative spirit that drives the continuous evolution of emergency services.

The firehouse pole is more than just a method of descent; it is a symbol of the commitment to efficiency and safety that characterizes the fire service. From its humble beginnings in a Chicago firehouse to its iconic status today, the firehouse pole represents the enduring legacy of innovation in the pursuit of saving lives and protecting communities.

[EDITOR'S NOTE: As a career firefighter in Montgomery County, Maryland the story about the fire pole brings back fond memories. I was usually assigned to the truck company and my bed was right next to the pole in the bunk room, when the bells rang and the lights went on it was easier to slide down the pole than to get your legs working to hustle down the stairs. We had two bunk rooms on the second floor, both had fire poles which descended into the apparatus bays at Engine/Truck 6 in Bethesda, MD.]

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Legal Counsel: Greg Serio, Safety Officer, Verdoy Fire District*

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](mailto:TREASURER@CAFDA.NET)

518-407-5020

[EMAIL SECRETARY: SECRETARY@CAFDA.NET](mailto:SECRETARY@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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Robert V. Gramuglia, CPA
1 Pine West Plaza Suite 107, Albany NY
12205
518.452.8055 or 518.859.5851cell
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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, July 11, 2024	7:00 PM	Board of Directors Meeting	Clifton Park	
Friday, August 9, 2024	1:00 PM	SARATOGA DAY AT THE RACES	Saratoga Race Course	NYRA Day at the Races! Picnic Tables at the Paddock
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!
NO MEETING				
AUGUST				
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

PROVIDED AS A SERVICE FROM THE CAPITAL AREA FIRE DISTRICT'S
ASSOCIATION - CAFDA

NEWEST INFORMATION ALWAYS AT THE TOP WITH RED ARROW

CORRECTION: *In The United States There Are Approximately 675k Volunteer Firefighters, Yet There Have Been Only Approximately 3000+ Comments To The OSHA Portal!!!!*

****THIS WEEK'S NEWEST ITEMS PRECEDED BY THE RED ARROW**

NVFC Testifies Before House Committee on Education and the Workforce Regarding OSHA

The House of Representative's Education and the Workforce Committee's Subcommittee on Workforce Protections held a hearing on July 24 titled "*Safeguarding Workers and Employers from OSHA Overreach and Skewed Priorities.*" Chief Tim Bradley, a National Volunteer Fire Council (NVFC) director from North Carolina, testified on the NVFC's behalf. In his testimony, Bradley stated that the NVFC appreciates the Occupational Safety and Health Administration's (OSHA) efforts to promote our mutual goal of ensuring firefighter safety by putting forth the proposed Emergency Response Standard. The NVFC believes the proposed standard contains many provisions that would serve the fire service well and protect the wellbeing of firefighters. **However, if adopted as written, this proposed standard would be economically infeasible for volunteer fire departments to comply with and could cause many of these departments to shut down. The proposed standard could also compromise the safety and emergency response capabilities of many small communities, particularly those in rural areas.**

Bradley further explained that in addition to its economic infeasibility, the proposed standard would be problematic due to a number of other factors including: the incorporation by reference of industry consensus standards, numerous ambiguities on how volunteers would be covered, the lack of personnel expertise and availability to facilitate implementation, and an unrealistic proposed timeline for implementation. For these reasons, the NVFC is asking OSHA to exempt volunteer firefighters from the proposed standard, as written, and work with the organization on a better way to ensure volunteer firefighter safety.

The House Committee on Education and the Workforce has oversight of the Department of Labor and OSHA. This hearing and the NVFC's testimony will do a great deal to draw attention to the volunteer fire service's concerns regarding the Emergency Response Standard and show that Congress is actively engaged in monitoring this proposed standard.

PUBLIC HEARING SCHEDULED TO BEGIN ON NOVEMBER 12TH

The Occupational Safety and Health Administration (OSHA) has published a Notice in today's Federal Register (see, <https://www.govinfo.gov/content/pkg/FR-2024-07-23/pdf/2024-16126.pdf>) announcing that it is **scheduling an informal public hearing on its proposed "Emergency Response Standard."** The public hearing will be held virtually and is scheduled to begin Tuesday, November 12, 2024, at 9:30 a.m. (ET) and will continue on subsequent weekdays (as necessary). (Note: Monday, November 11, 2024, is a federal holiday.)

OSHA's proposed Emergency Response rule was published in the Federal Register on February 5, 2024 (see, [2023-28203.pdf \(govinfo.gov\)](https://www.govinfo.gov/content/pkg/FR-2023-02-05/pdf/2023-28203.pdf)), and the public comment period closed yesterday, July 22, 2024.

Additional information on how to access OSHA's informal hearing will be posted on OSHA's Emergency Response webpage at <https://www.osha.gov/emergencyresponse/rulemaking>.

To testify or question other witnesses at the hearing, interested persons must electronically submit a Notice of Intention to Appear (NOITA) to OSHA on or before September 27, 2024. In addition, those who request more than 10 minutes for their presentation and those who intend to submit documentary evidence must submit the full text of their testimony, as well as a copy of any documentary evidence, to OSHA no later than October 18, 2024.

Please see OSHA's Federal Register Notice and Emergency Response webpage for full information. We will plan to discuss this issue at our next regular Small Business Labor Safety (OSHA/MSHA) roundtable, that is tentatively scheduled for Friday, September 20, 2024.



'You Can't Pancake Breakfast Your Way Out Of This': N.Y. Rep. Seeks Delay Of Proposed OSHA Standards

Bill Carey

Congressman Nick Langworthy voiced concerns about the proposed [OSHA firefighting standards](#), calling for a delay in passing the new standards and allowing more public comments.

Langworthy criticized the changes on Aug. 6, stating they could cost local fire departments tens of thousands of dollars annually and potentially shut down many volunteer fire departments, the [Olean Times Herald](#) reported.

"The proposed regulation completely disregards the substantial financial and operational constraints faced by volunteer fire departments," Langworthy said. "It's one thing if you're coming after a private business ... these are volunteers."

Langworthy criticized OSHA's first firefighting regulation overhaul in over 40 years as out-of-touch, saying it was done without understanding its impact on communities like Delevan.

"You can't pancake breakfast your way out of this," Langworthy said. "The vast majority of these departments operate under very small budgets, and they self-fundraise."

A draft analysis of the proposed standard estimates that a department with 40 firefighters, similar to Delevan's 35, would face a one-time cost of \$38,000 and annual costs of \$22,300, primarily for medical and fitness requirements. For a department with 20 firefighters, the costs would be \$29,000 upfront and \$16,300 annually.

From Dave Denniston - What's Next?

Thank you for participating in the efforts to voice our opinion over the proposed OSHA 1910.156. Now that the comment period has ended, the need to meet weekly has passed. I am 100% convinced that the efforts we put forth as a group made an impact. When you look at the comments posted in the portal, they had our fingerprints all over them. If we had not done what we did here in NY, I firmly believe the comment period would have ended back in May with very little input and OSHA would be full speed ahead with the final rule. At least now we opened the door for further comment, in person, and then again written, and have alerted our elected officials to the concerns.

I would like to propose that we push our meeting schedule back to the first Thursday of every month at noon to discuss any updates. If there is a need in-between the regular meeting date, we could call a special meeting.

SOME STATS FROM OUR EFFORTS:

We had 2006 live webinar views with another 464 watching the recordings.

We received 4116 signatures on the petition submitted to OSHA.

We held 6 in person sessions with over 700 participants.

NEXT STEPS:

- 
1. We need to pull the blue-ribbon panel together to discuss the proposed rule and offer alternatives. I have only received two candidates and believe we should have around 10-12 people in that group.
 2. We need to prepare material to help guide people on how to deliver an effective in-person testimony and start looking for people to participate.
 3. I believe we should ask every department to elect or appoint someone to participate as a representative of their department. These folks would attend a few web meetings to learn more, understand the process and share information with their department.
 4. We need to stay engaged with our elected officials and keep them involved in this process.
 5. Is there anything else that we are missing here?

Again, Thank you for your help and interest on this important topic. I look forward to our next conversation on Thursday, August 1st AT 12pm. By then we should have a good feel for what the public comment response looked like.

*****The New OSHA Rule You Must Pay to Learn***

The Center for Individual Rights

The Occupational Safety and Health Administration (OSHA) has proposed a new rule that would impose steep compliance costs on local volunteer fire departments around the country and make them pay substantial fees just to learn what the regulations require. The Occupational Safety and Health Act (OSH Act) created a federal agency with an extremely vague mandate to establish nationwide workplace safety standards with almost no congressional guidance. Yet OSHA's most recent proposal, the Emergency Response Standard (ERS) manages to extend this already broad power even further with sweeping workplace standards that even reach volunteer organizations.

If adopted, the ERS would impose federal safety standards for emergency response services, including local, volunteer fire departments, that purport to preempt and displace existing state-enforced safety regulations. **Many of the affected volunteer fire departments lack adequate funding (relying as they do upon voluntary support) and cannot afford to overhaul their standards to comply with new federal rules, which larger departments in metropolitan areas can more easily manage.**

UNCONSTITUTIONAL REGULATION

CIR filed a comment with OSHA explaining that the ERS likely violates both federal law and several different provisions of the Constitution. To start, the OSH Act provides such broad discretion to OSHA as to amount to an unconstitutional delegation of legislative authority. Moreover, the sweeping reach of the ERS, a nationwide overhaul of safety regulations for such a wide swath of emergency responders, vastly exceeds the limited guidance Congress did provide. **Worse yet, even fire departments that do not object to complying with the rule will have to pay substantial fees just to learn what it actually requires. Rather than clearly articulating the new safety standards on a freely accessible website, OSHA has incorporated by reference more than 20 consensus standards published by different private organizations.** Just to download, print, or copy these standards, organizations must pay steep fees. But to synthesize them will require hiring expert consultants.

This approach violates federal law—the Freedom of Information Act component of the Administrative Procedure Act, which requires that an agency make all substantive rules of general applicability available to the public. It also violates the Due Process Clause of the Constitution, which guarantees citizens the right to fair notice about governing law.

The text of the OSH Act poses another problem; it does not apply to volunteer organizations at all. The terms of the law are expressly restricted to employees, i.e. people who are paid to work. **Yet due to complex state regulations that treat some volunteers as employees for the purpose of certain state benefit programs, the ERS is unlawfully sweeping in volunteer organizations.**

This case is a vital reminder of the importance of establishing firm limits on federal power to the defense of individual rights.

TO READ CIR'S 15 PAGE COMMENT TO OSHA OPEN AT THIS LINK:

<https://cafda.net/wp-content/uploads/2024/07/CIR-comment-OSHA-ERS.pdf>

[This is a Link to the 18-page letter to Douglas Parker, Assistant Secretary for Labor for OSHA](https://cafda.net/wp-content/uploads/2024/07/NYS-United-Concerns-OSHA-Response-FINAL-07.16.24-DD.docx)

<https://cafda.net/wp-content/uploads/2024/07/NYS-United-Concerns-OSHA-Response-FINAL-07.16.24-DD.docx>

This is a must-read item for all concerned about the proposed update to the OSHA Standard for Emergency Response. This was filed on behalf of the NYS United Concerns Group who participate in the zoom meetings on a weekly basis. **Please take the time to read this important document.**

Iowa Fire Chiefs Worry About The Impact Of Proposed OSHA Standards

Despite the intentions behind OSHA's Emergency Response standard, multiple local volunteer fire departments have expressed concerns about meeting the proposed rules.

Colona Fire Chief John Swan recently held a press conference to bring attention to the rule change, repeating that one size does not fit all. Tasks that might be a small hurdle to clear for a career fire department can seem insurmountable for volunteer departments.

One of the unique challenges volunteer departments face is the retention of their volunteer firefighters. Career fire departments tend to have more funding and can send their firefighters to trainings and to get certifications as part of

their job. But volunteer firefighters typically have a day job along with other responsibilities that they juggle with their volunteer commitments.

East Moline Fire Chief Robert DeFrance said that an update is long overdue. ***East Moline is a career department.***

Some of the proposed rules focus on personal protective equipment and respiratory protection to a much greater degree than what is covered in the 1980 Fire Brigades standard. DeFrance said that another benefit of the proposed rule is that it can help departments secure funding they need to increase the safety of their firefighters. ***Spending money on more in-depth physicals or updated safety equipment can go from something that might seem like a luxury to something that is required to meet OSHA standards. But getting a grant is a crap shoot!*** “I think everybody knows that this is not something we can just do immediately. But it doesn’t mean that the goal is bad,” DeFrance said. “I think some of the changes are needed, and they’re being proposed for the right reasons, with firefighter safety in mind. How do I not support that as a fire chief?”

Closely tied to available funding is the amount of time that departments will have to reach compliance with the proposed rules. Silvis Fire Chief John Winters said his department would have trouble immediately meeting the standards as they’re currently written. “They can’t implement all these at once,” Winters said. “If they put it all out at once that’s going to be devastating to the fire service. If they bring it out in small, little packets and keep adding to this over the next 20, 30 years to get to that point, fire departments may be able to adapt to that.” Winters, Hicks and Swan all said that they support the effort and idea behind the rule change, but are wary of the demands that could be placed on their volunteer departments.

Today’s Zoom Meeting July 11, 2024

Comments going forward should be phrased “What We CAN Do” we can accomplish this goal even if it contains a “but”. Take your cues from the “Pain Points” and tell OSHA what you can do.

Excellent Docket Response from South Carolina Firefighters Association

Open the Document at This Link:

<https://cafda.net/wp-content/uploads/2024/07/Docket-Comment-7-8-SCSFA-Response.docx>

Joint Letter to OSHA from NYS Association of Counties, NYS Conference of Mayors, and the NYS Association of Towns

Open the Document at This Link:

<https://cafda.net/wp-content/uploads/2024/07/NYCOMNYSACAOTjointletter.pdf>

What Are Your Pain Points

PAIN POINT FINANCIAL....

OSHA’s Proposed Rule:

OSHA’s proposed rule would require NFPA 1582 Medical Exams be administered to all firefighters either annually or bi-annually. OSHA estimates the cost of a required medical exam to be \$620 each.

The Pain Point: A small-town fire department with two dozen members would have to find funding for a dozen medical exams each year for a total cost of \$7440.

Tell OSHA: Tell OSHA what your annual budget is and how you would have to raise \$7440. For example, if your department relies upon fundraising, tell OSHA how many extra spaghetti dinners you’d need to sell each year to raise \$7440.

Assuming a profit of \$8 per dinner, you need to sell 930 spaghetti dinners each year to pay for medical exams. How many people live in your town – does everyone need to buy two dinners? Explain this to OSHA.

OSHA PAIN POINTS – ADDITIONAL, OSHA’S PROPOSED RULE:

The proposed OSHA rules incorporate by reference twenty-one NFPA standards. This adds about 3000 pages of text to the rules.

The Pain Point: Small fire departments don’t have the legal or administrative capabilities to read, interpret, and comply with this much new regulation.

Tell OSHA: Tell OSHA that there is no administrative or legal staff available at your fire department to read, interpret, and comply with 3000 pages of NFPA standards. Tell OSHA how small or non-existent your administrative staff and budget is.

OSHA's Proposed Rule:

The proposed OSHA rules will require all fire chiefs to have NFPA Fire Officer 3 training.

The Pain Point: Half of the state fire training academies don't offer Fire Officer 3 training and there is no practical way to get the training. Even in states that offer the training, it will typically require unpaid volunteer chiefs or part-time chiefs to take classes on weekdays when they have to take time off from their full-time jobs or travel long distances to night and weekend classes.

Tell OSHA: Tell OSHA that Fire Officer 3 training isn't available or readily available to your department and why.

OSHA's Proposed Rule:

The proposed OSHA rules incorporate by reference twenty-one NFPA standards.

The Pain Point: NFPA standards are not readily available, and this makes commenting on them difficult. You have to purchase them for \$149 each or purchase a subscription to access them for \$12/month.

Tell OSHA: Tell OSHA that before they close the comment period and make these standards law, OSHA needs to provide free copies of these standards to the public.

OSHA's Proposed Rule:

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The Pain Point: Half of the state fire training academies don't offer Fire Officer 3 training and there is no practical way to get the training. Even in states that offer the training, it will typically require unpaid volunteer chiefs or part-time chiefs to take classes on weekdays when they have to take time off from their full-time jobs or travel long distances to night and weekend classes.

Tell OSHA: Tell OSHA that Fire Officer 3 training isn't available or readily available to your department and why.

OSHA's Proposed Rule:

The proposed OSHA rules use the 2022 Firehouse Magazine Run Survey as the basis for defining the scale and financial resources of the volunteer fire service.

The Pain Point: The Firehouse Magazine Run Survey is created for entertainment purposes and should not be used the way OSHA has used it to create regulations. The Firehouse Magazine Run Survey is a small set of data without knowing who or why the data was created, except for fun and to see your department named in the magazine.

The Firehouse Magazine Data says that the average volunteer fire department:

- Has a budget of \$
- Responds to ____ emergency calls per year
- Has ____ volunteer members

Tell OSHA: Tell OSHA that its data about the size and financial resources of volunteer fire departments is wrong. Tell them about your department budget, the size of your town, how many calls you go to, and why this is so different than the Firehouse data. Tell them about the other departments in your area.

OSHA's Proposed Rule:

The proposed OSHA rules will incorporate by reference twenty-one NFPA standards.

The Pain Point: NFPA standards are not required to be based upon data or scientific evidence. NFPA standards are the collective opinions of the committees that write them. Unlike OSHA, NFPA standards are not required to address only significant risks to the health and safety of firefighters. Making these standards into law reaches way beyond the mission of OSHA.

Tell OSHA: Tell OSHA that their use of NFPA standards is arbitrary, because many of the standards themselves, or parts of the standards are arbitrary.

1. "Have you had time to completely read and analyze the new proposed OSHA standard 1910.156 rule and the effects it would have on your organization? If not, click here and tell OSHA that 165 days has not been adequate to review a document that took them years to write."
2. "Do your captains and lieutenants hold Fire Officer I training? Do your assistant chiefs hold Fire Officer II training? The new proposed OSHA 1910.156 rule would require this. Click here and tell OSHA why this would be problematic for your organization."

Commented [PL1]: To be consistent with NFPA I would use "Fire Officer I and "Fire Officer II"

3. "Does your fire department have an annual budget of less than 1.7 million dollars? OSHA is under the assumption that the average fire department budget for volunteer or combination depts is 1.7 million dollars. If your budget is less, click here, and tell OSHA what your budget is and that you believe their data is inaccurate."
4. [OSHA believes the impact of the proposed 1910.156 rule would be less than 1%. Is this true for you? Several fire departments have analyzed the proposal and this would increase their budgets by over 40%. Click here and tell OSHA why a substantial tax increase is not feasible!](#)
5. ["Does your organization do weekly vehicle inspections or within 24 hours of each run? That's what the proposed OSHA 1910.156 rule would require. Click here and tell OSHA why that is problematic for your organization."](#)
6. ["Do you clearly mark control zones for every emergency incident to establish a cold zone, warm zone, hot zone and no entry zone? The proposed OSHA 1910.156 rule would require this. If this would be problematic for your organization, click here and tell OSHA why this is not feasible."](#)
7. ["Do you provide annual physicals for your firefighters that include comprehensive behavioral health evaluations, skin cancer screenings, and bi-annual mammograms for firefighters over 40? The Incorporation of NFPA 1582 in the proposed OSHA standard 1910.156 rule would require this. If you are not currently performing physicals at this level, click here and tell OSHA why that would be problematic for your organization."](#)
8. "Does your organization have \$620 per member for annual or bi-annual medical exams? If not, click here and explain to OSHA what your budget is for medical exams."
9. "Did you know the proposed OSHA rule incorporates by reference twenty-one NFPA standards, which are NOT free to comment on. Click here to tell OSHA to give free copies of these standards to the public."

Commented [PL2]: The fire chief in me dozed off during this one. Too wordy. I took a shot at more concise approach.

Commented [PL3]: Tried cleaning this one up too

Commented [PL4]: This one is not accurate so I cleaned it up

Commented [PL5]: Not accurate re-worded it

[NY Lawmakers: Proposed OSHA Rules Could Destroy Volunteer Fire Departments](#)

Alex Gault – Watertown Daily Times

Some north country lawmakers are raising the alarm over a proposal from the federal Occupational Safety and Health Administration that they say would make it nearly impossible for small, local fire departments to operate and all but eliminate volunteer departments.

Earlier this year, OSHA, which is a subagency of the U.S. Department of Labor, proposed to change their "Fire Brigades" standards, which have been in effect since the early 1980s. In a 608 page highly technical document, the administration is proposing to dramatically rewrite the federal health, safety and training standards it requires of fire departments — paid, volunteer and combined.

The new rules would address many aspects of fire department operations — if put into effect, fire departments would have to dramatically grow their training programs with many more one-time and annual trainings on how to handle specific emergency cases. Departments would also have to maintain much more detailed records and reports on their operations, from responses to training and maintenance.

The proposed rules would also require more strict standards for firefighter health and fitness, which would likely push some people out of the work and put more responsibility on departments to maintain health and fitness programs and monitor their firefighters.

Assembly members Scott A. Gray, R-Watertown, and D. Billy Jones, D-Chateaugay Lake, have both expressed worry over the impact these new requirements could have on the small and volunteer fire departments that provide emergency services to much of the north country.

"This will decimate rural firefighting departments," Gray said. "This is extremely difficult to comply with. **Whoever wrote this does not understand rural fire departments.**

Jones hosted a press conference concerning the proposed rules in Plattsburgh on Wednesday, and shared a press release after. **He said that north country volunteer departments are already struggling to find and keep enough volunteers to effectively respond to emergencies as things are now, and these proposed rules would likely drive more volunteers out.**

"These fire departments are already struggling to recruit and retain members on top of fundraising and applying for grants to update their equipment and their facilities," Jones said. "They simply cannot afford more training requirements and regulations, and many will be forced to close."

Gray agreed.

“They’re living on chicken barbeques,” he said. ***“This document is not going to be supported by chicken barbeques.”***

In an executive summary of the regulations, OSHA officials said that fire departments are currently regulated under a wide range of “hazard-specific” standards and state-level regulations where the state has passed an OSHA-approved plan for regulations, which New York has done.

“All of the OSHA standards referred to above were promulgated decades ago, and none was designed as a comprehensive emergency response standard,” the summary reads.

The summary goes on to say that standards of nearly every aspect of emergency response have changed with time: protective clothing is better, equipment is much improved, and health and safety practices for first responders have changed dramatically.

Pain Points to Address

PAIN POINT #1

OSHA’s Proposed Rule: All Emergency Service Organizations shall conduct a community or facility vulnerability and risk assessment for its service area, for the purpose of establishing its standards of response and determining the ability to match the community or facility’s risks with available resources.

The Pain Point: Does your fire department conduct hazard assessments (or pre-plans) to all commercial businesses? Does your department conduct hazard assessments to all vacant structures? Does your department pre-plan facilities that are subject to reporting requirements under the Emergency Planning and Community Right-to-Know Act (EPCRA)? Does your department have an incident plan for each of the hazard assessments for an emergency incident? If not, then you will not be compliant with the OSHA Proposed Ruling.

Tell OSHA: This is economically infeasible and there is no local funding for the hazard assessments of all buildings in your area. Let OSHA know what the cost would be to add one or more employees to be able to comply with conducting the yearly assessments. Be blunt – tell them you have no administrative staff to do this.

PAIN POINT #2

OSHA’s Proposed Rule: OSHA’s inclusion of NFPA 1582: Standard on Comprehensive Occupational Medical Program for Fire Departments, which requires annual medical evaluations proving fit for duty.

The Pain Point: The pain point comes in finding a doctor who can perform and meet the requirements of the standard, the cost to the fire and emergency services department, extra time requirements for a volunteer, and the administrative burden of scheduling and tracking exams.

Tell OSHA: This is economically infeasible. Tell OSHA what your budget is and if you don’t have administrative staff to schedule and track medical exams. Tell OSHA if you are in a rural area with poor access to occupational medical care or are unable to find a doctor who can perform all the requirements found in NFPA 1582 or that are willing to sign off. Tell OSHA about volunteer firefighters traveling hours out of their way to get the physicals or the added costs of having an organization come to the department to perform the physicals. The cost of a NFPA 1582 physical for each member can range from several hundred to several thousand dollars. Tell OSHA what this would cost your department. Tell OSHA about the time constraints with NFPA-compliant physicals – are they only available during the workday when volunteers are working their primary jobs?

PAIN POINT #3

OSHA’s Proposed Rule: OSHA is seeking guidance on whether an action level of 15 exposures to combustion products within a year trigger medical surveillance consistent with NFPA 1582 is too high, too low, or an appropriate threshold.

The Pain Point: After each incident, in addition to an incident report, do you record what level of smoke or exposure to combustion products is experienced by every firefighter or officer who responded? If the number per year exceeds 15, or whatever number OSHA determines, are you prepared or capable of placing them under medical monitoring against a baseline physical also required meeting NFPA 1582?

Tell OSHA: There is no defined number of exposures that are determined to be the right number, so just as requiring annual exams is arbitrary and not based on science, so is the number of exposures. Tell OSHA that “exposure to combustion products” is not defined. Ask OSHA does it mean any smoke, such as from a brush fire or burnt bacon on the stove, or does it have to be an IDLH atmosphere?

PAIN POINT #4

OSHA's Proposed Rule: OSHA's Proposed Rule is seeking input on whether the proposed rule should specify retirement ages for personal protective equipment (PPE). Current NFPA standards call for 10 years.

The Pain Point: Are all your firefighters using gear under 10 years of age? Can you afford to replace gear older than 10 years of age?

Tell OSHA: While 10 years seems reasonable for firefighters actively engaged in structural firefighting, do we rule out or discard gear 11 years of age even though it shows minimal signs of wear? How about others who perform support functions, or extrication, etc.? Some firefighters wear the same structural fire helmet for their entire career spanning 20 – 30 years. Is there statistical evidence by OSHA that helmets over 10 years of age are causing head injuries or burns? Gear that is used to run 600 calls per year doesn't have the same wear and tear as gear that is used to run 85 calls per year.

PAIN POINT #5

OSHA's Proposed Rule: If approved, the new OSHA rules would require your fire department to conduct annual fitness for duty testing, essentially an annual physical ability test that includes dragging dummies, hitting targets with axes, and forcing a door or breaching a wall.

The Pain Point: Most small fire departments have no training props. They have no facility for conducting a fitness for duty test, especially one that meets many legal requirements of consistency and fairness for all participants. This means hiring vendors to do the test or having firefighters drive hours to a test.

Tell OSHA: If your fire department can conduct a physical ability test each year. Tell them how far away the nearest facility for a test is. Tell them what props or facilities you have and don't have. Tell them your budget and what this will cost.

PAIN POINT #6

OSHA's Proposed Rule: The proposed OSHA rules will require all personnel treating a patient in the back of an ambulance to wear a harness so they are belted and can move around.

The Pain Point: Harness systems for EMS in the back of the ambulance are rare. These systems have not been perfected and there is no standard for them. Ambulances would have to be retrofitted.

Tell OSHA: If you have an ambulance, tell OSHA if you have a harness system, or if your seatbelts don't allow for treating patients. Tell OSHA that there is no industry standard or agreed-upon technology for a harness that allows freedom of movement for treating patients. Tell OSHA how long it will be before you can purchase a new ambulance with a harness (when they become available), or what it would take to retrofit your current ambulances.

PAIN POINT #7

OSHA's Proposed Rule: At least 21 NFPA standards are incorporated in OSHA's proposed rules.

The Pain Point: While NFPA standards are available to view for free online, printed copies of these standards are not free. An \$11.99 a month NFPA membership would be required to print these standards, plus the cost of ink and paper. The NFPA also sells printed copies of their standards. For example, a printed copy of NFPA 1021 costs \$149.00. This limited access to printed NFPA standards is particularly problematic since many volunteer fire departments in rural areas lack reliable internet access or funding to purchase printed copies.

Tell OSHA: Let OSHA know what your department budget is and the burden it would be to purchase NFPA standards. Also let OSHA know if your department does not have reliable internet access to view these standards. It is wrong for OSHA to mandate standards that are not reasonably available to view for free.

PAIN POINT #8

OSHA's Proposed Rule: The proposed OSHA rules incorporate by reference 21 NFPA standards. This adds about 3000 pages of text to the rules.

The Pain Point: Small fire departments don't have the legal or administrative capabilities to read, interpret, and comply with this much new regulation.

Tell OSHA: Tell OSHA that there is no administrative or legal staff available at your fire department to read, interpret, and comply with 3000 pages of NFPA standards. Tell OSHA how small or non-existent your administrative staff and budget is.

PAIN POINT #9

OSHA's Proposed Rule: All fire officers/chiefs must be trained to NFPA 1021, Standard for Fire Officer Professional Qualifications.

The Pain Point: Much of the required information in NFPA 1021 courses is well beyond the scope of the small fire department. Can your fire department provide this level of training to all your current and future officers? Does your budget support this? Are there classes available on nights and weekends? How far will your officers have to travel?

Tell OSHA: This training is a one size fits all approach and contains material that is often not relevant to small volunteer fire departments. Due to the time constraints and pressures volunteers face, any additional training must be tailored to the risks small volunteer departments face. Additional training that is not relevant would create additional burdens on volunteers and additional barriers to joining and remaining in the fire service, exacerbating ongoing recruitment and retention issues in the fire service.

PAIN POINT #10

OSHA's Proposed Rule: All fire chiefs must receive NFPA 1021 Fire Officer III training.

The Pain Point: The Fire Officer III certification is only offered in approximately 25 states. Chief officers would face significant hardship in getting the required training and certification. Unpaid volunteer chiefs or part-time chiefs would be required to take classes on weekdays when they have to take time off from their full-time jobs, or they would have to travel long distances to night and weekend classes.

Tell OSHA: The cost of accessing NFPA 1021 Fire Officer III training will place a financial burden on volunteers. In most cases, this class is not offered on a schedule that is friendly for volunteers. Many volunteer officers will be required to travel to a state where they can receive training, taking time away from their primary job and requiring funds that are often not available. All required training must be widely accessible and, when possible, virtually available.

5 MORE PAIN POINTS TO ADDRESS

Let OSHA know how the proposed Emergency Response Standard will impact your department! Here are five 'pain points' that you can address in your comments.

PAIN POINT #16

OSHA's Proposed Rule: The proposed OSHA standard uses the 2022 Firehouse Magazine Run Survey as the basis for defining the scale and financial resources of the volunteer fire service.

The Pain Point: The Firehouse Magazine Run Survey data is not a proper reflection of the fire service because of its small sample size, and it likely presents an inflated view of the financial condition of the volunteer fire service because departments with the least resources are typically not the departments that are going to take the time to submit their budget data to a magazine. According to OSHA per the Firehouse Magazine Run Survey data, the average volunteer department's annual revenue is \$291,703.

Tell OSHA: Tell OSHA that its data about the size and financial resources of volunteer fire departments is wrong. Tell them about your department's budget, the size of your town, how many calls you go to. Be aware that comments you submit to OSHA are publicly available.

PAIN POINT #17

OSHA's Proposed Rule: OSHA estimates that the annual cost for a volunteer fire department to comply with this standard would be approximately \$14,000.

The Pain Point: Due to the costs of physicals, needed administrative staff, and equipment, among other provisions within the proposed standard, the NVFC believes the cost of compliance would be much greater.

Tell OSHA: What your department's budget is and whether you could absorb this expense. If possible, tell OSHA what you think it would cost your department to implement this proposed Emergency Response Standard. You can use this one pager to assist you in understanding some of the requirements in OSHA's proposed standard.

PAIN POINT #18

OSHA's Proposed Rule: In accordance with manufacturer recommendations for apparatus maintenance, personnel who are certified Emergency Vehicle Technicians would be required to perform daily, weekly, monthly, semi-annual, and annual inspections on apparatus. Annual inspections include weight verification, an inspection of all chassis components, and brake systems.

The Pain Point: Does your department have the personnel to adhere to manufacturer recommended daily, weekly, monthly, semi-annual, and annual inspections on apparatus. Do you have the capacity to take your apparatus offline for such inspections? Do you have access to equipment that could weigh your apparatus annually?

Tell OSHA: Explain to OSHA the apparatus and staffing that your department has and whether you have the capacity or access to equipment to comply with recommended manufacturer inspections, like annual truck weight verification.

PAIN POINT #19

OSHA’s Proposed Rule: This proposed standard would require fire departments to create, annually review, and annually update a written community emergency response plan, pre-incident plans for all high or special risk properties, and a written risk management plan for the department. OSHA estimates that one-time setup of these various administrative requirements would take about 92 hours and an additional 43 hours to review annually.

Pain Point: The NVFC believes much more time would be needed to comply with these requirements. Additionally, does your department have the administrative capability and expertise to fulfill these requirements? Are OSHA’s estimated hours needed for compliance correct?

Tell OSHA: Whether your department has any administrative staff. Explain to OSHA how many hours it would take your department to fulfill these administrative requirements and whether it would be possible for you to do so at all.

PAIN POINT #20

OSHA’s Proposed Rule: The proposed standard would require the establishment of control zones at every emergency incident to identify the level of risk to team members and responders and the appropriate protective measures needed, including PPE. These zones should be no-entry, hot, warm, and cold. These zones would need to be marked in a conspicuous manner, with colored tape, signage, or other appropriate means, unless such marking is not possible.

Pain Point: The establishment and marking of control zones may not be possible at every incident due to the scope of the incident and the personnel available. According to OSHA, what would make such labeling impossible?

Tell OSHA: If it makes sense to establish and label control zones at every incident and if you have the available personnel to do so.

PAIN POINT #21

OSHA’s Proposed Rule: OSHA expects that the affected community would be able to allocate the very small additional share of their revenue necessary to permit their fire department to comply with the proposed Emergency Response Standard.

Pain Point: Many departments won’t have much of a budget available to comply with this standard. If the department is affiliated with a municipality, it would have to pay a large share of the compliance cost. Most volunteer fire departments serve rural communities with very small budgets that would lack the funds to assist their fire departments with compliance of this standard. Additionally, there are nonprofit departments and departments that self-fundraise that lack access to municipal funds.

Tell OSHA: What your department budget is and whether it would be feasible for your municipality to assist with the funding needed to comply with OSHA’s proposed Emergency Response Standard. Explain to OSHA how your department is structured and funded and whether you are affiliated with a municipality.

PLEASE FORWARD THE BELOW AND ATTACHED TO YOUR FIRE SERVICE CONTACTS AND ASSOCIATIONS TO DISTRIBUTE AND RESPOND.

THESE WOULD BE SOME OF THE NEW OSHA REQUIREMENTS FOR YOUR DEPARTMENT – WOULD YOUR DEPARTMENT BE ABLE TO COMPLY??????

“Have you had time to completely read and analyze the new proposed OSHA standard 1910.156 rule and the effects it would have on your organization? If not, click here and tell OSHA that 165 days has not been adequate to review a document that took them years to write.”

<https://www.federalregister.gov/documents/2024/02/05/2023-28203/emergency-response-standard>

“Do your captains and lieutenants hold Fire Officer I training? Do your assistant chiefs hold Fire Officer II training? The new proposed OSHA 1910.156 rule would require this. Click here and tell OSHA why this would be problematic for your organization.”

<https://www.federalregister.gov/documents/2024/02/05/2023-28203/emergency-response-standard>

Does your fire department have an annual budget of less than 1.7 million dollars? OSHA is under the assumption that the average fire department budget for volunteer or combination depts is 1.7

Commented [NJ6]: Point 2 “Officer Certs” - Fire Officer 1 (for LT’s): must have FF1,FF2, Fire Instructor 1 - 3 certs to qualify
Fire Officer 2 (Capts): must have all of the above mentioned - 4 certs to qualify
Fire Officer 3 (Chiefs): must have all the above - total of 5 certs to qualify

Commented [PL7]: To be consistent with NFPA I would use “Fire Officer I and “Fire Officer II”

million dollars. If your budget is less, click here, and tell OSHA what your budget is and that you believe their data is inaccurate."

<https://www.federalregister.gov/documents/2024/02/05/2023-28203/emergency-response-standard>

OSHA believes the impact of the proposed 1910.156 rule would be less than 1%. Is this true for you? Several fire departments have analyzed the proposal and this would increase their budgets by over 40%. Click here and tell OSHA why a substantial tax increase is not feasible"

<https://www.federalregister.gov/documents/2024/02/05/2023-28203/emergency-response-standard>

Commented [PL8]: The fire chief in me dozed off during this one. Too wordy. I took a shot at more concise approach.

"Does your organization do weekly vehicle inspections or within 24 hours of each run? That's what the proposed OSHA 1910.156 rule would require. Click here and tell OSHA why that is problematic for your organization."

<https://www.federalregister.gov/documents/2024/02/05/2023-28203/emergency-response-standard>

Commented [PL9]: Tried cleaning this one up too

"Do you clearly mark control zones for every emergency incident to establish a cold zone, warm zone, hot zone and no entry zone? The proposed OSHA 1910.156 rule would require this. If this would be problematic for your organization, click here and tell OSHA why this is not feasible."

<https://www.federalregister.gov/documents/2024/02/05/2023-28203/emergency-response-standard>

Commented [PL10]: This one is not accurate so I cleaned it up

"Do you provide annual physicals for your firefighters that include comprehensive behavioral health evaluations, skin cancer screenings, and bi-annual mammograms for firefighters over 40? The Incorporation of NFPA 1582 in the proposed OSHA standard 1910.156 rule would require this. If you are not currently performing physicals at this level, click here and tell OSHA why that would be problematic for your organization."

<https://www.federalregister.gov/documents/2024/02/05/2023-28203/emergency-response-standard>

Commented [PL11]: Not accurate re-worded it

"Does your organization have \$620 per member for annual or bi-annual medical exams? If not, click here and explain to OSHA what your budget is for medical exams."

<https://www.federalregister.gov/documents/2024/02/05/2023-28203/emergency-response-standard>

"Did you know the proposed OSHA rule incorporates by reference twenty-one NFPA standards, which are NOT free to comment on. Click here to tell OSHA to give free copies of these standards to the public."

<https://www.federalregister.gov/documents/2024/02/05/2023-28203/emergency-response-standard>

"Have you read and understand the over 1500 "shalls" and "musts" in the incorporated by reference NFPA Standards? If not click here and tell OSHA why this is overwhelming for your department."

<https://www.federalregister.gov/documents/2024/02/05/2023-28203/emergency-response-standard>

"OSHA estimates the proposed rule would require an additional 173 hours per year comply (We believe this is grossly underestimated) . Do you have someone in your organization with an extra 173 hours a year to comply? If not click here and tell OSHA this rule as written would overburden your staff."

<https://www.federalregister.gov/documents/2024/02/05/2023-28203/emergency-response-standard>

"Do you weigh each of your vehicles on an annual basis? This would be required by the proposed rule. Click here and tell OSHA why this is not feasible."

LETTER FROM AFD-SNY 2ND VP DAVID DENNISTON TO DOUGLAS PARKER AT OSHA

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 Avenue, NW
Washington, DC 20210

Comments: Docket ID: "Emergency Response Standard" (Emergency Response) Rule [Docket No. OSHA-2007-0073] (RIN 1218-AC91)

Dear Assistant Secretary Parker,

The Association of Fire Districts State of New York represents over 850 fire districts across New York State. These districts are primarily all-volunteer or small combination departments in rural communities. We are attempting to read and understand the proposed OSHA 1910.156 Emergency Response Standard and are concerned that this rule, as written, will have devastating effects on our member fire districts. While we are all for anything that can improve the safety of our firefighters, we honestly believe there are items in this document that are simply unobtainable and will cause many districts to ignore the rule or be forced to close their doors. Either of these options will have devastating effects on the communities that we are here to protect.

We are currently less than 30 days from the public comment deadline extended by OSHA until July 22, 2024. We are concerned with the current deadline as there are many unanswered questions on the proposal as written. This has made it difficult to offer meaningful comments and concerns in a timely fashion to meet the current deadline. The enormous complexity of this document and referenced standards and included documents, and the process used to write and distribute this document, have created a situation that is overwhelming for local fire districts to digest. OSHA took years to draft this proposal and given us only a few months to understand it with no help in answering questions that we have. Please allow me to share some of our pain points that are making it nearly impossible to comment within the current deadline. This becomes even more problematic for smaller organizations with volunteer staff donating their already limited time to do so.

1) New York State Office of Fire Prevention and Control (NYSOFPC) offers the bulk of firefighter training here in NYS. NYSOFP has been unable to provide us with their interpretation of changes in training requirements and their ability to offer the required training in a specific timeline. They are currently working on their comments on the proposal. This makes it difficult, if not impossible, for us, as an Authority Having Jurisdiction, to understand the hours that would now be required to meet the proposed standard. How can we comment on the effects this would have on our department, if we don't even know the options being offered to us to do so? We need more time and clarification on what would be required.

2) We have reached out to several medical providers to get a cost for the physicals that would now be required and how this would change from what we are currently doing. We feel we offer all our members a comprehensive physical that uses NFPA 1582 as a guide, but may not cover all of the NFPA 1582 requirements such as chest x-rays, mammograms, mental health screening, etc. We currently pay around \$300 for our physicals. We are getting responses from providers ranging from "What we do is very good and no one else is asking for more", to "There is not a provider out there that currently offers a completely compliant NFPA 1582 physical". We are getting cost estimates of \$1,200-\$1,500 per physical to one quote of \$4,500 to completely meet the standard. What makes it even more confusing is that the Keene College OSHA Training Institute included NFPA 1582 as a standard incorporated by reference. On a following NVFC webinar one of your employees said that the NFPA documents, including NFPA 1582 were only using parts of the standard not the entirety of the "shalls" and "musts" in the document. That does not fit the OSHA 1910.6 definition of IBR. How do we make meaningful comments on this topic when it is not clear what is being required?

3) As mentioned above, the pure enormity of this proposed rule makes the comment process daunting if not impossible. Six hundred and eight pages of the OSHA document, plus around three thousand pages of NFPA IBR standards, plus hundreds of pages of manufactures recommendations that have been cited as need to be followed by this rule, all must be read and understood in order to comment on the feasibility and impact of the rule. The incorporated by reference NFPA standards and reference to following all manufactures recommendations need to be removed from the proposed rule. By incorporating these OSHA has left the door wide open to interpretation of what is required. Who will decide if the rule was met by the AHJ? An inspector? A lawyer? A jury? How do we make meaningful comments on something that is not clear on what is required?

4) The combination of WEREs, ESOs, and EMS all into one encompassing document make it confusing at best. Split these extremely different organizations into industry specific regulations that are able to be understood and followed. This is not an area where a one size fits all approach can be used.

There are some excellent safety measures in this proposed standard that can and should be implemented. Some of these measures will take an acceptable amount of effort and come at minimal or reasonable costs to the AHJ or employer. They should be highlighted and implemented by all emergency services organizations. There are many more safety measures that would save lives and injuries that have not been included in this proposed rule. They include items such as coming to a complete stop at all negative right-of-way intersections with emergency vehicles, doing a complete 360-degree evaluation of all emergency scenes before beginning operations, using spotters while backing emergency vehicles, and several others. These could also be implemented with little or no cost and yet they have been left out of the document. Why have recognized safety measures that will have immediate impact on responder safety, at minimal cost to the AHJ or employer, been ignored and not included in this rule? Why have some NFPA standards been included by reference and other more impactful NFPA standards been left out? Did this panel understand the true day to day operations of an average fire and EMS department in this country? Was statically significant data used to understand the real concerns? Was the panel skewed with self-serving agendas that favored one side of those effected by this proposed rule? These are all questions that should be answered before this process moves forward.

Bottom line is that this current document, as currently written, places an enormous burden on emergency services organizations and is neither economically nor technically feasible. With some work, and by using the full negotiated rule-making process that OSHA fell short on with the current document, this rule could go from the current arbitrary and capricious standard to a meaningful, understandable, and achievable standard that will greatly improve responder safety.

We are asking OSHA to allow more time for comments and review. A September 21, 2004 extension for comments would be a good compromise. We are also asking that a blue-ribbon panel that truly represents all stakeholders be included in the process moving forward so that labor (both career and volunteer), employers, and the AHJ are all equally represented at the table. This was not the case with the panel that drafted the current proposal. We are asking that this process be far more transparent and communicated to all stakeholders as the document is refined. We need open and honest two-way communication in order to make this effective and achievable.

We do not disagree that changes are needed nor are we just kicking the can down the road. We are asking OSHA to work with us and produce a rule that we can all live with and be proud of. As written, the current proposed rule is not the answer and will have an insignificant result on improving responder safety. As written, the proposal comes at a cost that unobtainable without substantial government funding. By working together, we can produce a solution that is not only achievable, but one that comes at a cost that is economically feasible for both our organizations and communities.

Thank you,

David C. Denniston

Vice President

Association of Fire Districts State of New York

607-423-1636

ddenniston@afdsny.org

EDITORIAL: NO ONE IS GOING TO FEND OFF THE OSAH PROPOSED REGULATIONS UNLESS YOU GET OFF YOUR ASS AND DO SOMETHING!

There are several people in this state that are working their asses off trying to soften the proposed OSHA regulations or at least slow down the implementation. But at this point there are only 1300 comments on the official OSHA web site and of course the IAFF is working hard to have them implemented as is. What they see is additional career firefighters in the system and of course paying dues.

While no one is against safety for all firefighters, implementing this massive change after doing nothing for 44 years is suspect.

New York has emerged as a leader in pushing back against these proposed changes. One of the main problems is they are assuming that all departments are alike and we all have the money and resources on hand to implement these new rules, far from reality. OSHA uses a figure of <\$1M average budget, which we know is far from reality!

The most onerous part of the proposed change is the adoption of several NFPA standards either whole or in part which could literally put departments out of business due to their inability of complying strictly with those standards.

Many chief officers will likely give up their positions due to the requirements and the liability of not being able to comply entirely with the proposed regulations.

The problem we seem to be having is #1. Not being informed as to the proposed new First Responder Standard and #2. Historically apathetic interest by many fire service members; let someone fight for me I don't know how or can't be bothered to get involved.

Well folks, if the federal government is allowed to implement these proposed standards, many of you will be hanging up your boots because in one way or another YOU won't be able to comply with the proposed standard and you will be out on the street AND you will be paying more in taxes to supplement career firefighters to take YOUR place. If they don't take your place right away, in the meantime it will cost you more to do business, for example a physical will cost approximately \$2,000 per firefighter in compliance with the NFPA 1582 Standard.

Take a moment, leave a comment on the OSHA website and let them know what the impact will be on **your** department's budget: cost to hire a full-time administrator, additional physical requirements & monitoring, additional training hours and the time needed to become familiar with the two dozen NFPA standards that will really test your ability to operate.

For God sake do something, if there ever was a time it's now. The IAFF wants your job and your tax money, which isn't practical in many parts of the country, but they are working hard to get this adopted, **what are you doing?**

[Long Island \(NY\) Volunteer Firefighters Push Back on OSHA's New Regulations](#)

LINK TO TV COVERAGE

<https://www.fireapparatusmagazine.com/fire-apparatus/long-island-ny-volunteer-firefighters-push-back-on-oshas-new-regulations/>

[House Subcommittee Testimony](#)

House Homeland Security Subcommittee on Emergency Management and Technology held a hearing on Tuesday morning (June 4, 2024, at 10:00 a.m. ET) on OSHA's proposed Emergency Response rule.

LINK TO THE TESTIMONY GIVEN BY THE WITNESSES HERE:

<https://cafda.net/wp-content/uploads/2024/06/2024-06-04-EMT-HRG-Testimony.pdf>

[OSHA's Move to Improve Safety to Firefighters, EMS Providers, and Technical Search and Rescue Members](#)

LINK TO MOST RECENT ARTICLE IN FIREHOUSE MAGAZINE:

[https://www.firehouse.com/safety-health/article/55056294/oshas-move-to-improve-safety-to-firefighters-ems-providers-and-technical-search-and-rescue-members?o_eid=6778E0229656H9A&oly_enc_id=6778E0229656H9A&rdx.ident\[pull\]=omeda|6778E0229656H9A&utm_campaign=CPS240530030&utm_medium=email&utm_source=FH+Newsday](https://www.firehouse.com/safety-health/article/55056294/oshas-move-to-improve-safety-to-firefighters-ems-providers-and-technical-search-and-rescue-members?o_eid=6778E0229656H9A&oly_enc_id=6778E0229656H9A&rdx.ident[pull]=omeda|6778E0229656H9A&utm_campaign=CPS240530030&utm_medium=email&utm_source=FH+Newsday)

[An Additional Resources for the OSHA Proposed Emergency Response Standard](#)

<https://afdsny.org/>

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

<https://www.nvfc.org/osha-standard/>
The National Volunteer Fire Council



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

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

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

TAKE THE SURVEY NOW AT THIS LINK:

https://gma5qspab.cc.rs6.net/tn.jsp?f=001hzbdlUhfYDGCq-whFLi-ZGErPe2xYxFxshxkNHNe3D0TLbkVd_VIFQsYQyL64YDI12QYeRBd6QVcq-XTUWGLfilvi7yRjw9gZXF4RviX00LCyY0QhzC66-ldjp_oL2Wo1OsRSNoWnPzZ8tv9L8x8JJ3ZVOMMK47CXklwMVo6Ls=&c=MX7461Pd8xHyTIMLiqlTBaQM4ea6iTBpMR9yqkqB564uNN1ihK_e4w==&ch=-00QWWhpLmpkbPRDFsXPYtFj2B4MCRjDLNIE9D3WNBAt7soAvevnSgA==

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



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

May 21, 2024

The National Volunteer Fire Council (NVFC) continues to raise awareness on the Occupational Safety and Health Administration's (OSHA) proposed Emergency Response Standard and offer resources to help first responders take action. On February 5, OSHA published a Notice of Proposed Rulemaking (NPRM) to replace the agency's "Fire Brigades" standard with a proposed new "Emergency Response Standard." This NPRM's publication triggered the beginning of a public comment period that is scheduled to conclude June 21, 2024.

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

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

(https://us06web.zoom.us/webinar/register/WN_JXLQL0c5S3acTz9c6US0dA#/registration)

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

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

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

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,



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.

[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.

NVFC LANDING PAGE LINK HERE:

https://gma5qspab.cc.rs6.net/tn.jsp?f=001L6aLm-Ax7THBUrMdNSMphNIFj1WWWWRRzYxdUshoNVzVUkCq2FlvoxhE-Ayblw8OnamjN0BiBpzyC-pPzLiiYEvhxQ9sAxH0UIN-rMeW-UojESKwKkPDdMRzXK8VXBP-Sh4YQDWcOPJekSA9BGQCOh6lo_AGJ2vqw1b4iSBqWLS=&c=LauWWHLcf9ha42GymhqekGbW4yikuTH862UfuVJahY7fFHeGI_qUJw=&ch=lefmM7sGv75CYvgpTK9dENyqA1Rv5PwzXZ1xlkZP-JITscwLK8iGsQ=

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>

Federal Legislation Introduced Mandating a Phased In Approach

A BILL

To amend the Occupational Safety and Health Act of 1970 to clarify the 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!

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 OSHA ones have been exceeding that hit ratio which is awesome. Please share the registration link with your email lists and organizations. There is also a link for one more geared to Ohio in a couple weeks.

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

https://archcapgroup.zoom.us/webinar/register/WN_9GtqnblySa-WTKil-F5Sqw

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.

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

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

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

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

- This standard defines the minimum requirements for establishing inspection, maintenance, refurbishment, retirement and testing program for in-service emergency vehicles and marine firefighting vessels.
- This standard shall provide minimum requirements for marine firefighting vessels.

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

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

Standard for Fire Fighter Professional Qualifications

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

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

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

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

Standard for Training Fire Service Rapid Intervention Crews

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

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

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

Standard for Fire Apparatus Driver/Operator Professional Qualifications

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

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

Standard for Fire Officer Professional Qualifications

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

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

Standard for Wildland Fire Protection

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

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

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

Standard for Technical Rescue Personnel Professional Qualifications

- This standard references in part 10 additional NFPA Standards.

- The Scope of this Standard identifies the minimum job performance requirements for technical rescue personnel. The intent is to ensure that individuals serving as technical rescue personnel are qualified.
- There are 92 pages of requirements including several specialty rescue scenarios.
- **While not specifically stated, is it the intent that this standard applies to volunteer fire fighters who occasional respond to Technical Rescues, it is not stated in the Scope nor in the Explanatory Material. Would those occasional volunteers have to be trained to the entire standard or to a portion of the standard?**

- [NFPA 1005 \(28 page document\)](#)

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

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

- [NFPA 1951 \(68 page document\)](#)

Standard on Protective Ensembles for Technical Rescue Incidents

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

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

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

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

- References 44 other technical documents.

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

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

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

Standard on Surface Water Operations Protective Clothing and Equipment

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

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

- References 38 additional technical standards

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

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

Standard on Protective Ensembles for Contaminated Water Diving

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

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

- References 33 additional technical standards

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

Standard on Protective Ensembles for Structural Firefighting and Proximity Firefighting

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

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

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

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

- 74 additional reference technical documents.

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

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

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

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

- 45 additional referenced technical standards.
- [NFPA 1981 \(81 page document\)](#)

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

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

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

- 22 additional referenced technical standards
- [NFPA 1982 \(70 page document\)](#)

Standard on Personal Alert Safety Systems

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

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

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

This standard applies to the manufacturer of PASS devices.

- 18 additional referenced technical standards.
- [NFPA 1984 \(39 page document\)](#)

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

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

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

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

- 12 additional referenced technical standards
- [NFPA 1986 \(70 page document\)](#)

Standard on Respiratory Protection Equipment for Tactical and Technical Operations

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

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

- 17 additional referenced technical standards
- [NFPA 1987 \(98 page document\)](#)

Standard on Combination Unit Respirator Systems for Tactical and Technical Operations

- 71 additional referenced technical standards

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

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

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

Standard for Protective Ensembles for Hazardous Materials and CBRN Operations

- 59 additional reference technical standards

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

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

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

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

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

Standard on Protective Clothing and Ensembles for Emergency Medical Operations

- 60 additional referenced technical standards

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

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

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

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

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

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

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

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

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

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

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

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

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

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

****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 IN ROADS AS THE VOLUNTEER FIRE SERVICE CONTINUES TO ERODE. REMEMBER THE IAFF PROVIDES CONTRIBUTIONS TO A SLEW OF POLITICIANS THROUGH THEIR CAMPAIGN PACS, VOLUNTEERS PROVIDE VERY LITTLE CAMPAIGN FUNDING.]

Formal Comment Submitted by CAFDA on Your Behalf!

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

Posted to the CAFDA.net website.

OSHA Takes Action To Limit Emergency Responder Injuries And Fatalities

Michael Fraley – Fire Rescue One

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

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

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

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

SOME OF THE SPECIFIC SECTIONS OF THE PROPOSED STANDARD INCLUDE:

- **Emergency response plan (ERP).** Agencies *will be required* to have a written program to ensure they are prepared to respond to, and operate safely in, the emergency and non-emergency situations that are likely to occur in their primary response area. The ERP is intended to provide for the occupational safety and health of team members and encompass all aspects of emergency response, many of which are outlined below.
- **Vulnerability assessment of hazards.** Agencies *must assess* their primary response area *to identify the types calls they may respond to*. Resources in the plan must be matched to these hazards and the plan should identify mutual aid resources to be called when the agency cannot mitigate a particular hazard.

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

TWO OPPORTUNITIES

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

- Review the proposed standard, whether OSHA rules directly apply to you or not, and provide comments to help shape the document into something that will improve safe practices in our industry.
- Review your department's current responder safety program and take steps to build the program so it will meet or even exceed the standard that this rule will bring.

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

Insight from Curt Varone

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