



CAPITAL AREA FIRE DISTRICTS ASSOCIATION



BULLETIN



OCTOBER 26, 2024

EDITOR - TOM RINALDI tom@rinaldi1.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](#)
- News for those who intend to testify on the OSHA proposed standard, See the OSHA Supplement Section for updates.
- The last Saturday in October, where does the time go??
- If you haven't done so, save your seat for the Fall Workshop at Verdooy Fire District, time is getting short!! Please don't wait til the last moment.
- **Patronize our business partners, many of us use their services!!**

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 were held at the October 2024 Meeting and Elections will be held at the November 2024 Meeting. Nominations resulted in the following: Tom Rinaldi – President, John Meehan – 1st Vice President, Art Hunsinger – 2nd Vice President, **Directors:** Joyce Petkus, Ed Woehrl, Les Bonesteel, Fred Richards, Ellen Martin and Skip Smith. Because there are only 5 director positions and 6 nominations there will have to be a run off at the November election.

[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.

New Law Expands the Boundaries of Property Tax Credits for Volunteer Firefighters and EMS Personnel

Monica Martinez

Governor signs legislation from Sen. Martinez to extend volunteer first responder tax credits to those serving in neighboring jurisdictions.

New York State volunteer firefighters and emergency medical personnel **who serve in one jurisdiction but live in another** will now qualify for the same property tax credits as those serving within the jurisdiction where they reside. This change comes after the governor signed [legislation](#) sponsored by New York State Sen. Monica R. Martinez and Assemblyman Steve Stern last week.

For the benefit to take effect, individual taxing entities—such as cities, counties, and school districts—must adopt the tax abatement for their residents who volunteer outside their boundaries. These decisions will be made by each respective board. Under [state law](#), qualifying volunteers whose municipalities choose to offer the exemption can receive up to a **10 percent reduction in the assessed value of their homes** for property taxes imposed by city, village, town, part-town, special district, school district, fire district, or county purposes, exclusive of special assessments, provided that the governing body approves the measure.

“Selflessness is not bound by district lines,” said Sen. Martinez. “Volunteer firefighters and EMS providers put their time and lives on the line every day, no matter where they serve. This new legislation ensures their service is recognized regardless of jurisdiction.”

OTHER FIRE SERVICE ORGANIZATION NEWS



Webinar - NERIS Version 1: Platform Launch and National Rollout

Tuesday October 29 at 1pm ET

Hosted by the Fire Safety Research Institute (FSRI)

Don't miss this opportunity to engage with the National Emergency Response Information System (NERIS) development team, beta department testers, and government partners. This event marks a major milestone in the rollout of NERIS, transitioning from development to national deployment. In this session, you'll hear an overview of the Phase 1 onboarding of 100 selected departments; view a user experience demo; get updates on next steps and timeline; and find out about resources to help you onboard. U.S. Fire Administrator Dr. Lori Moore-Merrell will speak, along with other key stakeholders.

REGISTER AT THIS LINK:

<https://web.cvent.com/event/4b86bbcd-450d-4590-ad64-7fe4a19d04ee/summary>

ALSO:

[Webinar - What You Need to Know Before Testifying at OSHA's Emergency Response Public Hearing](#)

Thursday Nov. 7 at 2pm ET

Presenters:

David Dennison, Bruce Lundegren, and Ryan Woodward

[Watch on PBS Stations This Month!](#) **CORRECTION**

The volunteer fire service documentary *Odd Hours, No Pay, Cool Hat* is airing on PBS stations across the country this fall, and new dates have been announced for October. In total, the film will air on over 200 PBS stations in 48 states. Many of these airings are in conjunction with Fire Prevention Week in October and National First Responders Day on

October 28, 2024. About the Film Odd Hours, No Pay, Cool Hat takes audiences behind the lines of America's volunteer fire service community by sharing the stories of volunteer responders as they face challenges and triumphs in their service to others. The original 90-minute film was released in 2023, and nearly 300 local fire departments hosted screenings of the film to engage their community, boost recruitment and retention, and raise donations. Stream or purchase the full-length film here.

Odd Hours, No Pay, Cool Hat is presented by John Deere in association with the National Volunteer Fire Council, HoldFast Features, and Vignette. **Program will air on PBS WMHT Albany on MONDAY, 19:00HRS/7pm.**

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

Coming Attractions:

- Mini Summit in White Plains, Sonesta Hotel, March 28 & 29 **2025**
- October 2-4, **2025**, Annual Meeting and Vendor Expo at the Saratoga Hilton and City Center, Saratoga Springs
- October 8-10, **2026**, Annual Meeting and Vendor Expo at the Saratoga Hilton and City Center, Saratoga Springs

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.

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FIRE DISTRICT FINANCES

*****Budget Hearing, Do It In The Correct Order- Held over from last week!!***

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.

#1 Resolution To Override The Tax Cap

_____ 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

#2 Resolution To Approve The Final Budget

_____ 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](mailto: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/)

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

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

CYBERSECURITY FOR YOUR FIRE DISTRICT

Cybersecurity Awareness Month: 5 Cybersafety Tips For Local Government

Ezra Silver-Stewart

It's October, which means two things: You can finally buy candy in bulk without fear of judgment, and it's Cybersecurity Awareness Month. While the ramifications of eating an entire bowl of fun-sized Snickers may seem serious, cybersecurity lapses can lead to even greater suffering. In a world where public safety agencies rely on technology, keeping your information secure is more important than ever.

Here are five tips to protect yourself, your organization and your community from cyberthreats.

1. USE STRONG, UNIQUE PASSWORDS

This isn't a new tip, but it's still a priority. Long, complex, and unique passwords are your first line of defense against cybercriminals. Follow your organization's password policy and consider using it as a template for your own personal

password security. Strong passwords combine eight or more characters, including uppercase and lowercase letters, digits and special characters. For personal passwords, a password manager can help keep everything organized and secure.

Pro tip: *Never reuse passwords across accounts. One weak link can put multiple accounts at risk.*

2. ENABLE MULTI-FACTOR AUTHENTICATION (MFA)

Multi-factor authentication requires you to verify your identity with something other than just your password—like a code sent to your phone or email. MFA is a powerful cybersecurity tool for personal safety as well. Consider enabling it for entry points for sensitive data like your email inbox and banking sites.

3. KEEP YOUR SOFTWARE CURRENT

Don't ignore that annoying little pop-up that asks you to update your software. Software updates often contain patches for security vulnerabilities that hackers could exploit. Outdated software is an open invitation for cybercriminals to find a way in.

Pro tip: *Enable automatic updates whenever possible to take the guesswork out of staying secure.*

4. BE WARY OF PHISHING ATTEMPTS

Phishing scams are among the most common ways hackers access sensitive information. These attacks typically look like legitimate emails or messages but are designed to trick you into giving up passwords or personal information. Look for suspicious links, grammatical errors, or requests for sensitive information. When in doubt, verify the sender before clicking.

Pro tip: *Hover over links in emails to see where they go. And if something seems too good (or too scary) to be true, it probably is.*

5. PRACTICE SAFE WI-FI HABITS

Public Wi-Fi networks are a hot spot for cybercriminals. When accessing sensitive information, it's best to avoid public Wi-Fi. If you must use it, make sure you're using a virtual private network (VPN) to encrypt your data.

Pro tip: *If you're out and about and need to connect, consider using your phone's data or a secure hotspot instead of public Wi-Fi.*

Cybersecurity isn't just for the local government IT department. It is for everyone. This October let's keep the scares to haunted houses and frightening volumes of candy—not your inbox or network.

STEP INTO THE CHIEF'S OFFICE

10 Tips to Help to Set Up Your Pre-Incident Plans

James Hlavenka

There are many uncertainties when going to a structure fire. Anxiety can run high, not just because of the fire but also because of the unknown. However, every department member can do something to help bring the anxiety level down to a workable level. It starts way before the fire does.

Pre-incident plans (PIPs) are something that every member of your crew should be aware of and review periodically. Here are 10 tips to help you to set up a PIP for your crew:

1. ***Pick an address that you're familiar with.*** Take your crew and walk through it. As the company officer, explain to your crew what your tactics will be if the fire is in the kitchen or the electrical room. Let them see what everything looks like under optimal conditions.
2. ***Find the hydrants.*** As you approach the building or complex, your crew should first find the hydrants that are near the property. The hydrant that's in front of the structure might not be the best choice if the fire is in the rear of the building. It's best to locate and sketch all hydrants that might be used for your PIP.
3. ***Measure the distance from the hydrant to the building.*** When you make a sketch of your building, make a note of the locations of the gas shut-offs, the Knox Box, the OS&Y or post-indicator valve, the exterior stairs and roof access. Check the Knox Box to make sure you have the proper keys to do your job.
4. ***Label the crossroads.*** Make sure that you label roads, cross streets and accessory roads in your drawing. North always should be toward the top of the page for orientation.

5. *Find the panel.* Once inside of the building, find the annunciator panel or FACP (Fire Alarm Control Panel), elevator locations and electrical shut-offs. On your drawing, you can sketch all of the walls and door openings to include inward or outward and window locations. (This step isn't necessary but does give a clearer picture.) Any room that has hazardous chemicals/conditions must be sketched on the PIP and indicate the chemical or condition.
6. *Note the hazards.* As you walk through the building, write down anything that you deem a hazard or a benefit to help you with firefighting activities, such as a hose cabinet.
7. *Pre-plan every business.* If you are pre-incident planning a shopping plaza or strip mall, make sure to pre-plan every business. Fire can start in one business and spread to others. It's better to have all of the information than just some of it.
8. *List an emergency contact.* Whatever PIP program you use, you should have a spot to input emergency contact information (i.e., name, the role of the person [owner, HOA representative, manager] and an emergency phone number).
9. *Describe the building.* There also should be spots for construction type, roof construction, length and width of the building and the number of floors.
10. *Note everything!* A PIP should have anything that you deem necessary—anything that can help or save your crew. Is there a high-hazard area? Are there chemicals that someone can fall into? Is there an electrical hazard?

According to "Failing to Plan is Planning to Fail: Capturing the Pre-Incident Planning Needs of Firefighters" (Katelynn A. Kapalo and Joseph J. LaViola Jr.), despite demographic differences in regions and the size of the population that's served, most departments report severe challenges in gathering, accessing and retrieving PIPs. The ability to have updated information and access said information must be a goal-orientated perspective that's recognized by NFPA 1620: Standard for Pre-Incident Planning.

Just a few years ago, every fire engine and EMS transport rescue had one or more large three-ring binders that were filled with hand sketches and contact information on each address that was in the department's area of response. It was unclear if the information was current or outdated. **These days, our units are connected to the internet via laptops, tablets and smartphones. These devices can display the address and dispatch notes and have the capability to route us to the location. You also have the ability to "respond" and "clear" a call by hitting a button. That same device can provide you with your PIP information.**

PIP drawings can be extensively detailed, color-coded or very simple. Plazas or strip malls should include all stores and all hydrants on the property.

The goal of a pre-incident plan is to save lives. PIPs aren't designed to make you an expert but rather to assist you to formulate a plan of attack. If an officer doesn't use the tools that are provided, it's an opportunity lost. By understanding the importance of PIPs and overcoming the reluctance of fire crews to create, update and use them, we gain the knowledge that PIPs save lives and property—which is the goal of every fire operation activity.

OUR CHANGING FIRE SERVICE –CHALLENGES & POSITIVE IDEAS!

POSITIVE OUTCOMES

FIRE SERVICE CHALLENGES

Public Hearing on Proposed Odessa Area Consolidated Fire District Scheduled

Lucas Day

If you are a resident of the Odessa Fire District, Schuyler County, there was a public hearing on September 18th to form the Odessa Area Consolidated Fire District. The proposed district includes the entire village of Odessa and portions of the towns of Catharine, Cayuta, Hector, Montour, and Veteran.

The Odessa Fire Department released a list of pros and cons of forming the Consolidated Fire District:

ADVANTAGES OF FORMING A FIRE DISTRICT

–It's in the best interest of the residents to eliminate differing tax rates; the rate is based on combined assessed valuation. All residents within the District will pay the same rate.

- Tax levies by the fire district will free up town or village property tax revenues.
- Fire protection tax levy no longer applies to town or village real property tax cap.
- A consistent and stable budget for the fire district will allow the department to implement long-range planning and purchases.
- Eliminates the instability of funding from year to year due to annual negotiations with different jurisdictions which may be financially stressed due to the tax cap.
- Provides transparency as they operate under state laws and regulations for governance under the watchful eye of the Office of the State Comptroller.
- Provides for self-governance, positive morale, and a focal point of responsibility.
- A district is an individual governmental entity, governed by state laws.
- Provides stable governance and management, not subject to the fiscal pressures of others.
- Can concentrate on the sole mission of the provision of fire protection.
- Village and Town politics removed from fire district governance and operations.
- The State has greater oversight over fire districts unlike village-controlled departments or fire protection districts; there is increased accountability. That includes annual audits and a host of regulations laid out in state statute: Page 6 of 13 Association of Fire Districts of the State of New York.
- All voters would have greater influence over fire protection spending by electing commissioners and voting on all debt incurred.
- If the Town reduces funding for contracted areas covered by a Village, the Village in turn may reduce service to the Town requiring the Town to find additional funding.
- Exposure for VFBL coverage is transferred to the fire district.
- Budget accountability, separate from town or village, taxpayers see where money is going.
- Fire Districts may establish taxpayer-approved reserve funds.
- Districts save on interest costs by use of reserve funds for large purchases.
- Creates a legal mechanism for residents to participate in capital project referendums.
- Creates a legal mechanism for residents to have equitable ownership of fire protection assets for which they fund.
- Operation of Districts is based on Statute, Town Law General Municipal Law et al, which Boards must follow.
- Fire protection is managed by local publicly elected officials who complete specialized training courses and concentrate on providing one service to the community.

NEGATIVE ASPECTS OF FORMING A FIRE DISTRICT:

- Perceived loss of control, by Towns that Contract for fire protection.
- Opposition by local elected officials.
- Differences in union contracts, wages, retirement systems or benefits.
- Turf wars.

FOLLOW-UP INFORMATION:

A second public hearing on the proposed formation of the Odessa Area Consolidated Fire District scheduled will not take place. Tonight’s meeting at the Odessa-Montour school auditorium has been canceled. Odessa Fire Chief Adam Mahnke said ***the proposed formation has been unsuccessful.***

A similar meeting was held one month ago and included stakeholders from the proposed consolidated district, the village of Odessa, and portions of the towns of Catharine, Cayuta, Hector, Montour, and Veteran. Following a presentation at that meeting, ***the Cayuta Town Board withdrew its interest in joining the Fire District*** and other municipalities requested more information. ***Now the towns will have to continue to contract with the Odessa Hose and Chemical Company for fire protection.***

At last month’s public hearing, Odessa Mayor Gerry Messmer emphasized the critical need for the creation of a fire district, stating that the village’s future hinges on it. The proposed district would have removed the Odessa Fire Department from village control and financial obligations, addressing unsustainable operational costs.

[So You Think You Have Financial Challenges?](#)

We at the Prince George’s County Fire and Emergency Medical Services Department would like to express our concerns surrounding the inaccurate information that was published in an opinion piece in the Capital Gazette by Anne Arundel

County professional firefighter union head Joe Addivinola (“Larry Hogan has always stood for Maryland firefighters,” Oct. 15).

This misinformation has raised concerns that require clarification as we find it essential for the public to have accurate information regarding the department’s situation and the measures being taken to ensure the safety of our communities. The following published information from Addivinola’s article is inaccurate:

“Prince George’s County Executive Angela Alsobrooks forced Greenbelt professional firefighters to be relocated from the department against the will of the community members and firefighters themselves, who warned this move would jeopardize the safety of local residents and first responders alike. Volunteer firefighters are now the only firefighters responding to crises in Greenbelt — all the professional firefighters had to be relocated throughout the county just to keep other departments afloat. Response times in Prince George’s County continue to lengthen, and the quality of service will deteriorate as overworked first responders suffer from burnout.”

On June 30, 2024, I made the decision to temporarily relocate 55 firefighters from four Prince George’s County Fire/EMS stations. This action was a necessary response to a staffing shortage that is not unique to Prince George’s County but reflects a broader national trend that is having a major impact on fire services across the entire country. This trend is largely due to the challenges in recruiting and hiring firefighters caused by the COVID-19 pandemic. These hiring challenges, paired with this summer’s known vacancies and anticipated leave, placed the department in a staffing shortage that was impactful to our employees’ mental and physical health.

Prince George’s County, under the leadership of County Executive Angela Alsobrooks, continues to work to address this staffing issue aggressively. We are proud to announce 150 new career firefighters have been approved for hiring in Fiscal Year 2025. Additionally, 53 new career firefighters started training on June 3, and 21 new career firefighters started training on September 23. These new firefighter positions will help the department meet our staffing goal of 1,224 firefighters and alleviate the burden on our current personnel. The department also maintains its position to fully support ongoing volunteer recruitment efforts.

The department continually monitors response data, apparatus placement and personnel deployments around the clock to ensure the safety of our communities. It is important to emphasize that these temporary relocations have not negatively impacted emergency response times in Greenbelt or other surrounding jurisdictions. Since June 30, over 1,150 emergencies have been dispatched to Greenbelt, with an average response time of six minutes and six seconds, well within our standard emergency response time standard of eight minutes or less within these affected areas. Additionally, career firefighters are continuing to staff three peak EMS units, with two units stationed at the Greenbelt Fire/EMS Station and one at the Bunker Hill Fire/EMS Station. Residents can rest assured that we will continue to provide premier fire protection and emergency medical services to the residents and visitors of our county as we remain dedicated to our mission to serve.

[Feuding Intensifies Between Paid, Volunteer Fire Departments in MT](#)

They’re concerned about pending findings in a study of fire services here, worried about reduced roles and reduced input, and say county officials *have scuttled a longtime Fire Advisory Committee that gives them a voice.*

“We’ve got to have open communication,” Jerry Brothers, a longtime firefighter with Home Atherton Volunteer Fire Department, told The Montana Standard. “I don’t feel like the public or the Council of Commissioners know what’s going on between the paid and the volunteers.”

Their main complaint is that the advisory committee hasn’t been re-established since a problem arose in February and they see it as the conduit for communications between the paid and volunteer departments.

But there’s more to the heightened controversy, including the study and what fire services should look like going forward in a growing community.

Rifts over funding, turf, oversight and even respect have existed since the city of Butte and Silver Bow County consolidated local governments in 1977 but kept both paid and volunteer fire departments under one overall budget.

There are nine volunteer departments but the city-county charter says a fire chief for the paid department is also a director of fire services responsible for administrative coordination of the volunteer departments. That person is currently Zach Osborne.

J.P. Gallagher, Butte-Silver Bow's chief executive, said the frictions have gotten so bad, a consulting firm hired to examine everything about fire services here claimed it "had never worked in a community where it was so controversial."

Gallagher said the volunteer departments are "incredibly important" and he's not looking to consolidate or nix any of them. But their membership is down, he said, some haven't responded to fire calls and there has to be more collaboration and communication.

"Both sides have their points on this but we're really at a challenging point of how to move forward," Gallagher said.

Osborne oversees 36 paid firefighters and a fire marshal and he spent months seeking an independent, comprehensive study of fire services that commissioners agreed to in early 2023.

Firefighters responded to about 2,000 calls annually 20 years ago, he said, but that number is more than doubled now while property tax levies that fund fire services have reached statutory caps.

"This study would give an outside perspective to tell people and tell the commissioners what might be needed," Osborne told The Standard. "The city's getting bigger, we're getting busier and we just can't stay like we were because that's the way we've always done it."

The firm that did the extensive study — Emergency Services Consulting International — has yet to formally present its findings to council and there are separate contentions swirling around that.

But Osborne said **a draft report found the paid department severely understaffed and recommended that consolidation of services and volunteer departments, among many other things, at least be explored.**

"Now that I have been notified that our budget is capped, there are things we have to look at — we should be obligated to look at — before any decisions are made," he said.

"I'm not saying consolidation is the end-all-be-all solution," he said. "It might be a total disaster. But the study, having an outside view, said absolutely that should be considered."

VIEWS FROM THE VOLUNTEERS

Brothers recently sent a letter to Council Chairwoman Michele Shea saying he wanted to speak to the full council about concerns over the Fire Advisory Committee.

The committee is required under the city-county charter and is to include three members of the paid fire department it appoints, three volunteers their board appoints and three commissioners the council appoints.

In his letter, Brothers said the fire advisory meetings were canceled "with no explanation as to why."

But in the letter and in an interview with The Standard, Brothers said the meetings were canceled because paid firefighters did not like one of the commissioners.

Brothers told The Standard the paid firefighters didn't like that commissioner "mainly because he was more on our side."

"They got very mad at him and they said as long as he's on the committee, they weren't going to attend," Brothers said.

Gallagher and Osborne said an issue had arisen regarding a commissioner. They didn't name who it was but said everyone agreed that new members should be appointed to the committee so it had a clean slate.

Brothers said the dispute arose in February and months later, a new committee still hasn't been established and no meetings have been held.

Brothers says he wants to address commissioners in hopes of getting the committee "back up and running" so the public knows what's going on in fire services.

Brothers said Monday that an attorney representing the volunteers was in talks with the County Attorney's Office so discussions about any legal matters would have to go through them.

But in his previous letter to council, he said "several major discussions" were months behind because there was no Fire Advisory Committee.

Among other things, according to the letter, volunteers: — Want to know what is happening with the study "that was to be delivered last January." — Had no input into an enhanced, computer-aided dispatch system. — Say the fire chief changed a rural response plan without their input. — Says volunteer firefighters are "being treated like they have no rights as citizens of Butte-Silver Bow" and can't even see how the 911 center is set up.

Brothers told The Standard he's been a volunteer firefighter in Butte for 40 years and remembers "going to fires and being called a scab," but says volunteers have never taken jobs away from the paid department.

He said the paid department wants to make the debate going forward about needing more firefighters and everything else. He hasn't seen the study, he says, "But I think it came back that they're not really using the volunteers to the best of their ability."

Brothers said insurance rates on homes in certain areas could increase if volunteer departments are shut down and in the end, both entities are needed.

"There is no way we can handle Butte totally and there's no way the paid can handle everybody without us," he said.

But he said the immediate priority is to get the Fire Advisory Committee going again.

VIEWS FROM THE FIRE CHIEF

Osborne said the dispute regarding the Fire Advisory Committee stems from an ethics allegation a commissioner made against a paid firefighter that Osborne doesn't consider resolved.

Osborne said he, Gallagher and a commissioner agreed then to "take a fire advisory break." It has continued in part because of turnover on the council, he said.

He doesn't think the volunteers and the Council of Commissioners will have problems finding three new members each, but Osborne said paid firefighters represented by a union don't want to be on the committee.

The meetings usually involved arguments over money, he said, including leftover funds from a tax-increment district that have now been spent.

"The fire advisory meetings were far from healthy — far from healthy," Osborne said. "They were brutal to go to."

The county used more than \$50,000 in federal funds to pay for the fire study and part of the contract requires the company to formally present its findings before council.

"I need the presentation to come from them — not me, not the firefighters union, not J.P., not the volunteers," Osborne said. "It needs to come from them."

That has been delayed, he said, because interviews the consultants did with a group of commissioners and a separate one with volunteers "were not welcoming." And in July, Osborne said, volunteers told ESCI an attorney would be contacting them.

"They felt the tensions were so stressful here that they didn't want to come back and have anything to do with it (a presentation)," Osborne said.

They recently agreed to do a presentation but a date has not been set, Osborne said.

If the findings are similar to those in a draft report, there might be bigger issues to discuss going forward. Staffing, funding and consolidation should all be included in that discussion, Osborne said.

Taxes for fire services are at their maximum, he said, and that is the "elephant in the room nobody wants to talk about."

"We have volunteer departments that have been on very few calls, if any, in the last year, but we still pay for multiple apparatus in their buildings," he said. "I don't want the volunteers to go away but if we're speaking about budget concerns, then we'd be blind not to think that might be something we need to look at in the future."

Osborne said he wishes the authors of the 1977 city-county charter "had just consolidated the right way" back then but they didn't. Two years later, he said, the Montana Legislature enacted laws to protect rural fire departments.

It will likely take the courts, Osborne said, to sort everything out.

He said paid firefighters "will do our best" on a new Fire Advisory Committee but he doubts it will settle key differences.

"I'd love to be optimistic and say yes, that could possibly happen," Osborne said. "The truth of the matter is that this argument and relationship — bad relationship — has been festering for 47 years."

GALLAGHER'S VIEWS

Gallagher said the consultants have now agreed to have someone present the final independent study and its findings to council, as the contract requires.

"If they weren't willing to do that, then it (the study) does nothing for our community," he said. "They need to come and present the independent findings."

Gallagher said he hasn't seen a final report from the study and it has been months since he looked at the draft version.

"I think there was stuff in there saying there needs to be better coordination between the paid and volunteer (departments) and that we have a lot of resources available to us and a lot of equipment, but I don't know how it specifically states that," he said.

In two separate interviews, Gallagher emphasized one point:

"I just want to make this clear — I am not trying to get rid of any volunteer fire departments. They are incredibly important," he said.

But Gallagher said there have been tensions for years over how much authority the director of fire services wields and "how everything works" given differences in the local charter and state law and how those are interpreted. He agreed that new members were needed on a Fire Advisory Committee "to bring new blood into this and maybe a new perspective," and said talks were planned this week on getting the committee re-established.

Gallagher said the volunteers have gotten an attorney involved, the County Attorney's office is weighing in and it will likely take legal opinions to determine "how paid and volunteer are going to coordinate together."

But he agreed with Brothers' statement that both are needed, saying Butte-Silver Bow is too big for one paid department to handle.

"We need to have the volunteers and we need to be able to coordinate those services between the paid and the volunteers," Gallagher said.

TRAINING FOR YOUR MEMBERS



Situational Awareness: Not Just for Crime Calls, Anymore

Every day crews respond to all manner of requests for help. We are finding, that on every call for service, we need to maintain an awareness of the risks and hazards when we arrive and while we are on the scene. We will discuss what some of those hazards are and how we can maintain an awareness to improve safety for us and all others around us.

Date: WEDNESDAY 11/6/2024 Time: 7:00 PM EST

REGISTER AT THIS LINK:

<https://mcneilandcompany.us8.list-manage.com/track/click?u=03596f243a9d922954ebaf15e&id=ffd53ba5b1&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

WEDNESDAY, NOVEMBER . 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_oi1AFseMKfN01xTmCmiyzyMWYur-39p1T1V2_yChO2C2F1_fJn94LviwwZ3Aag==&c=AmhECQ6uFruSlwrKRKspNlivi3NWEIzhZOrf3KrfnUis83Dp1Q1JdQ==&ch=AqMwftSnQsSjoeIdoQJ-cfc_GyhBFLqV23YaEp7HU-kr9WoEr9kSg==

7:00pm STARTING TIME

Rensselaer (Tuesday, October 29)

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):

- Monroe (November 5)
- **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=001kuqLgpLbccSUrIvWbOM--WOyxcGN33wsn9CB40zBMzH5JRQ8kdAu-U9rcq0HazSAzEMaxVMNEpSjgloNLWx_FYDCKrLQIQfAwRv9fZGoCA39a8F854FdGooPPW5nhlimjwcy_z-Ppvs9xlbWg4t2soeB2xbgSHSWBkR3FQngfUCMou6eD6ReaQ==&c=6nGkXVEGAjicnaBshBE8sbLM6Gn8YA1sFFRufb2MsAKACEPvxSmObRg==&ch=ZrLEy5qUdq74vNpCsQnMdYy3z1L5PpLyYSA1u3R47oxFRQnYmdcSRQ==



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!

*****Close Calls: Firefighter Down ... in the Firehouse***

Billy Goldfeder

The Slinger, WI, Fire Department (SFD) isn't that much different than most rural departments in the United States: few serving many, at a time when staffing is a challenge and runs go from the most basic to highly critical, such as in May 2023, when more than 20 fire departments assisted SFD firefighters with a massive fire at a pallet factory. On July 27, 2024, the members of the volunteer department prepared to respond to one those "ho-hum" runs: a CO alarm activation. One of the members who responded to the station for the call suffered a cardiac emergency after he got behind the wheel of an engine. The calm, cool and immediate response of the stricken firefighter's fellow members—from the first compression of CPR to transport to the hospital—allowed his comrades to save one of their own.

Our sincere appreciation to SFD Fire Chief Greg Koehler and the members of the SFD, including Capt. Tim Roskopf and Firefighters Zack Bayer, Jason Bohn, Mason Koerber, Brady McMahon and Mathias Schaefer, as well as to Firefighter Jeff Westphal, who reported for what was “just another run” that turned out to be anything but standard.

CARDIAC EMERGENCY

Westphal responded to the station as driver/motor pump operator of Engine 2164 at approximately 9:00 a.m. for the CO alarm activation in Slinger. He went through his initial steps in advance of moving the apparatus out of the bay, but he never got to the point of shifting the transmission out of park. Sitting in the officer’s seat in the engine with Westphal, Roskopf witnessed Westphal lose consciousness, which was the result of a cardiac emergency.

Roskopf alerted the other members of his crew, and Bayer, Bohn, Koerber, McMahon and Schaefer reacted with zero hesitation. The E2164 team quickly removed Westphal from the rig and assessed him. They determined the need for critical life-saving efforts, including CPR and administration of the fire station’s automated external defibrillator (AED).

After a call to 9-1-1 to request paramedics from LifeStar Ambulance, CPR began within one minute, followed quickly by an AED shock.

LifeStar Paramedic Natalia Graff and EMT Nathan Massingale were near to the station at the time of the call for assistance and responded to take over Westphal’s care and to coordinate CPR efforts. Graff provided ALS while CPR continued, including administering several more AED shocks.

Still unresponsive, Westphal was transported quickly to Froedtert West Bend Hospital while paramedics continued to perform CPR on him.

The ambulance’s arrival at the hospital coincided with Westphal experiencing a return of spontaneous circulation, no doubt a result of the CPR efforts and AED intervention. The medical team determined that it was necessary to transfer Westphal to the hospital system’s cardiac care center 22 miles away in Wauwatosa.

Over the next several days, Westphal made remarkable improvements toward recovery. Eight days later, he went home, with no marked deficiencies that were related to a cardiac emergency.

STRAIGHTFORWARD, THEN NOT

As often can be the case in the fire service, what seems to be “normal” quickly turns into something else, Roskopf recounts. That’s why it’s vital for officers and firefighters to prepare and train as much and in as varied a way as they can.

“My entire crew jumped in and let their training kick in and started working on [Westphal],” Roskopf says. “We started CPR within the first minute of him going unresponsive.”

That and having an AED in the firehouse and activating the 9-1-1 system led to the saving of Westphal’s life.

“It goes to show how important CPR is and to get trained. You never know when and where you might need to use it,” Roskopf adds. He points out that the five other crewmembers who helped have only a combined 11 years of experience in the fire service.

Initially unwilling to have his story shared, Westphal changed his mind, because he believes that it’s important to get the word out that CPR saves lives.

Furthermore, “I’m thankful for a lot,” he continues. “The guys didn’t hesitate, and I have a new chance to serve again.”

COMMENTS FROM GOLDFEDER

“OK, it’s CPR recertification time.”

A groan, whining, etc., often is the reaction, but we do it anyway, because we know that it can matter. It certainly mattered to Westphal.

SFD leaders didn’t have to require CPR training for the department members, but they did. They weren’t required to have an AED, but they obtained one. Westphal probably wouldn’t have survived without the above, but the members had what was needed, and he did survive.

Koehler states that the “system” worked: immediate recognition, trained fire personnel taking action, checking the ABCs, starting CPR, having an AED in the firehouse and activating the 9-1-1 system.

Sadly, only about 46 percent of people who experience an out-of-hospital cardiac arrest receive the immediate help that they need before professional emergency help arrives. Fortunately for Westphal, professionally trained firefighters witnessed his emergency.

The American Heart Association estimates that 100,000–200,000 lives of civilian adults and children could be saved each year if CPR is performed early enough.

There are many ways that a civilian’s life might be saved by members of the fire service—and it’s done every day.

When we think about “saving our own,” we justifiably think of working fires and emergency scenes. However, sometimes, it isn’t as dramatic as a rescue from a fire. Sometimes, it’s calm, cool and immediate response, such as how the SFD members were prepared before the event and responded immediately when Westphal went down.

From the first compression, their preparedness, which usually is reserved for the public, allowed them to save one of their own.

IN 2024 WE HAVE EXPERIENCED 49 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!

- Perryton, Texas Career Assistant Chief Scott Glass (43), injured in a fall while setting up a hose line, has died. Glass was flown to a trauma center in Amarillo after he and two other firefighters fell when a five-inch line whipped at a structure fire Thursday night when a vehicle ran over it. He died of his injuries on Sunday.
- Robert Sharkevich Sr., of the Wethersfield Ct. fire department died Tuesday after a utility vehicle firefighter’s were operating on a “steep rocky incline” rolled over onto him. Three other firefighters also were hospitalized in the incident, police said.
- A 34-year-old man died and two firefighters were injured after an e-bike battery caught fire inside his Bronx apartment. It was the city’s fifth fatality this year caused by lithium-ion batteries sparking a blaze, the FDNY said. Another building tenant suffered serious injuries and was also taken to St. Barnabas Hospital.

THE ATTORNEY’S OFFICE

Former Propane Worker Charged in VA House Blast That Killed Firefighter

Associated Press

A former employee of a propane supplier has been charged in the death of a volunteer firefighter who died while responding to a house explosion in Virginia in February, officials said Tuesday.

Roger Bentley was indicted Monday on charges of involuntary manslaughter and unlawful release of hazardous materials, Loudoun County Fire and Rescue said in a statement.

Bentley also was charged with failure to maintain required records of an unauthorized discharge of hazardous materials, and unlawful failure to control or mitigate the unauthorized discharge of hazardous materials.

Online court records did not show if Bentley had a lawyer to speak on his behalf about the charges Tuesday.

The house explosion in Sterling led to the death of volunteer firefighter Trevor Brown, significant injuries to 11 first responders and \$2.5 million in damages, Loudoun County officials said. Brown was married with three children and had been with the county firefighting services since 2016, officials said.

Firefighters arrived at the home in the Washington, D.C., suburb to investigate a report about a gas smell, officials said. They discovered a 500-gallon underground propane tank with a leak on the side of the residence, officials said.

Shortly after they arrived, the house exploded and burst into flames, with multiple mayday calls coming from the firefighters trapped inside. Crews rushed in to try to rescue them from the debris that covered them.

Two people inside the house were escorted out before the explosion and suffered minor injuries from the blast.

Investigators determined that the explosion was caused by the leak, the fire department’s statement said. Uncontained propane migrated into and around the structure and was ignited by something that hasn’t been identified, the statement said.

Bentley is a former employee of Southern States Cooperative, Inc.-Leesburg-Fairfax Petroleum Service. In a statement provided to WTOP-TV, the company said it is fully cooperating with investigations into the explosion.

“Based on our own internal inquiry into the incident and an extensive review of our safety protocols and training, particularly as they relate to the handling of propane consistent with the industry’s Energy Compliance Manual, **we**

have made what we believe to be appropriate personnel changes in the region and are moving forward with a renewed commitment toward ensuring that our procedures and training are rigorous and sound," the company's statement said.

BUILDING CODE ISSUES AND REPORTED FIRE FATALITIES

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	51
Last fire death 10/16 Schenectady, Schenectady Co. Male, 63	
Fire Deaths in any type of Dwelling in NYS	98
Fire Deaths in 1&2 Family Dwellings Nationally	981
Top 3 States with the greatest 1&2 Family Deaths	#1 PA/76
	#2 TX/61
	#3 CA/53
There has been a total of 1624 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 43 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	

LIVING WITH NEW GREEN TECHNOLOGY

Hyundai Recalls Hydrogen Fuel Cell Vehicles Due to Fire Risk, Tells Owners to Park Outdoors

Associated Press

Hyundai is telling the owners of nearly 1,600 Nexo hydrogen fuel cell vehicles in the U.S. and Canada to park them outdoors and away from structures due to the risk of fuel leaks and possible fires.

The Korean automaker is recalling the hydrogen-powered SUVs from the 2019 through 2024 model years.

Hyundai says in documents posted Thursday by U.S. safety regulators that a pressure relief device can break and cause a hydrogen leak. That could cause a fire even while the SUVs are parked.

The company says the SUVs can still be driven but should be parked outside until repairs are made.

Hyundai says it has no reports of fires anywhere across the globe.

Owners will be notified by letter starting Dec. 10. Dealers will replace the pressure release devices. The automaker said in a statement that it's doing the recall "to ensure the safety of its customers."

Proposed Battery Project Site Raises Concern in MI

Carol Thompson – Detroit News

Tensions over the build-out of Michigan’s clean energy grid are on display in a northern Oakland County community where township officials are racing to set their own standards on a proposed battery storage facility before the state takes control of renewable energy project approvals.

Irving, Texas-based Vesper Energy has approached Groveland Township officials about its plans to build a 300-megawatt battery storage project on the southern edge of the township. For the development, the company eyes a 63-acre parcel nestled between power lines and Interstate 75.

Township Supervisor Robert DePalma would like to say no to the project.

He and his fellow township leaders would have, he said, had state legislators not passed a law last year giving the state-level Michigan Public Service Commission authority to approve renewable energy production and storage projects.

Without the law, “I don’t think this thing would have a snowball’s chance,” DePalma said.

The law looming over Groveland Township officials, Public Act 233, effectively bars local governments from placing rules on renewable projects that are more restrictive than the state law. It was passed as part of last year’s package of clean energy laws that also require electricity providers to use carbon-free sources of power by 2040, require better energy efficiency and set targets for energy storage. Rural communities around Michigan have previously organized to block wind and solar developments.

Still, Groveland Township officials are advancing an ordinance that would place restrictions on battery energy storage systems that are beyond what the state requires. They hope that by adopting the ordinance before Public Act 233 goes into effect on Nov. 29 they can get the developer to follow the township’s plan instead of seek approval from the MPSC. Vesper Energy is voluntarily working with the township to develop the local ordinance, said EJay Fyke, Vesper Energy community affairs manager. The company has agreed to comply with the local measures that are stricter than the state’s, even though it won’t have to after Nov. 29.

“If we’re going to build this in the backyard of these folks, we wanted to make sure they have a say in it,” Fyke said. “A lot of the things they’ve required, we’ve adhered to and they’re much more stringent than the state level. We’re comfortable with that, because we want to build a project that is comfortable for the community, at least as comfortable as we can get.”

Under its latest draft of the ordinance, Groveland Township would require battery storage facilities to be set back at least 650 feet from its neighbors, while the state’s rules require only 300 feet. The township would allow only 45 decibels of noise to reach a neighboring property, whereas the state would allow up to 55 decibels.

“There’s a whole litany of changes we made that are much stricter than the state, just to try to protect us as much as we can,” DePalma said. “Because the way the law is written, we don’t have any option to not (allow the project).”

Once Public Act 233 goes into effect, the township’s local standards will be superseded by the state’s. In early October, the MPSC determined the new state law allows renewable developers to seek project approval from the commission if a local government denies an application, fails to act on an application within 120 days or adds “additional provisions more restrictive than those contained in state law while an application is pending.”

DePalma said he directed the township attorney to review an effort by law firm Foster Swift to coordinate joint appeals of PA 233 and MPSC’s interpretation of it. The course of that potential legal effort could determine whether the township continues pursuing its local ordinance.

“No one likes someone else telling them how to run their backyard as if they know what’s best for their community,” he said.

BATTERIES COLLECT EXTRA ELECTRICITY

Battery storage systems are seen as a key addition to a cleaner electricity grid that increasingly relies on renewable solar and wind power, since solar and wind production is variable and might not always meet state residents’ demands for electricity.

The Groveland Township battery project would store excess power from the electricity grid that currently is wasted, Fyke said. When demand for power is high, “we can flip a switch and put it back on the grid immediately,” he said, removing the need for fossil fuel-powered plants to turn on and generate power.

The batteries would be built on 12 to 15 acres of the 63-acre wooded parcel, Fyke said. He said the project at earliest could be finished in 2029, but Vesper Energy still has to sign agreements with local power and transmission companies and conduct other environmental and cultural reviews.

Although battery storage plays a role in decarbonizing the electricity grid, Fyke cautioned against assuming Vesper Energy's plans for Groveland Township are strictly motivated by a desire to combat climate change. The project also is financially sound, he said, and funded by private investors.

"This is driven in tandem with the need for new renewable sources of energy," Fyke said, "but it's really being driven by capitalism."

A group called the Economic Development Responsibility Alliance has emerged as a vocal opponent to the project.

The group is a 501(c)4, meaning it is a nonprofit "social welfare" organization that is allowed to engage in politics so long as it primarily sticks to quality of life issues and can accept unlimited donations. It was incorporated by a California resident named Frances Severe in summer 2023.

Groveland Township resident Cristine Nettie criticized the township for working with Vesper Energy to write its local ordinance for battery storage systems.

"They're basically writing their own (ordinance), so why wouldn't they file an application?" Nettie said in a press release circulated by EDRA.

The press release encouraged Groveland Township to stop the ordinance process and coordinate with law firm Foster Swift on its appeal.

DePalma, the township supervisor, said the township attorney is reviewing the law firm's efforts to push back against the MPSC and PA 233.

EDRA pointed to fires at battery storage sites as a chief issue with the proposed Groveland Township project.

Lithium battery cells can experience "thermal runaway," which causes them to release very hot flammable, toxic gases and can lead to explosions or fires that are difficult to extinguish, according to the Federal Emergency Management Agency, which funded a University of Texas at Austin research project into the issue.

Vesper Energy is coordinating with local fire officials and will develop a safety plan and provide free training for fire departments if its battery storage plans come to fruition, Fyke said. *He also said newer battery technology is increasingly safe. [SAYS HIM!]*

HAPPEN'N IN THE NEIGHBORHOOD

Gansevoort Fire Department Breakfast

Sunday **November 17th** at the Gansevoort Fire Station 1870 Route 32N, Gansevoort, NY
All you can eat, these folks provide a great breakfast, something for everyone!!

LAUGH OUT LOUD!!

HOW TO TELL YOU'RE AN ADULT:

You gain 30 lbs overnight
You would rather sleep than go out
Everything hurts
Comfort comes before style
You have your favorite spatula
Everything feels like a chore
College students look like they are 12 years old
You're always annoyed

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The Capital Area Association represents any fire district that wishes to join CAFDA. Fire District Officials include Commissioners, Treasurers, and Deputy Treasurers. Secretaries and Chiefs are also invited to participate!
Please advise your secretaries that all correspondence should be mailed to:

CAFDA PO Box 242 East Schodack, NY 12063

[EMAIL TREASURER: TREASURER@CAFDA.NET](mailto:TREASURER@CAFDA.NET)

[518-407-5020](tel: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.voterveice.net/NVFC/Campaigns/118064/Respond>

News For Those Who Intend To Testify

On behalf of OSHA's Emergency Response rulemaking team, thank you for expressing an interest in testifying at the upcoming hearing, which is **scheduled to begin on November 12, 2024. We anticipate that this hearing will last between 2 and 4 weeks, with no planned testimony occurring during the week of Thanksgiving.**

At the time of registration closure, **OSHA received more than 500 registrations but has since received feedback that not everyone who registered intends to provide testimony.** If you intend to testify at the hearing, you do **NOT** need to reply to this email. **However, if you do NOT intend to testify, please reply to this email at osha.emergency.Response@dol.gov so that we do not add you to the schedule as a speaker.**

If you would prefer to provide a written comment or additional information on the proposed rule without providing spoken testimony, this option will be made available to all interested members of the public following closure of the hearing.

In the coming weeks, OSHA will be sending out the hearing schedule with your appointed date and time to provide testimony, as well as additional instructions for hearing participants.

Thanks,
Katy

Company Commander Blog Entry

Fighting fires has evolved, but federal safety regulations haven't changed for nearly half a century. Now the Occupational Safety and Health Administration has proposed new safety standards. It's great news for professional firefighters, but volunteer departments say the new rules could bog them down with expensive and irrelevant regulations.

Hundreds of US firefighters die every year, and job-related cancer is far and away the biggest killer, according to Sean DeCrane with the International Association of Fire Fighters union. He places some of the blame on outdated federal

safety rules that protect firefighters, enacted in 1980. **[EDITOR'S NOTE: ANNUALLY THE LODD RATE IS LESS THAN 100 AND THE NUMBER 1 CAUSE IS HEART RELATED INCIDENTS ACCORDING TO THE STATISTICS FROM THE US FIRE ADMINISTRATION, UNFORTUNATELY CANCER IS NOT COUNTED]**

"It's long past due that the firefighters that are out there responding every day are provided some protection by the federal government when it comes to workplace safety," said DeCrane.

That protection could come in the form of the Occupational Safety and Health Administration's new Emergency Response standard, a proposal still under review.

"If these regulations had been in place 40 years ago, we would have saved hundreds, if not thousands, of firefighter lives," DeCrane said. "Just from early detection of cardiovascular disease, or understanding of exposure to toxins and carcinogens, proper training, proper equipment."

But while all of that sounds great to the professional firefighters DeCrane represents, **most fire departments in the U.S. are not professional**. According to the National Fire Department Registry, more than 4 out of 5 departments are all volunteer, or mostly volunteer.

And for volunteer firefighters, the added money and time necessary to comply with OSHA's new proposals are not welcome.

OSHA's proposal is huge — 608 pages. **The agency wants to increase training requirements, require more pre-planning for emergency situations, set stricter limits on the lifespan of some firefighting equipment, and impose more rigorous health screenings for fighter fighters**. Most of it would be expensive for volunteer fire departments to implement.

Take training: the proposed regulations demand 80 hours of training for firefighters. For volunteers, that means two full weeks of work, squeezed in here and there, for no money.

"If I tell some of them younger guys that, 'Hey, you can't spend the night with your wife and kids. You got to go to training tonight,' they might tell me to go pump sand," said Joel Cerny, chief of the Linwood, Nebraska, volunteer fire department.

The stepped-up inspections OSHA proposed would mean that all of Cerny's 20-year-old fire trucks would need an annual checkup from a certified mechanic. Another big problem.

"That means I have to take the fire truck out of my district because we don't have anybody living in our district that's a certified mechanic. So then I'm taking the truck out of the district for the whole day, leaving my district unprotected," said Cerny.

Many volunteer departments use old "turnout gear" — the helmets, jackets, pants, and boots that firefighters use — and, depending on how often a particular volunteer shows up to fight fires, that gear may not get much use. But OSHA's proposed rule would require replacing that \$4,000 suit every 10 years.

Replacing all that gear would take half a year's budget, said Cerny.

"There's some of them guys that maybe only put that gear on once a year and, for small towns like ours, it just doesn't make sense," he said.

OSHA is also calling for extensive annual physicals for firefighters, the kind that include thousands of dollars' worth of tests, according to Dave Denniston, chief of the Virgil Fire Department in upstate New York.

Add up all the costs, and Denniston figured the new regulations would require a 42% budget increase for his volunteer department. He said if the rules take hold some fire departments will fold.

"There's a lot of folks that have said we'd have to close our doors," said Denniston. "We've looked at it and said we would have to do one of two things: We would either have to greatly increase our taxes, or we would have to ignore it and just hope that something didn't happen."

Denniston believes that if any volunteer fire departments end up governed by OSHA's proposed regulations, trial lawyers will argue that all volunteer departments should be governed by it, and small departments will be exposed to litigation.

"There's a ton of confusion," said Denniston. "But that all goes, again, to the 608-page document that they put out," he said. "One of our fears is where these things are going to get decided — they're going to get decided in courtrooms further down the road when someone gets injured or killed."

OSHA officials have said they never intended the proposed regulations to cover all volunteer fire departments. And, after some bi-partisan pushback led in part by Kansas Republican Sen. Jerry Moran, the agency has promised to revisit the proposal with an eye toward protecting volunteer departments from burdensome or superfluous regulations.

But Denniston is still anxious about the sweeping proposal.

And volunteer firefighters aren't the only ones concerned. ***Some larger professional departments will spend hundreds of thousands of dollars to comply with the new OSHA standards, and Yucel Ors, with the National League of Cities, said municipalities and counties will have to pick up the bill.***

"In a nutshell, they are an unfunded mandate on local governments," Ors said.

The forced spending, he noted, could come just as the House of Representatives passed legislation that would lop 10% off federal grants for local fire departments.

[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=GpBvzoA6h0mmhZ1NlvHxgMQsVuNB08VPk33J3ZMRGTZUMEpOMDIIWjFSMVRGNEIKRzZTlIxOVFBtI4u>

[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



Illionois Fire
Dsitricts.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)

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

[Open the Document at This Link:](https://cafda.net/wp-content/uploads/2024/07/Docket-Comment-7-8-SCSFA-Response.docx)

<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](https://cafda.net/wp-content/uploads/2024/07/NYCOMNYSACAOTjointletter.pdf)

[Open the Document at This Link:](https://cafda.net/wp-content/uploads/2024/07/NYCOMNYSACAOTjointletter.pdf)

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

[What Are Your Pain Points](#)

PAIN POINT FINANCIAL....

OSHA's Proposed Rule:

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

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

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

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

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

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

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

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

OSHA's Proposed Rule:

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

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

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

OSHA's Proposed Rule:

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

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

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

OSHA's Proposed Rule:

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."

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

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.

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\[pull\]=omedal6778E0229656H9A&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]=omedal6778E0229656H9A&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 is hosting a Roundtable Talk on May 23 at 2pm ET with the National League of Cities and the National Association of Counties to highlight areas of mutual concern and provide recommendations on how volunteer departments can collaborate with their local government to express these concerns to OSHA. [Register here](#):

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

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

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

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

CONTACT YOUR REPRESENTATIVE AT THIS LINK:

<https://www.voterveice.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-Ax7THBUrMdNSMphNIFj1WWWXRRzYxdUshoNVzVUkCq2FlyoxhE-Ayblw8OnamjN0BiBpzyC-pPzLiiYEvhxQ9sAxH0UIN-rMeW-UojESkwwKkPDdMRzXK8VXBp->

[Sh4YQDWc0PJekSA9BGQCOh6lo_AGI2vqw1b4iSBqWLS=&c=LauWWHLcf9ha42GymhqekGbW4yikuTH862UfuVJahY7fFHeGl_qUJw=&ch=lefmM7sGv75CYvgpTK9dENyqA1Rv5PwzXZ1xlkZP-JITscwLK8iGsQ==](https://cafda.net/wp-content/uploads/2024/04/Final-Draft-SC-FF-Assoc-OSHA-Response-Letter.docx)

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, except for **Chapter 8** which includes procedures for washing and drying protective equipment.*

- 74 additional reference technical documents.

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

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

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

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

- 45 additional referenced technical standards.

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

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

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

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

- 22 additional referenced technical standards

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

Standard on Personal Alert Safety Systems

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

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

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

This standard applies to the manufacturer of PASS devices.

- 18 additional referenced technical standards.

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

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

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

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

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

- 12 additional referenced technical standards

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

Standard on Respiratory Protection Equipment for Tactical and Technical Operations

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

This standard does NOT deal with the use 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://cafda.net/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-osha-standard-comment-period-opens-february-5th/>

Here are the links for the resources as Dave promised:

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

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

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