



CAPITAL AREA FIRE DISTRICTS ASSOCIATION



BULLETIN

OCTOBER 12, 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](#)
- [I have signed up to testify before OSHA in November, WHAT POINTS WOULD YOU LIKE ME TO MAKE DURING MY 5 MINUTE TESTIMONY? NOTIFY ME AT TOM@RINALDI1.COM](#)
- Page 2, Fire District Election Schedule for 2024
- **WORKSHOP 24 Vendor Space Available, see below.**

CAFDA NEWS AND OPPORTUNITIES:

WWW.CAFDA.NET

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

NEXT DINNER MEETING AND ELECTION THURSDAY NOVEMBER 14TH, Dinner at 6, meeting starts promptly at 7PM

Letters due for nominations for the November Election including all officers and 5 directors.

Printable 24/25 Activity 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.

ZOOM MEETING LINK FOR NOVEMBER 2024:

Topic: CAFDA Membership Meeting Time: Nov 14, 2024 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us/j/82585732921?pwd=aJOla49nx7ichi2RgnlXABjTXRSqfl.1>

Meeting ID: 825 8573 2921

Passcode: 464618

Dial by your location

- 646 558 8656 US (New York)

[Prelude to the 2025 Elections, Nominations](#)

Nominations will take place at the October 2024 Meeting and Elections will be held at the November 2024 Meeting. It is requested that if you intend to run for President, 1st Vice President, 2nd Vice President or one of the five Director's positions that you submit a letter of intent to the Secretary before or at the October 2024 meeting.

[Planning for CONFERENCE '25 - Lake George](#)

The Education Committee has begun planning for the 2025 Conference to be held in April at the Fort William Henry Conference Center in Lake George. Are there any topics you would like to hear about? Please let John Meehan know at jmeehanafd@gmail.com

WORKSHOP '24

SATURDAY, NOVEMBER 2ND

VERDOY FIRE STATION, 988 Troy Schenectady Road, Latham

Per-Attendee Cost is \$20 for Member Districts, \$30 for non-Members

7:00-8:00 Registration & Continental Breakfast
8:00-8:10 Pledge to the Flag & Welcome: Capital Area Association Officers
8:10-9:15 Presentation Topic: Media Relations for Fire Districts Having a Bad Day – Art Hunsinger
9:15-9:30 Networking Break
9:30-10:15 Presentation Topic: OSHA Proposed Standard Update – Dave Denniston
10:30-11:45 Human Resource Challenges for the Volunteer Fire Service – Past Chief, Greg Serio
12:00-2:00 Lunch with the Experts – A panel of experts has been assembled to answer your questions about a broad range of important topics. Joining us will be Attorney, Alyssa Snyder, CPA, Bob Gramuglia, VFBL & LOSAP, Keith Brandstedter, Insurance, Pat Daglio, Apparatus Maintenance & Refurbishing, Marc Mazza.

Everyone is Invited to Attend, not limited to Commissioners
ADVANCE REGISTRATION IS VERY HELPFUL FOR PLANNING PURPOSES
HELP US PLAN - Please Respond by Friday, October 25th, 2024

Return to:
CAFDA
PO Box 242
East Schodack, NY 12063
Or by email to secretary@CAFDA.net

WORKSHOP 24 REGISTRATION FORM AT THIS LINK

<https://cafda.net/wp-content/uploads/2024/09/2024-Fall-Workshop-Registration.pdf>

WORKSHOP 24 SCHEDULE AT THIS LINK:

<https://cafda.net/wp-content/uploads/2024/09/Fall-Workshop-Schedule-2024.pdf>

REGISTRATION IS NOW OPEN!!!

You are able to go on-line at our Website at CAFDA.net and pay with a credit card under the pull-down tab **EVENTS/event registration**

Workshop Benefit for Business Partners

As a benefit for your membership ½ tables are available at no charge for **WORKSHOP 24**, space is limited. Contact Art Hunsinger at arttv19@gmail.com

Upcoming CAFDA Educational Event for Fire District Officials

Save the Date: Thursday March 13th and Friday March 14th, 2025

Fire District Financial Training
Presented by the NYS-Office of the State Comptroller
To be held at Fulton Montgomery Community College, Johnstown, New York
Supported by Mohawk Fire District
Commissioners, Treasurers and Chiefs are cordially invited to attend
More Information to Follow

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

[Fire District Election Schedule 2024](#)

October 10th, 2024 Last day to adopt resolution permitting absentee ballots at the Annual Election. Absentee ballots are optional for fire districts. If previously approved, does not have to be redone. TL§175b(1).

October 31st, 2024 Request County Board of Elections to provide a list of registered voters as of November 18th and to provide the list to the district by November 22nd and order voting machines or other equipment and telephone coverage for the night of the election, if desired and available. EL§5-612(6).

October 31st, 2024 Last day to adopt resolutions designating Fire District Board of Elections, including Chairman and Election Inspectors and/or Ballot Clerks, fixing compensation of the individual members of the District Board of Elections TL§175-a(6).

November 6th - 13th, 2024 Publish Notice of Election (and publicly post) in district newspaper stating the date, place and hours of election; listing offices and propositions, if any, on the ballot; whether candidate petitions are required; the last day for voter registration; the procedure for absentee ballots, if any, and optionally designating the date(s) on which the Inspectors of Election will meet to prepare the register, where the meeting will be held, and the hours of such meeting TL§175(1).

November 18th, 2024 Last day to register at County Board of Elections to be Eligible to vote on December 10th, 2024 in Annual District Election TL§175-a (2) (a).

November 19st, 2024 County Board of Elections to mail lists of registered voters to Fire District Secretary. EL§5-612(c).

November 20th, 2024 If absentee voting is permitted, mail absentee ballots to any registered voter whose registration record is marked “permanently disabled” on receipt of list from County Board of Elections. Ballot must be finalized to complete this task. TL§175-b(2)(g)

November 20th, 2024 Last day to file petitions for candidates for office, if required, or notify secretary in writing of intent to run for office if petition not required. TL§176(7).

November 20th – November 25th, 2024 Post Notice of Election on district website and signboard, if any, at least 15, but not more than 20 days before date of election. Remains on website until December 10th, 2024. TL§175-c (1).

November 20th - November 25th, 2024 Copy of Notice of Election to town clerk for posting on municipal website, if any, bulletin board and signboard, if any, at least 15, but not more than 20 days before date of election. TL§175-c(2) These notices [for websites, signboards and bulletin boards] must include time and place of election, officers to be elected, term of office and any other details regarding matters to be voted on as well as hours of polls being open for balloting. Suggest using regular Notice of Election published in district newspaper. TL§175-c(3).

November 25th, 2024 Suggested meeting date for Fire District Board of Elections to prepare register. Can be any other date you choose after receiving registration books. TL§175-a(3).

December 3rd, 2024 If absentee voting is permitted, last day to receive application for absentee ballot if the ballot is to be mailed TL§175-b(2).

December 9th, 2024 Last day to receive application for absentee ballots if it is delivered personally to the voter or his/her agent. TL§175-b(2).

December 10th, 2024 Election Day- 6:00 p.m. to 9:00 p.m. minimum may be additional consecutive hours prior to 6:00 p.m. TL§175

December 13th, 2024 File results (Canvass of Election) with Town Clerk. TL§175.

December 17th, 2024 Secretary to deliver a report to the County Board of Elections indicating the persons on the list of registered voters labeled “inactive” who voted at the fire district election.

THE LATEST FROM THE STATE CAPITAL

[ScoreCard](#)

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

OTHER FIRE SERVICE ORGANIZATION NEWS

Save The Date: 1st Annual FASNY Training & Educational Weekend

May, Friday the 16th through Sunday the 18th, 2025

Fort William Henry , Lake George, NY

An array of Speakers on many subjects including Chief Tom Richardson, Chief Tom Basher, D/C Tim Cowan, Brian McQueen, Chief Stefano Napolitano, Chief Doug Cline, Chief Justin Bailey and Ed Mann..

More information to come.

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&evd=40809591

IF NOTHING ELSE READ THE ARTICLES PRECEDED BY **

THE LATEST FROM WASHINGTON

Now we can't wait until the election is over. Please Vote, not for the party but for the person who will lead America into the future for next four years with strength, honesty and dignity.

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

Budget Hearing, Do It In The Correct Order

Remember, the main purpose of the budget hearing is to gather public input before finalizing the budget. It is crucial to take this feedback into account before making any decisions about exceeding and overriding the tax levy cap.

Please remember that anyone can attend your budget hearing; attendance cannot be restricted to residents or property taxpayers of your district. Additionally, any attendee has the right to request an opportunity to speak, and you cannot limit speakers to just district residents or taxpayers.

A resolution to override the cap passed before the budget hearing is invalid.

The resolution to override the real property tax levy cap must be adopted after completion of the budget hearing and before you adopt the final budget to be effective. A resolution to override the cap, if adopted after the Board has approved the final budget, will not accomplish the goal of overriding the cap. The sequence in which you adopt the resolution to override the cap and the resolution to approve the final budget is critical. If done out of sequence, the override will be invalid, and the Board will not be allowed to use the funds exceeding the cap in 2025. Instead, those funds must be placed in a special escrow account and used to reduce the 2026 budget.

To support Boards planning to exceed the real property tax levy cap in 2025, sample resolutions are available for your use: one for approving the override and another for approving the final 2025 budget.

The resolutions are numbered intentionally (No.1 and No. 2); please adopt them in the correct order.

_____ FIRE DISTRICT RESOLUTION NO. 1 : OVERRIDE REAL PROPERTY TAX CAP FOR THE 2025 BUDGET

WHEREAS, the Board of Fire Commissioners of the _____ Fire District must adopt a proposed budget for 2025 and estimate of fund balances in preparation for the annual fire district budget hearing and did so in preparation for the budget hearing, and

WHEREAS, the Board of Fire Commissioners of the _____ Fire District held the annual fire district budget hearing on notice to the public on October ____, 2024, and

WHEREAS, the Board has considered the proposed budget and received comments on the proposed budget on October ____, 2024 at said budget hearing, and

WHEREAS, the Board has determined that the financial needs of the fire district and fire department for fiscal year 2025 cannot be supported by a budget that would comply with the real property tax cap established pursuant to Section 3-c of the General Municipal Law as the proposed budget for 2025 calls for a real property tax levy that will exceed the real property tax cap permitting only a 2.00% increase in said tax levy; and

WHEREAS, Section 3-c of the General Municipal Law provides as follows: A local government may adopt a budget that requires a tax levy that is greater than the tax levy limit for the coming fiscal year, not including any levy necessary to support the expenditures pursuant to subparagraphs (i) through (iv) of paragraph g of subdivision two of this section, only if the governing body of such local government first enacts, by a vote of sixty percent of the total voting power of such body, a local law to override such limit for such coming fiscal year only, or in the case of a district or fire district, a resolution, approved by a vote of sixty percent of the total voting power of such body, to override such limit for such coming fiscal year only.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Fire Commissioners hereby approves a determination to override the real property tax cap for the 2025 budget to permit an annual real property tax levy that will exceed the real property tax cap with an increase in said tax levy over the two (2%) percent limit and result in a final annual fire district budget in the amount of \$_____, and The adoption of the foregoing resolution was duly put to a vote and upon roll call the vote was as follows:

- Chairman
- Commissioner
- Commissioner
- Commissioner
- Commissioner

The resolution was thereupon duly declared to have been adopted.

Dated: _____, New York
October _____, 2024

_____ FIRE DISTRICT RESOLUTION NO. 2 : APPROVE FINAL BUDGET FOR 2025

WHEREAS, the Board of Fire Commissioners of the _____ Fire District must adopt a proposed budget for 2025 and estimate of fund balances in preparation for the annual fire district budget hearing and did so in preparation for the budget hearing, and

WHEREAS, the Board of Fire Commissioners of the _____ Fire District held the annual fire district budget hearing on notice to the public on October ____, 2024, and

WHEREAS, the Board has considered the proposed budget and comments received on the proposed budget on October ____, 2024 at said budget hearing, and

WHEREAS, the Board has determined that that financial needs of the fire district and fire department for fiscal year 2025 cannot be supported by a budget that would comply with the real property tax cap established pursuant to Section 3-c of the General Municipal Law as the proposed budget for 2025 calls for a real property tax levy that will exceed the real property tax cap permitting only a 2.00 % increase in said tax levy; and

WHEREAS, Section 3-c of the General Municipal Law provides as follows: A local government may adopt a budget that requires a tax levy that is greater than the tax levy limit for the coming fiscal year, not including any levy necessary to support the expenditures pursuant to subparagraphs (i) through (iv) of paragraph g of subdivision two of this section, only if the governing body of such local government first enacts, by a vote of sixty percent of the total voting power of such body, a local law to override such limit for such coming fiscal year only, or in the case of a district

or fire district, a resolution, approved by a vote of sixty percent of the total voting power of such body, to override such limit for such coming fiscal year only.

WHEREAS, previously at this meeting this Board of Fire Commissioners passed a resolution to override the real property tax cap for the 2025 Budget.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Fire Commissioners hereby approves the Final Budget for the _____ Fire District for 2025 attached hereto and made a part hereof in the amount of _____\$. The adoption of the foregoing resolution was duly put to a vote and upon roll call the vote was as follows:

- Chairman
- Commissioner
- Commissioner
- Commissioner
- Commissioner

The resolution was thereupon duly declared to have been adopted. Dated: _____, New York October _____, 2024

Register "NYS GOVBUY 2024" events@ogsgovbuy.info

Save the date: November 21-22, 2024 Empire State Plaza Convention Center REGISTER NOW AT THIS LINK:
https://eventdex.my.site.com/BLN_RegistrationDym?id=a19Nt000001xfZdIAI

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/>

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

THE ATTORNEY'S OFFICE

The Attorney has gone fishing this week.

STEP INTO THE CHIEF'S OFFICE

The Need For Processes And Procedures In The Fire Service

Chief Dave Cline

Every effective team has a playbook, an agreed-upon strategy to reach strategic goals. No sports team takes the field without a standard set of plays they have drilled on until perfect. In sports, it's also important to have both a defensive and an offensive plan — one to tell the team how to act, and the other to determine how to react in any given situation. The same is true in the fire service.

PLANNING FOR THE PERFECT DAY

In the fire service, we must have a "Plan A." Plan A needs to be the same across all shifts or battalions. Officers, companies, stations or shifts may have a particular style, but we cannot have three or nine or 21 different ways of

approaching our work. A standardized plan or response model increases firefighter safety, improves service to our communities and helps us identify weak points in our strategy. It also helps ensure everyone is on the same page.

We need a plan that standardizes our response. But how do we do that in the dynamic world of emergency services? I believe departments must approach this task with a very specific perspective; I call it “a bright sunny day.” So what does that mean? It is the perfect day — one when all our personnel report to work, none of our vehicles or equipment are out of service, no other major incidents are going on, and most importantly, it is sunny and 75 degrees. But why plan for possibly high-risk/low-occurrence operations in this Utopian environment? I believe we can do this because of our people.

PROCESSES AND PROCEDURES IN THE FIRE SERVICE

As a fire department, we do our best to hire smart people who are good at problem-solving. We educate them on our policies, which set the normal limits of their behavior and actions. We train them well so they know how to do their job. And we properly equip them to perform the tasks that need to be done to complete operations that need to get done.

The process of creating our operational procedures is an excellent opportunity to really examine the elements that will make us successful. For example, does our hiring process help us screen for the best candidates? Do we have effective policies in place so personnel understand the department’s expectations? Have we provided up-to-date, realistic training to help personnel hone their skills in these high-risk tactics? And lastly, have we provided our personnel with the proper tools to efficiently complete these tasks?

Regardless of which badge they wear, if public safety leaders do these things, then their people should be ready to overcome almost any issue that may challenge the “bright sunny day” model.

INCREASING SAFETY THROUGH PROCESSES AND PROCEDURES

We cannot talk about operations — especially high-risk/low-occurrence incidents — without talking about responder safety. There is no better time to discover and address safety issues than during the planning stage. As a chief officer, I would rather find out that we do not have the necessary tools or personal protective equipment for a task long before we face that incident in the field.

Since we know safety is paramount, practicing high-risk tactics is one of the best ways to keep our team safe. Addressing and then reducing risk through proper training (and with the proper equipment) is more operationally efficient than avoiding risk. And it’s far superior to avoiding risk altogether, which typically involves taking no action or delaying actions until the moment of opportunity has passed. Discuss and examine risks, then devise a plan to address them during operations.

PROCESSES AND PROCEDURES MAKE US MORE EFFICIENT

In addition to making our people safer, standardized operations also improve the quality and efficiency of the services we deliver to our communities. When we create and improve our processes and procedures in the fire service, we have the perfect opportunity to examine and discuss our delivery of services. This allows us a time to ask, “How can we do this better?”

Better does not always mean faster, but it may. Better can also be more efficient, more effective or more prepared. Do we have equipment located in the best positions to respond to emergencies in our community? This may include the location of fire stations, but it also includes how and where we mount or carry tools and equipment. Do we have life-saving tools stored underneath overhaul tools? Do we have hose loaded in a fashion which deploys best for the common structures in our community? What can we do to improve our out-the-door response times? When can we conduct training or perform routine daily tasks that may affect our response times during periods when we expect to run more calls? Again, this process provides us an opportunity to reevaluate how we provide service to our community, and how we can further improve delivery.

Planning standardized operating procedures also gives departments a convenient time to identify weaknesses in our organizations. This should be like a brainstorming session. It’s a great time to list the what-ifs and then examine each of them in turn. Some concerns may be based on old practices, or even on old equipment a department may no longer even have. Some may reveal training gaps that were previously unnoticed — because after all, we don’t know what we don’t know.

Once we feel we have addressed all the possible weaknesses in a plan, pass the information around. We also want to ensure company officers and firefighters understand the procedure, that is written clearly to provide the intended

guidance. Remember, we hire smart people and train them well. Why wouldn't we ask for their input? As Echelon Front cofounder Jocko Willink would tell us, "Subordinate your ego, keep an open mind, and adapt." Good leaders encourage people to provide feedback, and then they listen.

IT'S ALL IN THE PLANNING

In addition to effective policies, Lexipol has also produced a high-quality procedure manual that cover processes and practices critical to successful fire service operations. Regardless of your agency's size, Lexipol's procedure manual provides a highly effective framework to customize for any department. My favorite feature is the "First 5 Minutes" section of each procedure, which provides a short guideline for initial actions at the scene of an incident. As many of us know, the actions taken in the first five minutes of an incident can have a major impact on how successful the operation will be in the long run.

Helmuth von Moltke, a 19th-century Prussian field marshal, famously said, "No plan survives contact with the enemy." In spite of this depressing reality, though, effective tacticians know how important it is to talk through scenarios and come up with contingencies. It was President Dwight D. Eisenhower who said, "Plans are worthless, but planning is everything." Not every incident happens on a sunny day when you're fully staffed and have all the equipment you need. That's why every Plan A needs a Plan B.

Yes, I believe this sentiment is at the heart of why fire departments need standardized operating procedures. Having a written plan is important, but being able to address the opportunities or challenges identified during the planning process is everything.

OUR CHANGING FIRE SERVICE –CHALLENGES & POSITIVE IDEAS!

POSITIVE OUTCOMES

NVFC Volunteer Firefighter Support Fund Helps Responders Impacted by Disasters

The NVFC mourns the loss of life and devastating impact caused by Hurricane Helene, and we grieve for the responders who died while protecting their communities.

When a disaster strikes, volunteer firefighters and emergency personnel are quick to respond – risking their safety to protect and assist others. At the same time, many of these responders are also impacted by these disasters, having their homes damaged or destroyed while they are out protecting their neighbors.

The NVFC's Volunteer Firefighter Support Fund helps eligible volunteer firefighters and EMS providers whose homes are damaged or destroyed by largescale disasters (such as hurricanes, tornadoes, wildfires, flooding, and others) or home fires. The fund provides a stipend of \$350 to help responders meet basic needs in the aftermath of a disaster.

If your home is in a declared disaster area or suffered damage due to fire and has incurred more than \$5,000 in uninsurable loss, you can apply for a stipend through the Volunteer Firefighter Support Fund. **Applications must be received within 60 days of when the incident occurred.**

The Volunteer Firefighter Support Fund relies entirely on donations, 100% of which go to responders in need. If you were not impacted but would like to help those who were, consider making a donation to the Volunteer Firefighter Support Fund. To date, over \$750,000 has been distributed to volunteer firefighters and EMS providers in need, thanks to donations from individuals and corporate partners.

Learn more about the Volunteer Firefighter Support Fund, apply for assistance, or make a donation at www.nvfc.org/support-fund.

5 Questions Every Firefighter Should Be Prepared To Answer About Smoke Alarms

Daniel Shoffner

As firefighters, we take pride in knowing how to use the tools of our trade. This includes having expert knowledge on how to use our hand tools, power tools, various nozzles, and highly technical rescue tools.

Another tool in our toolbox – one the public expects us to be proficient with – is the simple residential smoke alarm. While we may not think of the smoke alarm as a tool per se, it is without a doubt a critical piece of equipment. Many fire departments maintain a stock of smoke alarms that they can install in homes as requested by citizens who reside within their department's response district. The key question: Do we know everything we need to know about smoke alarms in order to best serve our community?

We get asked a lot of questions about a lot of different topics, and while it's OK not to be an expert on *everything*, there are certain things that the public expects us to know inside and out – and smoke alarms is one of them. Here are five questions you should be prepared to answer.

1. WHERE CAN I GET SMOKE ALARMS?

This is very simple, but nonetheless, a question that will likely be asked of you at some point in your career. As mentioned, many departments maintain a stock of smoke alarms to provide to the public in their area, particularly to the elderly and those with lower incomes who may find it financially challenging to purchase one. If your department is one of these, it's a great idea to keep a few on the truck at all times, so when you respond to a medical call and notice the absence of a working smoke alarm, you can install one right on the spot, once patient care has been completed.

If your department does not maintain a stock of smoke alarms, most any home improvement store should have an ample stock. There are numerous online outlets to purchase one as well.

2. WHAT KIND OF SMOKE ALARM SHOULD I GET?

Generally speaking, there are two types of smoke alarms – ionization and photoelectric:

- **Ionization smoke alarms** are optimal for detecting flaming fires that are burning cleaner and have less dense smoke. They work by containing a small amount of radioactive material which ionizes air molecules and creates a small electrical current. When that current is interrupted by smoke, it sets off the alarm.
- **Photoelectric smoke alarms** work by using a photosensitive cell that alarms when smoke enters the smoke alarm. It is for this reason photoelectric smoke alarms work well with smoldering or dirty fires.

Both types work well, and both have their place. Some smoke alarms are actually a combination of both, which is the optimal solution.

- [Dual-type smoke alarm](#)

There are also many smoke alarm/carbon monoxide combos on the market. These options are better than not having either type of alarm, but many sources would suggest it is best to have two separate units due to differing characteristics of the gas behaviors and the fact they are detecting two different types of hazards.

- [Smoke alarm and CO detector](#)

There are also options for hearing-impaired individuals. These options are commonly installed on beds, altering the individual by shaking the bed when the alarm activates. There are also options where strobe lights or other lighting will activate in the event the alarm activates.

- [Bed shaker accessory](#)
- [Strobe light smoke alarm](#)

3. WHERE SHOULD I INSTALL A SMOKE ALARM?

We must have a thorough knowledge of smoke alarm location, as it can make a big difference in optimal warning time, not to mention we may be the ones installing the smoke alarm.

The location can vary slightly depending upon local building or fire codes in your area, but in general, per the NFPA, every bedroom or sleeping area needs a smoke alarm. Additionally, hallways and areas outside sleeping areas also should have smoke alarms, as should living rooms or areas near stairways on levels without bedrooms. Basements should also have a smoke alarm. It's not a bad idea to have smoke alarms in attic spaces as well, especially if electrical or HVAC equipment is present in these areas.

While many fires start in kitchens, placement in a kitchen needs to be strategic, as we want to avoid placement in an area where the alarm will activate every time someone cooks or burns food. This means that smoke alarms near or in the kitchen should be placed approximately 10-20 feet away from cooking appliances to reduce the likelihood of false alarms. The same holds true for smoke alarms outside bathrooms, as steam from showers can also set them off. As such, it is best not to place the smoke alarm immediately outside the bathroom but rather in close proximity.

Watch this NFPA video for more information:

And review NFPA 72: National Fire Alarm and Signaling Code.

4. HOW LONG WILL MY SMOKE ALARM LAST?

Just as with anything, smoke alarms have a shelf life. It is paramount that we communicate this information to the public so they understand the need to replace their alarms. In short, most smoke alarms should be replaced every 10 years. This will depend on the type and quality of the smoke alarm, as it may need to be replaced sooner. There are hardwired smoke alarms that have battery backups. Many of these batteries are 10-year batteries. Some smoke alarms

are strictly battery powered. These smoke alarms may be good for 10 years, but the batteries may not. Regardless, smoke alarms should be tested monthly, and alarms with replaceable batteries should be changed out every six months – ideally when we change our clocks for daylight savings. It’s important to check manufacturers’ suggestions and labels as well. Some smoke/carbon monoxide combination units recommend being replaced every 7 years.

5. WHY DOES MY SMOKE ALARM KEEP GOING OFF – AND WHAT SHOULD I DO ABOUT IT?

We’ve all heard this at some point from someone in our lives. The smoke alarm keeps going off in the middle of the night despite there being no fire or smoke. What do I do to make it stop and why is it doing this? Such behavior typically occurs when the alarm batteries are getting low, causing the unit to chirp or activate as a signal to change the batteries. Unfortunately, some people will take the battery out all together or disconnect the alarm from the power source when this happens. This is not the correct way to handle this situation. Other things that can inadvertently set off the alarm include particles in the air, whether it be dust, fumes coming off of wet paint drying, steam from the shower or cooking. Even a bug crawling into the alarm can set it off. Regardless, the smoke alarm should never be disabled, and in most cases, the batteries just need to be replaced.

BE PREPARED

While a lot of firefighters might defer questions about smoke alarms to their Community Risk Reduction or Fire Prevention Divisions, all of us should know some basics about them. After all, we are going to encounter the public in all sorts of ways, from just being at the grocery store, to community events, or even on calls. Expect questions about smoke alarms, and be informed so you represent your department, yourself and your profession well when you have these encounters. Knowledge is power, and having a basic understanding and knowledge of smoke alarms is important in what we do.

Fire Department In California Helps Military Members Transition Into Life After Service

The Oceanside Fire Department recently adopted the SkillBridge program, helping service members step into their professional lives outside of the military. "They're able to work on the ambulance and get real world experience that really does matter for them to get that next job," said Oceanside Fire Chief David Parsons. The Department of Defense program pairs with professions all over the country to give military members unique work experience, but locally there was nothing quite like this. "This is one of the few programs I saw that actually gives you the experience of actually treating patients and operating on a 911 platform, so that's why I 100% went for this," said Naval Petty Officer Reid Dillion. Dillion sees this setting the stage for his dream of being a doctor.

FIRE SERVICE CHALLENGES

Assaults, Threats Against Hennepin County, MN, EMS Crews Rising

Susan Nicol

Hennepin County paramedics and EMTs are facing threats and assaults daily.

Data shows there have been 241 threats and assaults against EMS crews so far this year compared to 121 for all of 2023.

"I mean, we're seeing these kinds of events on a daily basis, whether it's physical, verbal or threatening actions, every single day," said Shane Hallow, president of the Hennepin County Association of Paramedics and EMTs.

Martin Scheerer, EMS chief at Hennepin Healthcare, said his crews receive de-escalation and self-defense training. But, the increase in mental health and drug addiction, along with working sometimes at crime scenes, has made things, at times, unsafe for ambulance teams.

"Our teams have been really good and well trained in de-escalation, non-escalation and crisis management, but still sometimes we have to back out. And that's the hard part, backing out sometimes and letting law enforcement take over," said Scheerer.

When asked if he worried one of his crew members could be killed, Scheerer responded, "Oh, absolutely, every day. It keeps me up at night."

PLEASE SHARE THESE TRAINING OPPORTUNITIES



Responder Fitness: Being Ready to Serve, ESIP WEBINAR SERIES

In pursuit of healthier responders, this webinar will highlight death and injury statistics for first responders, define the pillars of physical fitness, discuss ways to improve each of these pillars to reduce the risk of injury and death, and provide a brief overview of nutrition as part of an overall, balanced lifestyle.

Wednesday, October 16, 2024, 7PM

REGISTER AT THIS LINK:

<https://mcneilandcompany.us8.list-manage.com/track/click?u=03596f243a9d922954ebaf15e&id=9bff658f9a&e=781e9a2c81>



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

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

Webinar - So You're a Training Officer: Now What? Incorporating Adult Learning Theory into FD Training Programs

Nov. 13 at 2pm ET Presenter: Rachel Buczynski

REGISTER AT THIS LINK:

https://us06web.zoom.us/webinar/register/WN_ilTmPyf-S8qeMO_-3YEIFA#/registration



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 – NYS AFC 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=AmhECQ6uFruSlwrKrkspNlivj3NWEIzhZOrf3KrfnUls83Dp1Q1JdQ==&ch=AqMwftSnQgSSioeldoQJ-cfc_GyhBFLqV23YaEp7HU-kr9WwoEr9kSg==

7:00pm STARTING TIME

Rensselaer (Tuesday, October 29)



NYS AFC Hands on Series

FIRE BEHAVIOR ON THE INSIDE

- **Schenectady County – October 19-20**, East Glenville Fire District #3 REGISTRATION:
<https://www.nysfirechiefs.com/firebehavior>



The fall leg of the 2024 Seminar Series kicks off in September!

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

SEMINARS ARE COMING TO THESE COUNTIES (7:00 P.M. STARTING TIME):

Cortland (October 22) • **Monroe** (November 5) • **Oneida** (October 23) • **Rensselaer** (October 29)

REGISTRATION:

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

Pre-registration encouraged!

REGISTER AT THIS LINK:

https://ygc8ha5ab.cc.rs6.net/tn.jsp?f=001kuqLgpLbccSUrlvWbOM--WOyxcGN33wsn9CB40zBMzH5JrQ8kdAu-U9rcq0HazSAzEMaxVMNEpSigloNLWx_FYDCKrLQIQfAwRv9fZGoCA39a8F854FdGooPPW5nhlimjwcY_z-Ppvs9xIbWg4t2soeB2xbgSHSWBkR3FQNgfUCMou6eD6ReaQ==&c=6nGkXVEGAjcnabshBE8sbLM6Gn8YA1sFFRufb2MsKAKCEPyxSmObRg==&ch=ZrLEy5qUdq74vNpCsQnMdYy3z1L5PpLYSA1u3R47oxFRQnYmdcSRQ==



University Provides a Wealth of Training Opportunities UPDATED FOR 2023

VFIS TRAINING AND RESOURCE CATALOG 2023

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

VFIS UNIVERSITY – USERS GUIDE

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

VFIS TRAINING OFFICER USERS GUIDE

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

VFIS RESPONDER HELP FLYER

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

FF HEALTH AND SAFETY – TAKING CARE OF OUR MEMBERS!

Free Screening Leads To Successful Cancer Fight In Mass. Firefighter

Namu Sampath

There was only one reason why Capt. Zachary Vozella, 43, of the Chicopee, Massachusetts Fire Department signed up for an early cancer screening.

“I know (cancer) is a risk of the occupation,” he said in an interview. “There was no other reason for me to get screened.”

The firefighter of 12 years had received an email from the Department of Fire Services about free early screening for cancer, and he decided to get an ultrasound.

The Department of Fire Services already offered firefighters in the state CT chest scans, screenings to detect skin cancer and blood tests that search for signs of prostate cancer through the Massachusetts Firefighting Academy.

Starting last year, eligible firefighters could also get mammograms and ultrasounds, the department said in a press release.

On June 13, Vozella was screened at Springfield's Mercy Medical Center. It turned up a mass on his left kidney. "They said that the ultrasound showed something concerning, a neoplasm and that I should get it checked out," Vozella said in a statement in a Department of Fire Services press release. "I was scared. I was nervous. It was nerve-wracking." A week and a CT scan later came the diagnosis: renal cell carcinoma.

In July, less than a month after his first screening, Vozella went in for surgery to get his kidney removed.

"I was shocked," said Chicopee's fire chief, Daniel Stamborski. "He's (middle-aged), younger than me, but he appears to be young and healthy. Zach said he never experienced any symptoms."

Cancer is a leading cause of death in firefighters, according to the Centers for Disease Control and Prevention.

Firefighters are 9% more likely to get cancer and 14% more likely to die of cancer than the average person, according to Jake Wark, the public information officer for the Department of Fire Services.

Stamborski told The Republican that occupational cancer is a risk for firefighters, but it is also personal to him. In 2007, Stamborski lost his father, Robert Stamborski, who was a Chicopee firefighter for almost three decades, to bladder cancer.

"We took him to Dana Farber in Boston," Stamborski said. "**The doctors told us that diesel emissions have a direct link to bladder cancer.**"

Through the Department of Fire Services, where Vozella received his free screening, Stamborski said he also attended cancer awareness classes and was able to teach his and other primary care physicians about the risks of being a firefighter.

"(The Department of Fire Services) is really good about sending out brochures to read, talking to people and encouraging people to get screened," he said.

Then, the fire chief got screened himself, which is where he learned about an asthma diagnosis and an enlarged thyroid gland, due to exposure to carcinogens — both of which are under control, Stamborski said.

The primary difference between modern fires and those of years past are the types of buildings that firefighters go to today, Wark said.

"They're filled with synthetics, plastics and batteries, all of which are carcinogens," said Wark. "There are far fewer wood fires."

Some of the ways firefighters can mitigate their exposure to carcinogens is by removing soot from their faces, necks, throats, underarms and other areas with a wipe; cleaning gear immediately after use; and showering immediately after a fire, Wark said.

In August, Gov. Maura Healey signed a bill that will phase out the use of PFAS, also known as "forever chemicals," in firefighters' personal protective equipment.

The chemicals were used in gear because of their ability to withstand heat and prevent the penetration of water and oil, according to a press release from the Governor's Office, but research has shown that it is a common cause for cancer.

Vozella returned back to work on Sept. 27. "We were thrilled to see him back, and I know his family is too. He's got a young son," Stamborski said. When asked what advice he'd give his fellow firefighters, Vozella said: "**Be proactive with your health, understand the risks of the job and be your own advocate with your doctors.**"

NYS Fallen Firefighter's Memorial Honors 32 Firefighters

Governor Hochul honored 32 fallen firefighters at the 27th Annual New York State Fallen Firefighters Memorial Ceremony held at the Empire State Convention Center in Albany, 20 of which were from FDNY. The Memorial honors 2,692 New York's firefighters who lost their lives in the line of duty, paying tribute to them as well as thousands of firefighters across the state who continue to serve and protect their communities.

"Let us take a moment to remember the 32 courageous firefighters whose lives were dedicated to protecting others. Their names, now forever honored on the Memorial Wall, symbolize the bravery and sacrifice that define our firefighting community," **Governor Hochul said.** "As we celebrate Firefighter Appreciation Day and Fire Prevention Week, let us not only express our gratitude but also commit ourselves to fire safety and the well-being of those who risk everything for us. Together, we uphold the legacy of these heroes and the values they instill in us all."

"Our firefighters embody the definition of what it means to selflessly serve one's community, and today, we remember those we lost fulfilling that service," **Lieutenant Governor Antonio Delgado said.** "These men and women are heroes who rose to meet challenges that most of us can scarcely imagine, and we owe them a debt of gratitude we will never be able to repay to those they have left behind. Today, we mourn alongside their families, friends, and colleagues as we salute their courage."

IN 2024 WE HAVE EXPERIENCED 46 FIRE FIGHTER LODD'S

*According to FirefighterCloseCalls.com**

In 2023 we experienced 82 LODDs reported nationally!

DOES'NT HAVE TO BE A FATALITY-JUST A DIBILITATING INJURY!

- Firefighter Tony Garrison lost his life during a rescue operation in Fairview, N.C. when a landslide occurred. He unfortunately is the 4th LODD occurring during the Helene response.

BUILDING CODE ISSUES AND REPORTED FIRE FATALITIES

Proposed language is in Section R309 of the Residential Code:

SECTION R309

AUTOMATIC SPRINKLER SYSTEMS

R309.1 Townhouse automatic sprinkler systems.

An automatic sprinkler system shall be installed in *townhouses*.

Exception:An automatic sprinkler system shall not be required where *additions* or *alterations* are made to existing *townhouses* that do not have an automatic sprinkler system installed.

R309.1.1 Design and installation.

Automatic sprinkler systems for *townhouses* shall be designed and installed in accordance with [Section P2904](#) or [NFPA 13D](#).

R309.2 One- and two-family dwellings automatic sprinkler systems.

An automatic sprinkler system shall be installed in one- and two-family *dwellings*.

Exception:An automatic sprinkler system shall not be required for *additions* or *alterations* to existing *buildings* that are not already provided with a sprinkler system.

R309.2.1 Design and installation.

Automatic sprinkler systems shall be designed and installed in accordance with [Section P2904](#) or [NFPA 13D](#).

LINK TO THE DEPT OF STATE RULE DEVELOPMENT PAGE: <https://dos.ny.gov/notice-rule-development>

We need to start someplace, support the efforts to install sprinklers in 1&2 family homes to save lives and reduce death and injury to firefighters!!

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	45
Last fire death 10/9 Syracuse, Onondaga Co. Male, ukn	
Fire Deaths in any type of Dwelling in NYS	87
Fire Deaths in 1&2 Family Dwellings Nationally	954
Top 3 States with the greatest 1&2 Family Deaths	#1 PA/73
	#2 TX/61
	#3 CA/53
There has been a total of 1545 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 39 of 2024, fire has claimed on an average 37 lives PER WEEK, perhaps OSHA should examine that death toll.	
Both the states of Maryland and California as well as Wash. DC require sprinklers in residential dwellings	

The Power Of Distrust In A World Of 'Nuisance' Smoke Alarms

Billy Goldfeder

It's [Fire Prevention Week](#) – and yes, I know every week should be Fire Prevention Week, but let's get real. **THIS** is the week we focus our attention on a single key message, and this year's focus is smoke alarms. Yes, those *nuisance* smoke alarms – but not a nuisance in the sense that most of you probably think.

We know from experience that most smoke alarm runs are the result of an accidental alert or a battery that's been chirping since 1985. We respond, make sure everything is OK, and we return to quarters. And to be clear, on occasion, there are fires – that's why we respond. But on those occasions when nothing is on fire, our response can have implications elsewhere, like being delayed to another call or even being involved in an apparatus crash. That is not the smoke alarm nuisance I am talking about today, though.

I am talking about the "nuisance" that some people feel about having to maintain a working smoke alarm – changing batteries, testing them to ensure they work, and cleaning out the dust. A "nuisance" that causes some people – maybe even YOU – to skip the simple steps to ensure that you, your loved ones and your guests have some level of protection.

TRUST US, YOU WILL LOVE THIS VACATION HOME

Consider the avoidable deaths of Lindsay Wiener, 19, and her older sister, Jillian Wiener, 21, who died in the early hours of Aug. 3, 2022, after a fire broke out in a rental home where they were staying with other members of their family – a \$1.9 million 1,600-square-foot home.

The homeowners pleaded guilty recently to charges related to the deaths. Peter Miller pleaded guilty to two counts of criminally negligent homicide, and his wife, Pamela Miller, pleaded guilty to second-degree reckless endangerment in the deaths of Lindsay and Jillian. (A full list of charges and code violations is shared below.) The Millers are scheduled to be back in court on Nov. 7 for sentencing.

The fatal fire was started by an outdoor kitchen the Millers had constructed *without proper permits or electrical inspections*. The family had attempted to use a charcoal grill in the outdoor kitchen earlier in the evening, but when the food didn't cook, they finished inside.

Hours later, the fire started, trapping the sisters in the bedrooms on the second floor. Despite attempts from their mom, dad and brother to save them, the sisters were overcome by fire conditions. Responding Sag Harbor firefighters arrived, got into the home, and found the lifeless bodies on the second floor. The two women died at the hospital.

Family members and firefighters stated that no smoke alarms were heard at any time during the fire or suppression activities. Investigators found that the fire detection systems in the home were either improperly installed or non-functional. According to reports, numerous other factors contributed to the fast-moving fatal fire.

RULES AND RESPONSIBILITIES

It feels like many people just don't care or choose to follow rules anymore. And then some of the same people blame others and take zero responsibility when something goes awry. I am sure we are all guilty to some extent, but where do we draw the line? How about when it can hurt or kill someone else when it is assumed YOU are taking care of them?

The Wieners booked the home on a website that lets people rent residential properties. All indications were that the house was safe with smoke and carbon monoxide detectors, a fire extinguisher and related safety features. **No doubt the Weiner family assumed the homeowners had followed all the rules. But that wasn't the case. And the sisters paid with their lives.** The apparent nuisance of doing what is required overrode the need to do the right thing, not to mention doing *what the law requires*.

DON'T TRUST OR ASSUME – VERIFY

Many years ago, I was going through a rough patch and did what I usually do when I want to chill – head to the beach. As I walked along a boat dock, I saw two boats right next to each other and I will never forget their names:

- “It’s A Matter of Trust”
- “Trust Know One”

The second one really stuck.

Be it a personal issue, business related or, in this case, a matter of safety, there aren’t many people in life whom we can fully trust. It’s one of those things where I love being proven wrong. But it was the case with the rental homeowners. They could not be trusted, and the results changed lives forever.

Where does this leave us? It seems that in the world of irresponsibility we live in, we are forced to *not* trust and to absolutely verify.

As this relates to our Fire Prevention Week 2024 theme – “**Smoke alarms: Make them work for you!**” – ***we need to make sure that no matter where we are (home, hotels, friends’ houses, sleepovers for the kids), working smoke alarms are present.*** No longer can we trust that a business, a homeowner or even a neighbor will make sure conditions are safe. It may be simple forgetfulness or it may be greed-driven on the part of the home or businessowner. It doesn’t matter. Take the few minutes to make sure the smoke alarms work.

TAKE ACTION

So, while trust might feel a little less trustworthy these days, there are proactive steps we can take *today* to feel safer and more secure. **For one, we as firefighters can make sure that we take our inspection duties seriously and perform thorough smoke alarm checks.** We can urge the public to make sure their home fire safety equipment is working, and not just once – always and forever. A constant message.

Lastly, in memory of the sisters who lost their lives, we as firefighters and department leadership must start pushing the message of fire safety wherever possible. Staying at a B&B? Test the system. Maybe even pack a smoke alarm. Silly? Stupid? I don’t think so. Sending the kids to a neighbor’s house? Check (or ask them to check) the smoke alarms. Embarrassed? Not comfortable doing that?

It’s a matter of trust, and I urge you to *trust no one*.

To Follow up:

CHARGES/ALLEGATIONS AGAINST THE MILLERS

- The Millers allegedly constructed the outdoor kitchen without a permit and without an electrical inspection.
- The outdoor kitchen was mostly made of wood with low-hanging wood ceilings that sat above the charcoal grill and gas stove.
- The bottom grill vents of the charcoal grill were blocked by an attached counter.
- The electrical circuits that the outdoor kitchen shared with the indoor kitchen were overloaded and improperly wired.

In addition to the criminal charges, the Millers were also prosecuted by Southampton Town for numerous code violations related to the construction and rental of the home. According to authorities, these violations included:

- Failing to apply for and obtain a rental permit prior to renting.
- Having a transient rental when prohibited by law.
- Having a transient rental with tenants contrary to the certificate of occupancy in place.
- Constructing an outdoor kitchen without a building permit.
- Occupying/allowing a deck/pool without a certificate of occupancy.
- Failing to assure single/multi station smoke detectors on the wall outside of the second-floor bedrooms.
- Failing to assure the smoke alarm in the second-floor east bedroom was connected properly.
- Failing to assure that the smoke detector in the second-floor east bedroom had a battery back-up.

- Failing to assure that the smoke alarm in the hallway outside of the first-floor bedroom was connected properly.
- Failing to assure that the smoke alarm in the hallway outside of the first-floor bedroom had a battery back-up.
- Failing to assure that the smoke alarm in the garage was properly connected to a power source.
- Failing to assure a carbon monoxide detector was installed outside of the second-floor bedrooms.
- Failing to assure a carbon monoxide detector was installed outside of the first-floor bedroom.
- Installing an electrical outlet without a proper electrical box, creating an electrical shock/fire hazard as it was directly on siding.
- Installing an electrical outlet on a counter in the outdoor kitchen without a proper electrical box, creating a shock/fire hazard, as it was directly on siding.

LIVING WITH NEW GREEN TECHNOLOGY

[After Hurricane Milton, A Growing Risk: Flooded Electric Cars Going Up In Flames](#)

Ashley Miznazi

As emergency crews respond in the aftermath of Hurricane Milton over the next few days, they'll have to deal with a lot of dangers in the damage along the Gulf Coast — downed power lines, unstable ruins, leaking natural gas tanks and pipelines, chemical spills and more. There is one other growing concern that is unique to coastal areas in Florida and other hurricane zones — the spontaneous combustion of electrical vehicles flooded by the salty storm surge. Not every **EV flooded by storm surge goes up in flames, but it's become frequent enough that insurers, car makers, fire chiefs and politicians have all issued warnings to EV owners in advance of the expected devastation of Hurricane Milton. And it's not just cars that are a concern.**

Jimmy Patronis, Florida's chief financial officer and state fire marshal, issued a statement on Monday detailing a string of fires in the wake of Hurricane Helene, which flooded much of the Gulf Coast just two weeks ago. **The state found 50,000 EV and hybrid registrations in the path of Hurricane Milton's storm surge and counted at least 64 lithium battery fires after Hurricane Helene. EVs accounted for 17 of those but the rest were devices like scooters, hoverboards and golf carts. One fire was even sparked by an electric wheelchair.**

Geico, a major insurer of cars in Florida, sent an email on Wednesday citing Patronis' statement to its policyholders warning them about the threat for EVs and suggesting looking for protected parking areas. Tesla also sent a push notification to cars warning owners to move to higher ground. The threat of lithium battery fires, which are difficult to extinguish, could worsen damage to homes and buildings after floods, he said.

"The average citizen I guarantee you does not realize they have a liability in their house with the saltwater flooding," Patronis told the Miami Herald in an interview on Wednesday. He called flooded lithium-ion batteries "ticking time bombs" that could cause worse damage than the storms that damaged them. Social media has captured a number of EV fires over the years. In one recent viral surveillance video posted by Pinellas County, a Tesla flooded by Helene's storm surge loudly combusts before it catches fire and fills a house garage with smoke in under a minute.

Tampa Mayor Jane Castor, in a news conference, also said a home in Davis Islands was thought to have burned down after Helene because of an electric vehicle fire, too. "Water and the ion batteries do not mix, and they literally explode," she said.

This is the basic problem: Saltwater conducts electricity so if it gets inside a sealed the lithium-ion batteries used in cars and many devices, it can cause a short-circuit, which creates heat and potentially fire. The effect is akin to accidentally touching both terminals of a car battery with a wrench — sparks will fly.

HARDER FIRES TO PUT OUT

Lithium battery fires after saltwater flooding are not a new worry. The first reported EV fires emerged as far back as Oct. 2012 after Hurricane Sandy. But as more and more drivers go electric, there have been more of them. The National Highway Traffic Safety Administration found that during Hurricane Ian in 2022, between 3,000 to 5,000 electric vehicles were impacted by the storm, with 600 being a total loss and 36 catching on fire.

Tesla's vehicle guidance on its website says not let the vehicle become submerged in water, and if it ever does, to keep it at least 50 feet from structures until a mechanic can take a look at it. With some water-damaged EVs, a mechanic can take out the battery and dry it out. One University of South Florida associate professor also is working on developing a battery that would prevent post-hurricane fires. Andrew Klock, who oversees EV training programs for

first responders at the National Fire Protection Association, said battery fires are rare but firefighters need to know how to handle them. "Firefighters have had 100 years to figure out how to put out a gasoline car fire, they can put that out very efficiently," Klock said. "Whereas a battery, once it started, it's not as easy to put out."

Electric vehicle batteries are sealed and designed to keep water out. But, Klock said, seals deteriorate over time and salt water is corrosive. In rare cases, saltwater flooding can trigger a chain reaction of short circuits called "thermal runaway" sweeping through the internal cells within the battery. When that happens, a fire can be hard to control. Usual methods of putting out a fire like a blanket won't work, and because the battery is encased in steel it takes a while for the outer box to cool off.

The National Highway Traffic Safety Administration said battery fires can happen weeks after electric cars were submerged in salt water and the fire can take hours and anywhere from 3,000 to 8,000 gallons of water to put out. Patronis said he saw the challenge firsthand. After Hurricane Ian two years ago, an electric vehicle caught fire in Collier County and a firetruck exhausted all of its water in 10 minutes trying to put it out. They ran a fire hose on the car for another hour to put out the flame, and then at 6 p.m., it reignited he said. It's important to note that outside of saltwater flooding damage, electric vehicles actually are much less of a threat to catch fire than gas vehicles. Data from the U.S. National Transportation Safety Board shows that there are approximately 25 fires for every 100,000 EVs sold. That's in comparison to approximately 1,530 fires for every 100,000 gas-powered vehicles sold. Patronis stressed that he wasn't suggesting that EVs pose risks under regular usage. "It's a fantastic technology and isn't a problem in Atlanta or Oklahoma or Dallas," Patronis said. "It's a saltwater problem for storm surge areas. I always feared Tampa Bay."

HAPPEN'N IN THE NEIGHBORHOOD

Gansevoort Fire Department Breakfast

Sunday **October 20th** at the Gansevoort Fire Station 1870 Route 32, Wilton, NY
All you can eat, these folks provide a great breakfast, something for everyone!!

LAUGH OUT LOUD!!

I'm not saying I order from Amazon a lot, but I just received a wedding invitation from one of their drivers.

And I couldn't pass this one up....

In the forests and mountains animals do not leave trash – HUMANS DO

Please behave like animals!!

CAFDA OFFICERS AND DIRECTORS

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1st Vice President, John Meehan, Commissioner West Crescent Fire District

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Chaplain: Fred Richards, Commissioner, Harmony Corners Fire District

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

½ Tables available at no charge at Workshop '24, Sat November 2nd at Verdoj, FD

Business Partner Applications Available At: WWW.CAFDA.NET

We invite our business partners to submit educational information to be included in this Bulletin for district commissioners and chief officers if you have information on new products you wish to showcase or is educational and informative for fire districts, please submit it and we will use it in this Bulletin under the appropriate heading.

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The Capital Bulletin is reaching well over 400+ fire district members and now other members of the fire service on a regular basis. Since the Capital Area Association covers an area the size of Connecticut it is difficult to meet in person to exchange information and ideas. This is a service of the Capital Area Association through the effort of Tom Rinaldi who can be reached at tom@rinaldi.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 CAFDA CALENDAR

Capital Area Meetings/Seminars/Trainings/Conference Dates (As of 9/12/2024 - Subject to Change)				
Day/Date	Time	Type	Location	Notes
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	
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 6, 2025	7:00 PM	General Membership Mtg.	Clifton Park	
Thursday, March 13, 2025	8:00 AM	Financial Training for Fire District Officials	Fulton-Montgomery College	The Allen House
Friday, March 14, 2025	5:00 PM			
Saturday, March 29, 2025	8:00 AM	Commissioner Training	Berkshire FD	Snowdate - Sunday, March 30, 2025
Thursday, April 3, 2025	7:00 PM	Board of Directors Meeting	Clifton Park	
Saturday, April 5, 2025	8:00 AM	Commissioner Training	Warrensburg FD	Snowdate - Sunday, April 6, 2025
Thursday, April 10 - Saturday April 12, 2025	All Day	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	General Membership Mtg.	Clifton Park	
Thursday, July 10, 2025 NO MEETING				
Friday, August 8, 2025	1:00 PM	Membership Activity	Saratoga Race Course	NYRA Day at the Races!
Thursday, August 14, 2025	7:00 PM	Board of Directors Meeting	Clifton Park	
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	
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
Thursday, April 23 - Saturday April 25, 2026		CAFDA Conference	Fort William Henry Conference Center	Lake George

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**

- 4,000 comments have been entered in the OSHA Comment Portal to date.
- The last 40 pages is the meat and potatoes of the proposed federal standard.

On July 22, OSHA concluded the public comment period on their proposed Emergency Response Standard. This proposed standard would impose numerous requirements that would be infeasible for many volunteer fire departments to comply with and could cause these departments to shutdown.

Don't worry if you did not submit a public comment on how damaging this standard would be before the July deadline! **There are still two very important things you can do to make your voice heard right now. The first, is to use this Action Alert to tell your Member of Congress and Senators about OSHA's proposed Emergency Response standard and how it will harm volunteer fire departments.**

The second and most important thing you can do is submit a notice of intention to appear (NOITA) before OSHA's virtual public hearing regarding the proposed Emergency Response Standard, taking place in November. Anyone can submit an NOITA and submitting one does not require you to testify at the public hearing.

CONTACT YOUR MEMBER OF CONGRESS AND SENATORS AT THIS LINK:

<https://www.voterve.net/NVFC/Campaigns/118064/Respond>

OSHA Issued The Following Statement Regarding Its Emergency Response Rulemaking And Volunteer Emergency Responders:

OSHA's rulemaking on Emergency Response is focused on providing long overdue protections to emergency responders. The agency has tremendous respect for both the work that emergency responders do and their unique role providing essential public safety services to every community in America. This statement describes the rulemaking's applicability to volunteer responders.

On February 5, 2024, OSHA published the Notice of Proposed Rulemaking (NPRM), Emergency Response Standard. **While OSHA does not directly cover volunteer emergency responders, some OSHA State Plans treat volunteers as employees under state law, which is how a federal proposed standard could affect volunteer responders in those State Plan states.**

In the NPRM, OSHA preliminarily determined, based on the limited evidence available to it at the time, that the proposed rule would be economically feasible for volunteer organizations. *OSHA had sought information about the potential impact of the rule on volunteer organizations, but it did not have sufficient evidence to show that the rule would be infeasible for these organizations.*

Therefore, in accordance with the requirements of the Occupational Safety and Health Act of 1970, the proposal did not provide special allowances for the volunteer organizations that could be affected in some states. At the same time, the agency requested commenters' input on whether the proposed rule would be feasible for these entities. OSHA received that input during the extended comment period from February 5, 2024 through July 22, 2024.

OSHA has received comments in response to the NPRM from many stakeholders, including volunteer emergency responders, fire chiefs, trade organizations, and members of Congress, which raise serious concerns about the economic feasibility of the proposed standard for volunteer fire departments. OSHA takes these concerns seriously.

The comments submitted to the rulemaking docket provide crucial information that the agency did not have earlier in the rulemaking process. This new information will help the agency make the necessary determinations about whether the proposed standard is feasible for volunteer organizations.

OSHA is committed to taking steps in any final standard, consistent with the rulemaking record, to assess and minimize detrimental effects on volunteer fire departments. **If supported by the record, this may include excluding voluntary emergency response organizations entirely based on these feasibility concerns.**


[EDITOR'S NOTE: IN OTHER WORDS, YOU STILL NEED TO MAKE THE CASE AS TO WHY THIS PROPOSED STANDARD WILL NEGATIVELY AFFECT YOUR FIRE DEPARTMENT OPERATION!!!!]

While the initial comment period has closed, OSHA strongly encourages stakeholders to continue to provide information and data relevant to this question at the public rulemaking hearing scheduled to begin on November 12, 2024, and during the post-hearing comment period. Instructions for how to participate in the hearing are available on the Emergency Response rulemaking webpage, www.osha.gov/emergency-response/rulemaking. Once the rulemaking record is complete, OSHA will review all the information received and determine the appropriate approach to take with respect to volunteer organizations.

OSHA created an advisory committee working group to help the agency craft a proposed standard so that stakeholders would have a direct hand in the process. That working group included representatives from labor and management; career, volunteer and industrial responders; as well as several other important stakeholder communities. OSHA included both career and volunteer responders in the working group because some OSHA State Plans treat volunteers as employees under state law, and a federal proposed standard could affect both groups in those states. The agency's intention has always been to work collaboratively with the emergency response community to find win-win solutions that ensure both responder safety and public safety.

[EDITOR'S NOTE: ALTHOUGH THE NVFC WAS REPRESENTED ON THE WORKING GROUP MANY OF THE PROPOSED CHANGES CAME FROM INDUSTRY AND LABOR, WITH MANY OF THE SUGGESTIONS BY OTHER MEMBERS OF THE GROUP BEING DISCARDED OR IGNORED! TIME FOR YOU TO GET ANGRY AND SPEAK UP.]

Statement from Dave Denniston on OSHA's Latest Response as Printed Above

 As you may have seen, OSHA issued an unusual statement on Monday about the proposed 1910.156 rule. Many are asking what this all means. Having been involved in this process now for months, I offer my opinion on the statement. This is purely my opinion and may not reflect that of any organizations that I am currently working with.

OSHA is feeling a great deal of pressure from our elected officials. They have been questioned on their process, their proposal as written, and their understanding of what they have created. ***OSHA is attempting to defend what they have produced and preparing for the battle ahead. They have basically thrown down the gauntlet here and challenged us to engage. They will use this to either make the needed changes in the proposal, or to defend that they have asked us for details, and we have failed to deliver.***

Please sign up to testify. We have got to deliver on this. Every department that will be impacted by this needs one person to tell your story. It is easy to tell your story and we can help you with that.

- Tell why the standard as written is economically infeasible.
- Tell them to remove the incorporated NFPA standards and replace them with plain text that we can follow and understand.
- Tell them your officers will no longer meet the qualifications to be officers.
- Tell them that weekly and 24 hours following a run truck checks are difficult for our organizations.
- Tell them NFPA 1582 physicals are concerning in price.
- Tell them you don't have qualifications for physical trainers.
- Tell them you don't have time to complete the required documentation, preplans, and community assessments.
- Tell them there is a lot we can do to provide emergency responder safety, which they have failed to even address.

- Tell them they failed to use the full negotiated rulemaking process.
- Tell them our communities cannot support or afford this proposal as written.
- Tell them we are willing to work with them to develop a standard that will be good for all of us.

There are many organizations working overtime to get this message across, but OSHA needs to hear from **YOU**.

There are also organizations lined up to tell OSHA why this is the greatest thing since sliced bread. They have already provided both written and verbal testimony. If we fail to tell our story, theirs will overshadow us.

We are all for reasonable, necessary, well negotiated, changes to emergency service. It is time we roll up our sleeves, do some serious work, and make things safer for everyone. What is currently on the table is a good foundation to start from, but it needs modifications to have the desired outcome.

We cannot stress the importance of taking this opportunity to be heard.

The deadline to sign up to testify during the OSHA informal hearing in November is quickly approaching. You only have until September 27th to reserve your spot. Many concerns have been expressed by the nearly 4000 written comments that were submitted during the written comment period. So, if the concerns are already on the table in writing why is it important for us testify virtually? It is important because written words are just that, written. **We now have the opportunity to add faces and emotions to the words. We need OSHA to look us in the eyes and understand we are real humans, and these are real concerns. We are asking every fire department, EMS agency and municipality to sign up at least one person to give either 5 or 10 minutes of testimony.** Surely each of us has one person in our organization that is well spoken and can speak on your behalf. Find that person and get them registered. We will be hosting a number of webinars prior to November to help them organize their thoughts, but they can't testify if they don't sign up by September 27th.

Here are some major concerns:

1. OSHA believes this will have limited impacts on the volunteer fire service. That is not true.
2. OSHA feels this will have only minor financial impacts on local organizations. That is not true.
3. OSHA feels incorporating the NFPA standards by reference is necessary, Again, not true.
4. OSHA believes all the stakeholders had adequate representation during the process. Were you represented?
5. OSHA feels the one size fits all approach is reasonable. Do you operate like all other emergency response organizations?
6. OSHA believes their data sources were statistically significant. They were not.
7. OSHA feels each item in the proposal is attached to significant risk. They are not.
8. OSHA feels the recommendations are technologically feasible. This is not true for all of them.
9. OSHA feels they have covered all significant risks faced by emergency responders. Many risks have been left out of this proposal.
10. OSHA feels this process is fair and lets us voice our concerns. Yet major concerns that have been voiced all the way back to 2016 have not even been acknowledged, let alone addressed.

Please sign up to testify and let OSHA know that we are we are 100% in favor of emergency responder safety, but we feel that as written, this proposal is not the answer and we are willing to help produce a better alternative,

SIGN UP AT THIS LINK:

<https://forms.office.com/pages/responsepage.aspx?id=GpBvzoA6h0mmhZ1NlvHxgMQsVuNB08VPk33J3ZMRGTZUMEpOMDIiWjFSMVRGNEIKRzZTIIxOVFBTi4u>

Notice in the Federal Register Regarding the Public Hearing-Your Opportunity to Testify!!

DEPARTMENT OF LABOR Occupational Safety and Health Administration 29 CFR Part 1910 [Docket No. OSHA-2007-0073] RIN 1218-AC91 Emergency Response Standard

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Proposed rule; notice of informal hearing.

SUMMARY: OSHA is scheduling an informal public hearing on its proposed rule "Emergency Response Standard." The public hearing **will begin November 12, 2024, at 9:30 a.m. Eastern Time (ET)**. The proposed rule was published in the Federal Register on February 5, 2024.

INFORMAL PUBLIC HEARING:

The hearing will be held virtually and will begin November 12, 2024, at 9:30 a.m. ET. If necessary, the hearing will continue from 9:30 a.m. until 4:30 p.m., ET, on subsequent weekdays.

Additional information on how to access the informal hearing will be posted 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) on or before September 27, 2024.

In addition, those who request more than 10 minutes for their presentation at the informal hearing and those who intend to submit documentary evidence at the hearing must submit the full text of their testimony, as well as a copy of any documentary evidence, no later than October 18, 2024.

ADDRESSES:

Notice of Intention to Appear (NOITA). A NOITA must be submitted electronically at: <https://www.osha.gov/emergency-response/rulemaking>. Follow the instructions online for making electronic submissions.

Those who file NOITAs must also submit electronic copies of all documents that they intend to use or reference during their testimony.

Information about how and when to submit these materials will be provided at the time of registration.

Instructions: All submissions must include the agency's name and the docket number for this rulemaking (Docket No. OSHA-2007-0073). All comments, including any personal information you provide, are placed in the public docket without change and may be made available online at <https://www.regulations.gov>. Therefore, OSHA cautions commenters about submitting information they do not want made available to the public, or submitting materials that contain personal information (either about themselves or others), such as Social Security Numbers and birthdates.

[NOTE: YOU CAN TESTIFY VIRTUALLY AS AN INDIVIDUAL, AS A DEPARTMENT, OR AS AN INTERESTED ORGANIZATION]

Tell Congress About Your Concerns Regarding OSHA's Proposed Emergency Response Standard

August 27, 2024

The effort to spread awareness about how the Occupational Safety and Health Administration's (OSHA) proposed Emergency Response Standard could harm volunteer fire departments continues. In addition to encouraging volunteer responders to submit public comments and testimony to OSHA regarding this standard, the National Volunteer Fire Council (NVFC) has been active in alerting Congress to the issues.

With the NVFC's support, Congress has taken a number of actions to weigh-in on the proposed standard, including the following:

- The House Homeland Security Committee's Subcommittee on Emergency Management and Technology held a hearing on OSHA's proposed Emergency Response Standard on June 4. The NVFC had a witness testify at this hearing.
- The House Education and Workforce Committee's Subcommittee on Workforce Protections held a hearing on OSHA's proposed Emergency Response Standard July 24. The NVFC had a witness testify at this hearing.
- In May, Rep. Golden and Rep. Desposito co-led a letter with 40 other members of Congress (29 Republicans, 13 Democrats total) asking OSHA to make the proposed standard more scalable for volunteer firefighters.
- In June, Education and the Workforce Committee Chairwoman Foxx led a letter with 23 other Republican Members of Congress asking Acting Secretary of Labor Julie Su to exempt volunteers from the emergency response standard.
- In July, the Senate and House Members from the Arkansas Congressional delegation sent a letter to Acting Secretary Su requesting that OSHA rescind the proposed rule.
- In August, Sen. Moran and Sen. Coons led a letter with 7 other Senators (7 Republicans, 1 Democrat, 1 Independent total) asking Acting Secretary Su to exempt volunteers from the Emergency Response Standard.
- Senator Boozman sponsored an amendment that was included in the mark-up of the Senate's FY 25 Labor, Health, and Human Services Appropriations Bill that encourages OSHA to conduct listening sessions and outreach with stakeholders to fully understand the impact of new requirements on volunteer fire departments.

Though OSHA's proposed Emergency Response Standard is an Executive Branch action and Congress does not vote on the adoption of the final standard, it is important to continue to make Congress aware of the potential negative impacts

of this standard due to their function of overseeing and funding OSHA. Share the NVFC's [advocacy one-pager](#) with your Senators, Representative, or their staff so that they understand the issues and impact.

Visit the NVFC's [OSHA Standard landing page](#) for additional resources to assist you with understanding the proposed Emergency Response Standard and information about testifying during OSHA's November public hearing.

NEW WEEK OF AUGUST 24TH!!

OSHA has been slowly adding the comments to the portal. It has become clear that they are filtering these comments and adding them in groups. Some have been labeled as "mass mailings" and other that also contain similar language have not. *Organized labor has contributed several comments as well as groups that would benefit financially from the rule. **The biggest smoking gun to me has been the comment from NFPA asking that the incorporated by reference standards be removed.*** Also, of particular interest to this group would be the comment posted by DHES and OFPC. We will schedule a Zoom meeting for next week.

I am attaching a number of comments that I feel you should be aware of and may not have the time to plow through 3K comments to see them.

The common themes that I am gathering from these comments so far are:

1. The process was flawed in how it was conducted and communicated.
2. The rule is arbitrary and capricious, convoluted, and exhaustive. Therefore, it is not understood.
3. THE NFPA standards should not be incorporated by reference.
4. Large, **Unfunded mandates.**
5. Not economically or technically feasible.
6. **Overreach by OSHA.**
7. Did not follow the full negotiated rule making process.
8. **Will have several legal challenges.**
9. Will treat workers differently because of geographic location instead of common hazards faces.
10. **Process was unfairly supported and driven by organized labor groups**
11. Will force some organizations to close their doors leaving the community at risk.
12. **Is primarily supported by those that will benefit financially from it.**
13. The consensus is that we applaud the efforts of improving safety but the current document, as written, is not the answer.
14. We would be stronger as one voice moving forward.



NYS Homeland Security.pdf



Illinois Fire Districts.pdf



IAFF Final Comments.pdf

COMMENTS FROM NFPA..HIGHLIGHTED SECTIONS OUT OF AN 11 PAGE LETTER!!

NFPA applauds OSHA for opening this national dialogue on how to protect first responders from a variety of occupational hazards. NFPA shares that goal and has played a significant role in advancing first responder safety over the last century. Nevertheless, it is important to note that as a general policy, **NFPA does not request incorporation by reference of any of our codes and standards.** While NFPA has been involved with OSHA over the course of many years and through several Administrations considering rulemakings, NFPA had no specific recent role in putting this Notice of Proposed Rulemaking together, and **NFPA did not suggest to OSHA that it should undertake this activity.**

NFPA understands that OSHA has proposed to reference NFPA's codes and standards because they are widely recognized as the best in the world and thus are widely used in the United States and elsewhere. Our technical committees, comprised of 9,000 volunteer members, consider every submitted input to prepare standards that address the latest in technology, research, and other relevant information. We are proud that our codes and standards serve the safety goal of protecting emergency responders. The NFPA Fire & Life Safety Ecosystem (<https://www.nfpa.org/about-nfpa/nfpa-fire-and-life-safetyecosystem>) identifies the components that must work together to minimize risk and help prevent loss, injuries, and death from fire, electrical, and other hazards. We are confident that, throughout the years, our world-class codes and standards have saved firefighters' lives, prevented injuries, and enhanced first responders' effectiveness in aiding their communities. The development, use, and adherence to current codes and standards is a key part of the Ecosystem. The Ecosystem also relies on prepared first

responders. The process of preparing first responders depends on continuous recruitment, training, and supplies of the best equipment. This is one of the reasons that NFPA strongly supported the reauthorization of the Assistance to Firefighters (AFG) and the Staffing for Adequate Fire and Emergency Response (SAFER) grants managed by the Federal Emergency Management Administration, which was recently enacted as Public Law 118-67. We continue to advocate for expanded funding for both critical grant programs. A decision made by a government, or by a for-profit or non-profit entity, to use a particular code or standard furthers the goal of enhancing safety. In the case of this Emergency Response Standard, as in the case of so many others, the entity making the incorporation decision must consider the appropriate implementation schedule and compliance plan. **We are sensitive to the concerns that many in the fire service, especially smaller volunteer fire companies, have expressed about the expense of meeting the OSHA proposal and how quickly the requirements would be mandated. At the macro level, we know that investments in safety are almost always worthwhile. We trust that OSHA will determine the appropriate implementation schedule should this proposed rule be finalized. Parallel to whatever OSHA decides, our nation must continue to invest in AFG, SAFER, and other efforts to fund our volunteer and career first responders.**

However, recent legal developments create a risk that OSHA's continued use of incorporation by reference could frustrate NFPA's ability to continue developing world-class safety standards. NFPA therefore requests (1) that OSHA refrain from incorporating NFPA's standards by reference in the proposed rule and that OSHA instead provide in the text of the rule that NFPA's standards are a benchmark for gauging compliance with the regulations and do not impose any binding legal obligations; (2) that OSHA explicitly acknowledges, in the rule, NFPA's copyright interests, knowing those interests also serve the agency and the public by ensuring the independence and sustainability of standards development; and (3) ensure through the rule that the public knows that NFPA posts its standards online for free read-only access.

The recent court decision, and the importance of NFPA's copyrights to OSHA's work, necessitate a different approach to OSHA's use of NFPA's standards. **NFPA requests that OSHA not incorporate by reference its standards in the proposed rule. Instead, NFPA requests that OSHA refer to its standards in the text of the proposed rule as one benchmark of compliance with the regulations and *expressly provide in the rule that NFPA's standards are guidance and not binding.***

NFPA requests that OSHA use a similar approach for the NFPA standards it currently proposes to incorporate by reference in its rule. For example, the proposed rule incorporates by reference NFPA 1910, Standard for the Inspection, Maintenance, Refurbishment, Testing, and Retirement of In-Service Emergency Vehicles and Marine Firefighting Vessels. The proposed rule requires organizations and employers to "[i]nspect, maintain, and service test aerial devices on vehicles, to ensure they are safe for use, as specified by the manufacturer, or to a standard at least as equivalent to NFPA 1910 (incorporated by reference see § 1910.6)." 89 Fed. Reg. at 8,019. **OSHA could instead draft this rule to require that there be inspection, maintenance, and servicing of the devices "to ensure they are safe for use." OSHA should then further expressly provide in the text of the rule that NFPA 1910 is one way of ensuring safe use of test aerial devices on vehicles but does not create any binding obligations.** This approach would ensure safety, while preserving NFPA's copyright in NFPA 1910. For each standard that OSHA's proposed rule incorporates by reference, NFPA would welcome the opportunity to work with OSHA on ways to ensure that the rule achieves the agency's safety objectives without using incorporation by reference.

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-2024-02-05/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.

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>

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.**

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 the these standards to the public.

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 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 it’s 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."
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." T
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 [PL1]: To be consistent with NFPA I would use "Fire Officer I and "Fire Officer II"

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

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 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.

[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)



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

May 21, 2024

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

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

In addition, the NVFC has held several webinars, including two over the past two weeks, to break down the concerns regarding the proposed standards and help responders formulate their comments. These webinars may be viewed [here](https://virtualclassroom.nvfc.org/webinars): (<https://virtualclassroom.nvfc.org/webinars>) The NVFC hosting a Roundtable Talk on May 23 at 2pm ET with the National League of Cities and the National Association of Counties to highlight areas of mutual concern and provide recommendations on how volunteer departments can collaborate with their local government to express these concerns to OSHA. [Register here](https://us06web.zoom.us/webinar/register/WN_JXLQL0c5S3acTz9c6US0dA#/registration): (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](https://www.osha.gov/stateplans): at this link <https://www.osha.gov/stateplans> to see which states are OSHA states). The answer is this proposed standard would impact non-OSHA states if adopted as written. The immediate impact on non-OSHA states would be related to volunteer fire departments that are nonprofits and unaffiliated with municipalities. Reading

through the NPRM on this proposed standard, it appears OSHA is unaware that such departments exist. It is possible that firefighters in these departments would be covered by this standard if they receive any compensation, regardless of the state they live in.

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

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/>.

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-Ax7THBjRmDnSMphNIFi1WWWXRzYxdUshoNVzVUkCq2FlvoxhE-Ayblw8OnamiN0BiBpzyC-pPzLiiYEvhxQ9sAxH0UIN-rMeW-UojESKwKkPDdMRzXK8VXBP-Sh4YQDWc0PJekSA9BGQCOh6lo AGJ2vqw1b4iSBqWLS=&c=LauWWHLcf9ha42GymhqekGbW4yikuTH862UfuVJahY7fFHeGI qUJw==&ch=IefmM7sGv75CYvgpTK9dENyqA1Rv5PwzXZ1xkZP-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>

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.

[Formal Comment Submitted by CAFDA on Your Behalf!](#)

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

Posted to the CAFDA.net website.

[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/>

LINK TO THE PROPOSED OSHA STANDARD, NO FLUFF:

<https://cafda.net/proposed-changes-to-the-osa-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>