



CAPITAL AREA FIRE DISTRICTS ASSOCIATION



BULLETIN

OCTOBER 5, 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](#)
- Page 2, Fire District Election Schedule for 2024
- Congratulations to the latest new fire district in Montgomery County, the Tryon Fire District which is a combination of the Sir William Johnson Fire Company and the Sammonsville Fire Company. Congratulations to new first time commissioners; Jay Hadcock, Chris Jackson, Tom Mellis and Treasurer Cabrina Hadcock
- See updated 2025 Calendar on Page 20.
- WORKSHOP 24 Vendor Space Available, see below.

CAFDA NEWS AND OPPORTUNITIES:

WWW.CAFDA.NET

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

NEXT DINNER MEETING THURSDAY OCTOBER 10TH, 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:

<https://us06web.zoom.us/j/85369698700?pwd=m3QFJOECI9Ejy1T91QtPNQplnbrxR.1>

Meeting ID: 853 6969 8700

Passcode: 216061

Dial by your location: 646 558 8656 US (New York)

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

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

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

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

WORKSHOP '24

SATURDAY, NOVEMBER 2ND

VERDOY FIRE STATION, 988 Troy Schenectady Road, Latham
Per-Attendee Cost is \$20 for Member Districts, \$30 for non-Members

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

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

Return to:

CAFDA

PO Box 242

East Schodack, NY 12063

Or by email to secretary@CAFDA.net

WORKSHOP 24 REGISTRATION FORM AT THIS LINK

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

WORKSHOP 24 SCHEDULE AT THIS LINK:

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

REGISTRATION IS NOW OPEN!!!

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

Workshop Benefit for Business Partners

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

Another Upcoming CAFDA Presentation 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.

ScoreCard

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

Examining The Relationship Between Public Policy And Volunteer Firefighter Shortage

Brianne Roesser

Ninety-four percent of fire protection services offered in New York state are provided by volunteers according to Jackie Bray, the commissioner of the state's Department of Homeland Security and Emergency Services.

In 1995, data from the U.S. Fire Administration shows there were 838,000 volunteer firefighters per 1,000 people nationwide. In 2020 there were 676,000 volunteer firefighters nationwide in what public policy experts are calling a crisis.

What You Need To Know

- The United States is grappling with a volunteer firefighter shortage
- Between 1995 and 2020, volunteer firefighters have declined by 161,100 per 1,000 people
- DHSES created a task force to make recommendations to fire departments in 2022 in order to confront the issues of recruitment and retention
- Some of those recommendations have been implemented and are working in some areas

"I would say the bad news is that these are chronic, persistent problems that are not easily solvable. But the good news is that you do have a lot of really great minds, the professional associations, state policymakers who are working on this actively," said Dr. Lisa Parshall, a distinguished professor at Daemen University and policy fellow at the Rockefeller Institute of Government.

In Sept. 2022, she published a report called *The Consolidation of Fire Protection Services in New York State*, which explores the possibility of closing and merging departments in regions where safe staffing is difficult or impossible.

She said the system we use today to respond to fires, separating cities, villages and towns, is based on colonial times and populations, and that the laws and restrictions placed on municipalities complicate recruitment and retention efforts. However, the role these fire companies have played in their communities for centuries makes consolidation difficult.

"Closing or merger of fire departments is something that is actively resisted because they are so much part of the social fabric," said Parshall.

Additionally, the state is not considering an all-paid fire service because the cost would be in the billions. Volunteer firefighters [currently save taxpayers \\$4.7 billion annually](#).

Instead, a DHSES task force was formed in 2022, made up of legislators and firefighters, to make recommendations for fire departments to tackle their low recruitment and retention concerns.

Some of those recommendations include:

DHSES TASK FORCE RECOMMENDATIONS FOR VOLUNTEER FIREFIGHTER RECRUITMENT AND RETENTION

Examples include:

- **Providing flexible training hours and accessibility**
- **Integrating fire science courses into high schools and BOCES**
- **Subsidizing health care or insurance related benefits**
- **Increasing the personal income tax credit and offer property tax exemptions**
- **Offering retirement credits**

Bray said the BOCES partnership recommendation has been shown to work well in some areas.

"That's starting to make a real difference," said Bray. "You know, I was in Endicott recently, and that fire department has actually grown by more than 20% over the last year. That's a real turnaround."

Bray also said consolidation is not a blanket fix and should only be considered for regions struggling to staff their calls.

"When we say it might be time to look at shared services or in some communities, some might be time to look at consolidation. That is not a knock on the volunteer fire service. We are simultaneously pouring tens of millions of dollars

into the volunteer fire service to help them with recruitment, to help them make sure that they're keeping up with their capital needs," said Bray. "And it's our job to just take a yes-and all of the above approach."

Bray said the 2024 budget includes stipends to pay volunteers between \$500 and \$1,250 to take basic and interior training courses. Previously the 80 to 120 hours of training were unpaid.

She said DHSES has also created V-FIRE Grants from a \$25 million capital fund for volunteer fire service improvements like apparatus, firehouses, etc.

Looking ahead, Bray said she wants to see legislators take a creative approach to solving the issue and possibly prioritize more stipends, not just for training but also for ordinary costs like gas to respond to emergencies.

OTHER FIRE SERVICE ORGANIZATION NEWS

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

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

Fort William Henry, Lake George, NY

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

More information to come.

ASSOCIATION OF FIRE DISTRICTS OF THE STATE OF NEW YORK

2024 Annual Meeting and Leadership Expo

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

REGISTRATION IS NOW OPEN AT THIS LINK:

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

IF NOTHING ELSE READ THE ARTICLES PRECEDED BY **

THE LATEST FROM WASHINGTON

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

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FIRE DISTRICT FINANCES

Former Citizens Hose Fire Company Treasurer Arrested for Stealing More Than \$100,000

A former treasurer of an Ontario County fire company was arrested for allegedly stealing over \$100,000 from the company over a four-year period, State Comptroller Thomas P. DiNapoli, Ontario County District Attorney James Ritts, and Ontario County Sheriff David Cirencione announced today. The defendant, Jill Havens, who served in the Citizens Hose Company in Shortsville, was charged with Grand Larceny.

"Unfortunately, despite our warnings of needed improvements in oversight, this is the second theft my office has found by this company's officials in six years, Havens will be held accountable for her actions."

"At a time when budgets are stretched and our fire companies are doing everything they can to provide a most valuable "The Ontario County Sheriff's Office takes the theft of public funds and those from non-profits very seriously," Cirencione said. "This is the second case we have investigated this year resulting in the arrest of those entrusted with protecting such funds. We are disappointed to see such cases where one or two individuals undermine the trust of the

public for their own personal gain. We commend those who came forward on this case and assure our community that we will continue to aggressively investigate any similar cases in the future and hold all perpetrators accountable as we have done today.”

Havens served as the fire company treasurer from 2018 through August 2022. Investigators found she used her position to issue **unauthorized checks and make personal purchases with company funds, altering the fire company's financial records to conceal her alleged crime. She used the money to pay off her credit cards, make retail purchases, and to pay for online video games.**

Havens also served as the town clerk for the Town of Manchester during this time. An examination of her actions in that position is pending.

Haven’s predecessor at the hose company was convicted of grand larceny in 2019, after an investigation by DiNapoli found that she had embezzled over \$24,000 in company funds. In 2020, the Comptroller issued an audit report recommending various measures to enhance internal controls at the company.

****Richford Fire District – Long-Term Planning and Board Oversight, OSC Audit**

AUDIT PERIOD

January 1, 2019 – October 23, 2023

We extended our scope back to January 1, 2015, to review Board training requirements and active membership status and forward to August 1, 2024 for grant request updates.

BACKGROUND

The District is located in, and provides fire protection and emergency response services to, the Town of Richford (Town) in Tioga County.

The elected five-member Board governs the District and is responsible for making the District’s financial decisions, including planning for the future and setting long-term capital and financial priorities and goals.

The Board-appointed Treasurer is the chief fiscal officer and is responsible for performing and recording all District financial activities. In addition, the Treasurer is responsible for preparing accurate monthly and annual financial reports and providing the Board with timely and accurate financial information.

Audit Objective

Determine whether the Richford Fire District (District) Board of Commissioners (Board) established adequate long-term capital and financial plans and provided adequate oversight over financial operations.

KEY FINDINGS

The Board did not establish adequate long-term capital and financial plans and did not provide adequate oversight over financial operations. When oversight of financial operations and long-term planning is not adequately performed, the Board and District officials run the risk that necessary fire protection and emergency services resources will not be available. **The Board did not:**

- Adequately plan for long-term capital and financial needs totaling \$5.6 million which may impair the District’s ability to continue to provide fire protection and emergency services.
- Ensure the financial information it received was accurate, complete or timely. For example, the final monthly budget-to-actual reports on record for each fiscal year from 2019 through 2022 did not consistently compare expenditures with the correct fiscal year’s budgeted appropriations.
- Receive accurate monthly cash balances for the audit period and did not identify the discrepancies.
- Ensure the annual financial reports (AFR) were filed in accordance with New York State General Municipal Law (GML) Section 30.
- Perform adequate annual audits; therefore, the Board was not aware that the reports and information it used to make financial decisions were inaccurate.

In addition, three of the five Commissioners did not comply with NYS Town Law (Town Law) Section 176-e which required them to complete fiscal training in a timely manner, and while not required, the Treasurer had also not completed any formal training related to her position.

RECOMMENDATIONS

The audit report includes eight recommendations to help the Board and District officials improve long-term planning and oversight. District officials agreed with our findings and indicated they plan to initiate corrective action.

Miller Place Fire District – Credit Cards, OSC Audit

AUDIT PERIOD

January 1, 2022 – November 30, 2023

BACKGROUND

The District provides fire protection services to residents in the Town of Brookhaven in Suffolk County.

The five-member Board, consisting of the Chairperson of the Board (Chairperson) and four Commissioners, governs the District and is responsible for its overall financial management. The Board-appointed Treasurer is the chief fiscal officer and is responsible for the custody and disbursement of District funds.

The District Manager is responsible for preparing claims packages for the Board and reconciling credit card expenditures.

AUDIT OBJECTIVE

Determine whether the Miller Place Fire District (District) Board of Fire Commissioners (Board) ensured that credit card charges were properly approved, supported and for appropriate purposes.

KEY FINDINGS

The Board did not always ensure that credit card charges were properly approved, supported and for appropriate purposes. As a result, there is an increased risk that the District will expend funds for unauthorized or inappropriate purchases.

Of the 136 charges and credits totaling \$70,570 we reviewed:

- 86 charges totaling \$40,198 were accompanied by purchase orders that ***lacked a detailed description of the items or services, the quantity of items, or the dollar amount of items or services.***
- 12 charges totaling \$9,362 did not have sufficient supporting documentation attached to the claim but were approved for payment by the Board.
- Commissioners approved and audited their own credit card charges totaling \$14,544 and 25 charges totaling \$10,005 had purchase orders that were approved by the District official making the purchase.

KEY RECOMMENDATIONS

- *Ensure credit card charges are sufficiently supported with itemized receipts before they are audited and approved for payment.*
- *Ensure purchase orders contain sufficient detail and are approved prior to purchases being made.*
- *Ensure all claims are subject to an independent audit so Commissioners are not responsible for approving their own claims.*

Register "NYS GOVBUY 2024" events@ogsgovbuy.info

Save the date: November 21-22, 2024 Empire State Plaza Convention Center REGISTER NOW AT THIS LINK:

https://eventdex.my.site.com/BLN_RegistrationDym?id=a19Nt000001xfZdIAI

FIRE DISTRICT BUDGET CALENDAR FOR 2024 CAN BE FOUND AT THIS LINK ON THE CAFDA WEBSITE:

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

Fiscal Oversight Responsibilities of the Governing Board

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

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

Local Government and School Accountability Contact Information:

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

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

Volunteer Department Run Amuck!

The Bucoda Fire Department was temporarily shut down for three days last month and its fire chief of 18 years, James Fowler, was fired amid investigations that have been opened by the Office of the Washington State Auditor and Town of Bucoda into how the small volunteer department was being operated.

"We have two investigations currently open," Bucoda Mayor Callie Carpenter told The Chronicle. "... Once the investigation is finished, then the auditor's office will decide if they want to press charges."

With Fowler fired and the department temporarily shut down, South Thurston Fire and EMS is now responding to emergency calls in the small community of just over 600 people.

South Thurston Fire and EMS already handled the majority of emergency calls in Bucoda thanks to a mutual aid agreement already in place.

"The last three years, we've only responded to about 35% of our calls," Mayor Carpenter said.

The Chronicle contacted Fowler for comment but has yet to receive a response.

Though the Bucoda Fire Department was temporarily closed, it is once again operating with South Thurston Fire and EMS Chief Andrew Schaffran now its chief as well after Carpenter appointed him to run the department.

While Carpenter declined to go into details about the ongoing investigations, she said staff from the auditor's office **were concerned over a lack of proper volunteer firefighter training documentation, among other issues.**

Following Fowler's firing at the end of August, there was backlash from some community members, including many of Bucoda's volunteer firefighters who were angry about his firing and that they weren't told ahead of time about Fowler being let go.

"In the department itself though, there was no list of volunteers or contact information, so I had no way of getting into contact with them," Carpenter said.

The decision to then also temporarily close the whole department came as currently, *none of the Bucoda Fire Department fire engines are operable.*

"Can't really have a fire department if we don't have any engines," Carpenter added.

The closure was only temporary as Carpenter and the Town of Bucoda, in partnership with U.S. Rep. Marie Gluesenkamp Perez, D-Skamania, are still seeking federal funding to purchase a brand-new fire truck for the department.

Carpenter added the town is currently considering other funding options including selling the engines they have now to try to purchase a working used fire engine from another fire department while utilizing South Thurston Fire and EMS vehicles.

Last month, The Chronicle reported that the Town of Bucoda's budget was not in compliance with its own internal policies or state law between 2020 and 2022, according to the Washington State Auditor's Office. Read more about those findings at <https://tinyurl.com/mry75h85>.

Town of Vestal Comes to Unanimous Vote to Dissolve Existing Fire District

The Town of Vestal board came to a unanimous 5-0 decision to go through with the proposed dissolution of the existing fire district to implement the new district. The new district formation gives Vestal fire district independence, allowing them to now have their own governing body and elect their own appointed officials. The Town of Vestal Fire Department is 100% volunteer and **under the existing fire district, the town board were the fire commissioners. The new district will now be in compliance with New York State.** A dissolution of the existing district was needed to implement the new district. "We are the last town that had a volunteer fire department and had the town board as fire commissioners. So, it wasn't allowed, but it took a lot of work from all the members of the governance committee who were all volunteers who stepped up and helped us make this day possible," Town of Vestal Supervisor Maria Sexton said. "So, they're becoming independent, but they're still our volunteer fire department, which we much appreciate, and we could not do anything without them."

Requalifying Your Apparatus Operators

Chris McLoone

I have reached the point where some of our younger/newer members were not born when I joined the fire company in 1993. One day, we're all hanging out in the radio room after the call, talking about the same stories, and then suddenly the looks from other people in the room became more humoring, as if to say, "That's right, Chris. That was a funny time," while thinking to themselves, "We have no idea who he's talking about." In any event, what has me thinking about my age today—and I'm not even that old at 50—besides trying to get out of my chair earlier, is a meeting I'm going to down at the firehouse this evening.

The goal of the meeting is to finalize the plan for the annual requalification program for drivers/pump operators. Don't misunderstand—we're revising the existing program. We review it periodically to address current times, current apparatus, etc. Why would it make me think about my age? Because I started to think about how long it has been since I was originally qualified on our pumpers. The driver training program I went through is far different than the one many of our drivers went through during the past 10 years and even more different than the ones who have been most recently qualified to drive the trucks.

This led me to think about departments throughout the United States. Do all departments even have a requalification program or is it a one and done qualification where you get blessed by the chief engineer and away you go? And, if you don't have one but want to have one, how do you get started?

When I started out, part of getting qualified was based on how many hours I had driven the vehicle, part of it was taking what was then Pump Operations I and II, and then going through various scenarios with the fire company's engineering officers to demonstrate the skills I had developed. The ultimate test is always getting water out of the truck at the first job you pump. We kept records, but they were not nearly as sophisticated as the records kept today or the records management programs available to fire departments.

But, requalification—what does that all entail? What do you base it on? I'm in a volunteer company. In my 30 years, we've had four different chief engineers, all with different approaches to initial qualification and requalification. All this, and my fire company doesn't have an aerial. Besides the pumpers, we have a rescue truck.

What I'm challenged with tonight is balancing the type of qualification I received with the more current methods and ensuring the requalification program is a combination of both. You don't want to chase away senior drivers.

If you're in the planning stages, where do you go? First, make sure you're basing the training and qualifications on something existing. If you have existing programs in writing, choose the most important skills and ensure that your apparatus operators are still proficient performing them. I learned a long time ago that a lot of pumping a truck comes down to muscle memory before you even start thinking about any of the math you need to worry about: Stop, shift into neutral, apply brake, shift into pump, place transmission in drive, chock truck, tank- to-pump, tank recirculate, and NOW you can charge the line.

One place to start if you don't have any program in place is National Fire Protection Association (NFPA) 1002, *Standard for Fire Apparatus Driver/Operator Professional Qualifications*. From there, look at other fire companies and fire departments around you. I've said it before, as well as others: ***We all steal from each other. Don't be afraid to adapt other departments' guidelines and make them your own.***

It's not 1993 anymore, or 1998 when I first got blessed to operate what was our third-out piece. One of the biggest differences is paper. You've got to have whatever you are doing on paper, and you need to ensure you've got records on every driver. ***Requalifying your drivers is a critical part of the recordkeeping.*** The trucks are much bigger today than they were in 1993 as well. Not every state requires a commercial driver's license to operate fire apparatus. In these cases, the onus on the fire department to properly train and qualify its operators is even greater. If you don't have anything yet, start establishing your criteria, putting programs in writing, and deciding how you are ensuring operators are still proficient and, if not, having the confidence to tell them it is time to step back.

OUR CHANGING FIRE SERVICE –CHALLENGES & POSITIVE IDEAS!

POSITIVE OUTCOMES

First Due: The Duty Chief

Tim Cowan

The duty chief assignment is a challenging but rewarding position. The duty chief program ensures that a chief officer is on scene during emergencies, which ultimately allows company officers to stay with their crew and maintain crew integrity. As the deputy fire chief for the DeWitt, NY, Fire District (DFD), which is a small combination department, I regularly am assigned as the duty chief.

SHORTAGE OF CHIEF OFFICERS

A few years ago, the idea of a “duty chief” program came about to ensure that a chief officer was on scene as a resource for whatever was needed during emergencies. We and our mutual-aid partners, Fayetteville Fire Department and Manlius Fire Department, which also are small combination departments, were dealing with staffing issues, particularly at the chief officer level. The duty chief program provided a level of continuity that had been a struggle.

The fire chiefs and the deputy fire chiefs from all three departments staff a rotating, 24-hour shift. They respond to all fires, fire alarm activations, carbon monoxide incidents, motor vehicle accidents, hazmat incidents, technical rescue calls and other significant emergencies.

Often, I stop by during training to observe and learn about crews’ strengths and capabilities. It allows me time to answer questions and give expectations according to standard operating procedures/standard operating guidelines of the three departments. This provides me with the opportunity to interact with everyone in a much more relaxed setting than is possible at an emergency scene.

RISK MANAGEMENT

The fire department from which I retired was similar in size to the DFD. As a chief officer, I rode the right front seat and functioned as the company officer and the incident commander. This wasn’t an ideal situation. It was difficult for me to manage both functions at the same time, and the National Institute for Occupational Safety and Health identifies “lack of incident command” as one of the five contributing factors to line-of-duty deaths of firefighters.

Before this program existed, company officers of the DFD and Fayetteville and Manlius routinely assumed the role of incident commander. That no longer is the case. Furthermore, the program aligns with the third initiative of the National Fallen Firefighters Foundation’s (NFFF) 16 Life Safety Initiatives: risk management.

Response guidelines

The duty chief program also provides opportunities to develop collaborative response guidelines.

Many departments use preassigned run cards or box alarms with particular pieces of equipment (for example, Engine 1). True, these systems indeed are helpful for ensuring proper responses, but we took a slightly different approach.

After many meetings and discussions, we developed response guidelines for first-, second-, third- and fourth-arriving units, not particular apparatus. Our response guidelines clearly state the duties of each arriving unit in the order that it arrives. Can there be deviation? Of course, just as long as the deviation is announced to incoming units. An example of this would be if the first engine on scene of a working fire didn’t bring in water from the hydrant.

FIREGROUND SAFETY

The duty chief program of the DeWitt, Fayetteville and Manlius departments provides the most amount of consistency that’s possible at all incidents. The program isn’t perfect, but it ensures that a chief officer will be on scene if needed. The program provides opportunities for collaborative training and response guidelines.

Many departments struggle with recruitment and retention issues, which ultimately relate to fireground safety. If this sounds like your department, then the duty chief program might be for you.

Timothy Cowan

Timothy S. Cowan is a deputy fire chief with the Dewitt Fire District in central New York and a 32-year veteran of fire and emergency services. He recently retired as a deputy fire chief/fire marshal with the City of Oneida, NY, Fire Department. Cowan also is a volunteer firefighter with the Canastota, NY, Fire Department. He is a deputy fire coordinator and fire instructor for Madison County, NY, Office of Emergency Management. Cowan is completing the Executive Fire Officer Program at the National Fire Academy. He earned an associate degree in fire and emergency services and a bachelor’s degree in fire and emergency management, both from the SUNY Empire State College.

****Atlanta (GA) Hybrid Trucks Stand In for Out of Service Aerials**

Brandi Makuski

In an effort to tackle ongoing challenges with aging equipment, the Atlanta Fire Rescue Department has added three new hybrid service trucks to its fleet.

Capt. Justin A. “JT” Turner, a department veteran of 23 years who currently chairs its Apparatus Committee, explained that the new vehicles are essential given the department’s deteriorating fleet.

“We’ve got nearly a third of our fleet out of service at any given time due to maintenance issues,” Turner said. “I would say all of our vehicles are past their life cycle, and these hybrids will help keep us operational when one of our aerial ladders goes down.”

But “hybrid” is a bit of a misnomer. Turner said the department used the term to describe the new trucks because the vehicles combine several key features of traditional fire apparatus without including the expensive aerial ladders typically found on ladder trucks.

Calling the trucks “hybrid” is more of a nickname, Turner said, as the rigs are not environmentally focused. “They’re not electric—it’s just a catchy term because hybrids are a hot topic,” Turner said.

The trucks carry the full complement of equipment that a traditional ladder truck would have, except for the aerial ladder, which is rarely used by the department. The mix of capabilities, paired with cost-saving measures, inspired the hybrid designation.

“They’re essentially a chassis with a toolbox on it,” he said.

The hybrid trucks, which cost about \$600,000 each, are designed as a more economical solution compared with fully-equipped ladder trucks. According to Turner, a traditional aerial ladder truck can cost up to \$2 million, including the equipment.

“The most expensive part of the aerial trucks is the ladder itself, and for us, it’s the least-used feature,” Turner said.

The hybrid trucks, built on Spartan Metro Star chassis with a 450-horsepower Cummings diesel engine, are equipped with ground ladders and other tools required for responding to emergencies like vehicle entrapments, medical calls, and structure fires.

The hybrid trucks are staffed by three to four personnel carried in the cab, similar to the department’s other apparatus. And even though they’re considered reserve vehicles, the trucks will be housed at whichever station has an aerial ladder truck out of service, meaning they could be deployed from any of the department’s 31 stations across Atlanta.

While a fully-equipped aerial ladder truck can take up to 500 days to manufacture, the hybrid trucks were produced in less than a year. Turner said that the decision to go with these trucks was largely driven by cost and production time.

The lead time for the new hybrid trucks was less than a year. AFRD ordered the rigs in early 2023. The department recently ordered a fourth hybrid vehicle and expects to take receipt in late 2025.

“We’re not in an ideal scenario, but this is a cost-effective and necessary solution,” Turner said. “They’ll always be in service because we always have something that’s broken down.”

Turner advised other fire departments to be open to alternatives when facing financial and logistical constraints.

“You have to think outside of your normal traditions to make things work,” Turner said.

Atlanta Fire Rescue currently operates 50 vehicles, including engines, ladders, and rescue units, with more than 48 of them staffed at all times across the city.



[Winnipeg \(Canada\) Volunteer FD Launches Lottery to Replace Fire Apparatus](#)

A rural fire department in Winnipeg (Canada) is getting creative in its efforts to raise money to replace two fire apparatus that have reached the end of the line – and it could mean a big win for one lucky person. The Winnipeg Beach Fire Department says it needs to retire its **1993** pumper and **1979** tanker, the report said.

“Help us spread the word,” Winnipeg Beach Firefighters said in a Facebook post. “This is a provincial wide lottery. Anyone in Manitoba can buy tickets. \$100 a ticket for your chance to win \$1,000 a week for a year. Only 2,000 tickets printed.” Tickets can be purchased online at <http://Rafflebox.ca/raffle/wbfd>.

Replacing the apparatus will be around \$800,000 per vehicle, the report said. **The department secured a provincial grant to cover the cost of one rig, but is on the hook for the rest**, according to the report. It’s a cost that would typically be covered through a tax hike, but the department wanted to avoid that.

“Winnipeg Beach Fire Department is excited to announce our Take-A-Year-Off Lottery,” the department said in a Facebook post. “Tickets are limited and proceeds will be used for the purchase of new fire trucks and other departmental equipment and supplies. It’s a great way to give back to your community with the added chance of giving back to your wallet. Thank you for supporting this event.” The Manitoba-wide lottery comes with a grand prize of \$52,000 or \$1,000 a week for an entire year. The lottery launched in mid-September, with the final draw set for Nov. 2.

The department hopes to have the new apparatus up and running by fall of 2026.

Tonawanda, Erie County Launching EMS Ambulance Service

The Town of Tonawanda is launching its own ambulance services amid concerns over response times from the private company that currently serves the town, officials said Thursday.

The town will begin its own service beginning in the first quarter of 2025. Town supervisor Joe Emminger said in a news conference Thursday that the service has been in the works for about a year due to concerns with response times from Twin City Ambulance, the company that currently serves the town. Emminger said that Twin City being understaffed is a culprit of the response times, which have taken upwards of 30 to 60 minutes in some cases.

“It’s no knock against them,” Emminger said Thursday. “Like a lot of companies, they’re having trouble finding people to fill their positions.”

The town will begin with the purchase of two full-service ambulances with plans to purchase two more later in the year. The ambulances cost around \$250,000 each. To help offset the cost, the town has secured a \$250,000 grant in state funding to purchase the first ambulance.

The town will still use some private ambulance services, in particular for hospital-to-hospital transfers. Emminger estimated that the town sees around 6,000 yearly 911 calls, so the focus will be responding to those calls.

“We’re going to crawl before we walk, walk before we run,” Emminger said. “We know there are going to be some kinks, but hopefully very few.”

The ambulances will also service the Village of Kenmore.

The town will be looking to hire between 15 and 20 EMS personnel to service the new fleet of ambulances, with hires being done late this year and early next year.

Tonawanda is not the first municipality in Western New York to at least consider having its own ambulance service. In December 2023, Lockport and Niagara County restored its service after being served by Twin City since 2014. Erie County also began a backup service in 2023, mostly to service rural areas in the southern part of the county. The City of Buffalo has also expressed concerns with American Medical Response, a different private ambulance service, over the company’s response times.

Unified Fire District Formed For Alexandria, Alexandria Bay

The town of Alexandria and the village of Alexandria Bay will now be under a single fire district. Town and village officials decided Thursday night to dissolve the existing Town of Alexandria Fire District and establish a unified Alexandria Bay Joint Fire District.

The change creates a team of five fire commissioners that will oversee fire-related matters in the area. Attorney Bradley Pinsky says residents shouldn’t notice much of a difference with the unified fire district. “People worry about two things,” Pinsky said. “They worry about is fire protection going to suffer. Absolutely not. It’s going to get more attention. They also worry about if taxes are going to go up. No. The formation of a fire district does not force the taxes up.”

“Definitely,” town supervisor Brent Sweet said. “Definitely will take some strain off of the town. No question about that.” The results of Thursday’s vote will go into effect in 30 days.

FIRE SERVICE CHALLENGES

194,000 Jeep Plug-In Hybrid Suvs Recalled Over Fire Risk

Stellantis said Monday it is recalling 194,000 plug-in hybrid electric Jeep SUVs to address fire risks after 13 fires were reported, and it told owners to park outside and away from other vehicles until recall repairs are completed. The Italian-American automaker is recalling some 2020 through 2024 model year Jeep Wrangler and 2022 through 2024 Jeep Grand Cherokee plug-in hybrids. The issue involves a battery component, the company said. The Chrysler-parent company said the **fires occurred when the vehicles were parked and turned off**. It estimates 5% of affected vehicles may have the defect. Stellantis said vehicle risk is reduced when the battery charge level is depleted and said owners are advised to refrain from recharging and should park away from structures or other vehicles. The company said a remedy is imminent.

PLEASE SHARE THIS TRAINING OPPORTUNITY



Cancer: The Realities that Face Responders ESIP WEBINAR SERIES

We are learning more and more about the increased risk of cancer to firefighters. We will discuss the known causes we are exposed to and review strategies in prevention and monitoring during and after our experiences in fighting fire.

Date: 10/2/2024 Time: 7:00 PM EST

REGISTER HERE:

<https://mcneilandcompany.us8.list-manage.com/track/click?u=03596f243a9d922954ebaf15e&id=e2ac6e310e&e=781e9a2c81>



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

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

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

Nov. 13 at 2pm ET Presenter: Rachel Buczynski

REGISTER AT THIS LINK:

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



Webinar - Finding Future Firefighters: Recruiting and Retaining Gen Z

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

understanding their passion for purpose-driven initiatives, participants will explore innovative strategies tailored to effectively recruit and empower Gen Z volunteers.

REGISTER AT THIS LINK: search. Defensive tactics involve our escape plans, which are needed as we complete our search, but more importantly under extreme or emergency conditions. To make these tactics work, we must always have our strategy front and center. Both sides of the coin are in play all the time. In this three-hour program, students will examine strategy and tactics to gain a more concise understanding of the training necessary for search.

REGISTRATION FEES:

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

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

REGISTER HERE:

https://r20.rs6.net/tn.jsp?f=001QZWPfjYZRP6tAYnVrgg36Z_YE6vp89dymWfQQD1d7q4ZRwVDbNdE8ByVmF5_856f_UrB-yGihYJigwEPzCbQfCvEoeEALHRXrk_M-dbDWBYRtKiko1vLice_oi1AFseMKfN01xTmCmivyzyMWYur-39p1T1V2_yChO2C2F1_fJn94LviwwZ3Aag==&c=AmhECQ6uFruSlwrKrkspNliiv3NWEIzhZOrf3KrFnUis83Dp1Q1JdQ==&ch=AqMwftSnQqSSjoIdoQJ-cfc_GyhBFLqV23YaEp7HU-kR9WoEr9kSg==

7:00pm STARTING TIME

Rensselaer (Tuesday, October 29)



NYS AFC Hands on Series

FIRE BEHAVIOR ON THE INSIDE

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



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

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

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

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

REGISTRATION:

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

Pre-registration encouraged!

REGISTER AT THIS LINK:

https://ygc8ha5ab.cc.rs6.net/tn.jsp?f=001kuqLgpLbccSUrIvWbOM--WOyxcGN33wsn9CB40zBMzH5JRQ8kdAu-U9rcq0HazSAzEMaxVMNEpSigloNLWx_FYDCKrLQIQfAwRv9fZGoCA39a8F854FdGooPPW5nhlimjwY_z-Ppvs9xIbWg4t2soeB2xbgSHSWBkR3FQNgfUCMou6eD6ReaQ==&c=6nGkXVEGAicnaBshBE8sbLM6Gn8YA1sFFRufb2MsKAKCEPvxSmObRg==&ch=ZRLEy5qUdq74vNpCsQnMdYy3z1L5PpLyYSA1u3R47oxFRQnYmcdSRQ==



University Provides a Wealth of Training Opportunities UPDATED FOR 2023

VFIS TRAINING AND RESOURCE CATALOG 2023

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

VFIS UNIVERSITY – USERS GUIDE

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

VFIS TRAINING OFFICER USERS GUIDE

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

VFIS RESPONDER HELP FLYER

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

FF HEALTH AND SAFETY – TAKING CARE OF OUR MEMBERS!

IN 2024 WE HAVE EXPERIENCED 46 FIRE FIGHTER LODD'S

According to FirefighterCloseCalls.com
In 2023 we experienced 82 LODDs reported nationally,!*

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

- Volunteer firefighters George Chad Satcher, 53, Landon Cale Bodie, 18, were killed when a tree fell on their fire engine in route to a structure fire near Batesburg-Leesville, South Carolina.
- Brian Wampole was an active volunteer firefighter at Black Rock Fire Company that died in the line of duty on Sunday, September 29th while operating with **Keystone Water Rescue Inc.** of Boyertown PA at a non-emergency event in Upper Merion Twp.
- A Fairview NC firefighter was killed while conduction rescue operations during the Helene response.
- Egg Harbor Township Emergency Medical Service on Tuesday announced the death of 52-year-old David Austin, a 30-year technician whose career included tenures on squads in Atlantic and Cape May counties. He had just finished a 12 hour shift.

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!!

BUILDING CODE ISSUES AND REPORTED FIRE FATALITIES

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 | 44 |
| Last fire death 9/22 Kent, Putnam Co., Male 72. | |
| Fire Deaths in any type of Dwelling in NYS | 84 |
| Fire Deaths in 1&2 Family Dwellings Nationally | 923 |
| Top 3 States with the greatest 1&2 Family Deaths | #1 PA/72 |
| | #2 TX/60 |
| | #3 CA/52 |
| There has been a total of 1496 civilian home fire fatalities in 2024 | |
| There were a total of 2127 residential fire fatalities reported in 2023 in the US media. | |
| We are in Week 39 of 2024, fire has claimed on an average 37 lives PER WEEK, perhaps OSHA should examine that death toll. | |

Both the states of Maryland and California as well as Wash. DC require sprinklers in residential dwellings

LIVING WITH NEW GREEN TECHNOLOGY

Hyundai Motor to Develop Firefighting Robot for Parking Lot EV Fires

Hyundai Motor Group recently announced plans to develop a firefighting robot to handle electric vehicle fires that occur in underground parking lots, the Bahrain News Agency reported.

The Korean automotive group announced it will coordinate with the National Fire Agency of the Republic of Korea to develop the firefighting robots by the end of the year and deploy them for use starting in 2026, Yonhap News Agency reported.

The firefighting robot will be equipped with a 65-mm water cannon, a thermal imaging camera, and a spray device, with the multipurpose unmanned vehicle as the basis, as requested by the National Fire Agency, kedglobal.com reported. The robot is expected to allow remote-controlled fire suppression, providing an effective solution for fires in underground facilities, where it is difficult or dangerous for firefighters to enter, the group said. Hyundai Motor Group expressed its intention to provide firefighting equipment to the government through the Ministry of Trade, Industry and Energy in August.

Hybrid Vehicle Ignites Fire

This morning units were dispatched to the Summerland Heights Apartment complex (Woodbridge,, Virginia) for multiple reports of several autos on fire. Crews arrived with a row of parked cars on fire. Extinguishment quickly followed. A total of eight vehicles were destroyed while three (3) others sustained damage. No injuries were reported. The Fire Marshal's Office determined the **blaze was ignited by an electrical malfunction in a hybrid vehicle**. The ensuing fire engulfed nearby autos. Leaking gasoline contributed to the extensive spread.

Mother, Child Suffer Burns After Cellphone Charger Catches Fire In Upper West Side Apartment

A mother and child were rushed to the hospital after a lithium-ion battery cellphone charger caught fire inside their apartment in Manhattan. It happened around 9:30 p.m. Sunday on West 60th Street and West End Ave on the Upper West Side. There is no word on the severity of the burns.

New York State Learning From Last Year's North Country Solar Farm Fire

There are more than 5,000 solar farms across the nation, however, last year, three of New York's farms caught fire, and responders struggled to figure out a plan of action.

One of those farms is up in the North Country, where a small, volunteer department has been helping others learn as New York state prepares major changes to policy.

"It was absolutely a lot of confusion," Chaumont Volunteer Fire Department Chief Will Lipczynski said.

It was in July of last year that a terrifying sight left no one sure what to do.

"We were not sure if we were supposed to put water on it. We were supposed to just sit and wait. We were supposed to get foam," Lipczynski added.

There was so much confusion, so much uncertainty, that roughly 30 fire departments responded to the lithium battery fire on a solar farm in Chaumont.

"Just trying to get a hold of company to get all the proper data sheets and trying to get them in a timely manner was very hard at the time," Lipczynski recalled.

Departments that arrived were so worried about chemical reactions, toxins getting in the air or in the ground, that they simply could not take action.

"You don't want to be wrong. We don't we don't want to jeopardize the firefighters that are up there close to it working. Obviously, we don't want to jeopardize anyone in the public," Lipczynski said.

Now, finally, a year later, crews are back on site, cleaning up and removing the damaged batteries to replace them with new ones. The holdup we're told was regarding insurance issues and getting permits to take those damaged batteries across state lines.

"It's nice to see everything come full circle, and just see the end in sight," Lipczynski said.

While never asking for the job, over the past year, Chaumont has become the expert — the go-to — for departments across the country to learn more about solar and battery.

"Our brother and sister firefighters, you know, when they call and they have a question, that's nice to be able to answer a question," Lipczynski added.

And over that year, the department has learned a lot.

"Now we know we can run a very low volume of water [to keep it cool], have three or four tankers go in, set it up and let it go," Lipczynski said.

It's knowledge that ensures a Hazmat team on-site to collect and test groundwater and air samples. Luckily, in this case, no harmful levels of toxins were found.

"Is it still a very serious fire? Absolutely," Lipczynski added.

New York state agrees. It's why a working group was established to advance some recommendations in case of future fires.

Among other things, including removing a fire code exception for electric utilities that own or operate a solar farm, those recommendations include proper response signage on-site, independent peer reviews of installation and having qualified and knowledgeable personnel nearby.

"There's always room for improvements, but hopefully, they don't go too quickly and forget some of the small issues that we can arise," Lipczynski said.

Issues he says like ensuring departments have the proper technology and equipment to fight these types of fires.

HAPPEN'N IN THE NEIGHBORHOOD

Gansevoort Fire Department Breakfast

Sunday **October 20th** at the Gansevoort Fire Station 1870 Route 32, Wilton, NY

All you can eat, these folks provide a great breakfast, something for everyone!!

LAUGH OUT LOUD!!

Doctors have just identified a food that can cause grief & suffering years after it's been eaten!!!!

It's called Wedding Cake...

JUST SOME LIGHT READING 😊

Cantankerous Wisdom: Indian Tanks and Power Wagons

Bill Adams

Future subjects I've wanted to address include repurposing former military vehicles as fire apparatus; fire departments that build their own apparatus; combining the number and functions of the multiple *types* of wildland brush trucks; and my belief that the National Fire Protection Association (NFPA) shouldn't be mandating Miscellaneous Equipment Allowances on any type of fire apparatus.

Inferring liability in articles makes some editors nervous. Ensuring readers and advertisers are not offended and editorial propriety is observed is hard for some older opinionated commentators. Consequently, controversial subjects are tucked away in the back of my mind to ferment — or decay.

Article ideas are often run by Raisin Squad members during morning coffee. Despite shortcomings such as bad manners, stubbornness, and tendencies to spray drool while talking, they occasionally can put topics into perspectives

germane to today's fire service. When innocuous coffee chit-chat jars memory brain cells, topics can take a circuitous route to get from Point A (memory) to Point B (print). A recent conversation took such a route.

Indians

One morning, our resident pinchpenny whined about used *Indian* pump cans selling for almost \$500 on the internet. This cheapskate can bite a buffalo nickel so hard the animal passes gas. The raisins chimed in: "*I don't think you can buy'em anymore.*"

Another geezer mentioned he saw Mendon's grass fire truck (#367) at a recent parade. He said it was a former military weapons carrier that was carrying four Indian pump cans. I jumped right on it saying departments ought to be careful converting former military trucks and especially older ones into fire trucks. The last thing the Squad wanted to hear was me yapping about complying with NFPA fire truck standards. Another raisin attacked: "*You old fool – that ain't no military rig.*" He claimed it's just a pick-up truck they converted into a grass fire truck. I didn't believe him, so I asked longtime acquaintance Dale Sweet, the Mendon Fire District's administrator and a former chief from the nearby Rush Fire Department.

I was wrong; the rig was not a former military vehicle. It did belong to the district but is now owned and used by the Mendon Fire Department as a parade truck. In some volunteer entities, the fire district is a political sub-division that buys the apparatus. Staffing is provided by organizations known as departments, associations and companies. They're often collectively referred to as the fire department.

In Mendon's station is a framed letter from a Dodge dealership acknowledging an order for a 1964 Dodge Model WM300 Military Type Power Wagon. It cost \$3,185 plus a \$45 *penalty* to upgrade from standard service tires to all traction tires. Commonly called a *1-ton Civilian "Military Type" Flat Fender Style*, it was a civilian version of Dodge's light duty military vehicles built for the military (<https://www.stellpower.com/cars-2021/the-original-tough-military-grade-dodge-power-wagon/>). Sweet pointed out a framed advertisement showing a John Bean skid-unit (tank, pump and booster reel) costing \$3,700 plus a \$60 freight charge. It was similar to the one purchased for the grass fire truck.

When I said I remember seeing it at a fire when I was the chief in East Rochester, Sweet fired back, "*You're old. That rig was taken out of service over 30 years ago.*" He's not old enough to be a Raisin, but he's starting to sound like one. I asked who installed the skid unit and the lights and siren. He replied it's unknown because many records are misplaced stating what equipment the District or the Department or even the Auxiliary may have purchased for the truck. I said ask someone. He fired back: "*Bill, that was 60 years ago. Most members who were active back then have passed away. Those still alive are probably too old to remember. You should know what that's like!*"

Sweet relayed a few unsubstantiated old-timers' tales passed down during the years. He said the grab rails on the sides of 367's body that extend down to the tailboard came off their 1932 Chevrolet pumper. Another was the truck did not have a winch when delivered. Supposedly, the truck later made an unscheduled trip to an unremembered western New York military installation. When it returned, it sported a front-end winch manufactured by Dranden. It was similar or identical to ones used on military rigs of that era. End of story. It reminds me of the iconic saying by the character Sergeant Schultz from the *Hogan's Heroes* TV show: "*I know nothing!*"

The steel treadplate rear step, rear fenders steps, and running boards appeared professionally fabricated. Sweet said local fabricating shops were capable of such work. I said it probably was sent to either Saulsbury, Young or Sanford to have the work done being they were all located within 100 miles. Sweet: "*Good luck finding that out. Those apparatus manufacturers are no longer in business. Don't you remember? You used to sell for one of them!*"

Unfazed, I consulted longtime friend Tom Shand – a well-known fire apparatus guru and former associate from the apparatus industry. He said: "*The treadplate work does not look like something that Young, Saulsbury or Sanford would have done. Perhaps a local metal shop did this work. It does not match the treadplate used back in the day. The steel wrapped around the rear is a little different.*"

Why go through all this rigmarole if a fire department wants to repurpose a military type vehicle for firefighting? My response is fire departments will continue – if not increase – the use of repurposed military vehicles. Some person or some entity might be assuming a degree of liability if a repurposed military chassis is not street legal or NFPA compliant and something bad happens. It's no different than a fire department purchasing a new chassis and mounting an old body on it or building a new one for it in its own shops.

A 40-year-old chassis with little to no mileage is still a 40-year-old chassis. If repurposed for a fire truck, does it have to meet current NFPA 1900 standards? Does it have to meet current motor vehicle standards? Some states have criteria for motor vehicles over a certain age that legally are, or can be, considered antiques. Can such a vehicle lacking modern-

day accoutrements required by today's laws be legally used on-the-road as an emergency vehicle? Reputable fire apparatus manufacturers are intimately aware of rules, regulations and liability. Are fire departments?

Power Wagons

People who've served in the military or researched its procurement procedures knows it uses 25 words and multiple identification numbers to describe things when just one or a few will do. I spent weeks researching the *Dodge WM300 Military Style Power Wagon* and its inbred predecessors. Facts and figures vary in websites sponsored by truck enthusiasts, manufacturers, and military historians. Have patience – they may have confused me.

Power Wagons were not military vehicles. Power Wagon is just a label. It's a moniker Dodge used after World War II to describe medium duty civilian trucks manufactured after the war. The original version was called a "*Flat Fender Power Wagon*" (FFPW)" or a "*Military Type*" vehicle. It was based upon the WC Series light-duty 4x4 1/2-ton and 3/4-ton military vehicles. More than 337,000 WCs were built from 1940 to 1945.

The M37 was a 3/4-ton 4x4 replacement for the WC Series. More than 115,000 M37s in a dozen variants were built from 1951 to 1968. Like the WC Series, each variant had its own identification number and verbal description including *Weapons Carrier*. The major visual difference between them was the M37 had a pick-up style truck body with rear fenders and the WC Series had a wider and boxier rear end without fenders.

The WM300 designation was one of the last monikers for the military looking civilian Power Wagons. It's unknown how many WM300s were built, however, some parts and pieces were identical or interchangeable between the WC and M series and some of the *military looking* WM300 Power Wagons. At first glance, it can be difficult to tell if a vehicle is one your father or your grandfather drove. Look for the pick-up style body or a traceable serial number.

GVWR & Carrying Capacity

From what I gather, older military vehicles did not reference Gross Vehicle Weight (GVW) ratings (aka GVWR). They specified carrying capacities, hence military truck descriptions such as 3/4 ton, 1-ton, 2 1/2-ton and so forth. Civilian versions like the Power Wagons had a data plate showing pertinent civilian data. I couldn't find similar data plates for older military vehicles. They might have relied on an identification plate with a serial number similar to Photo 9. The serial number is supposed to be identical to the number stamped on the frame. Be aware with part interchangeability, after delivery modifications, and in field changes may affect published weight ratings. It is unknown if recent military vehicles have more definitive GVWRs.

Why's all this important? Imagine if your repurposed military truck responding *lights and siren* to an alarm crashes into some attorney's car. The police, the attorney, and his insurance company may want to know the rig's GVWR, its actual in-service weight, and whether it's legal to drive it on a public highway in an emergency mode. If you can't find the data, good luck in court.

Back to the Indian Tanks

The D.B. Smith Company of Utica, New York has been around since 1888. Its first Indian back-pack style fire pump was introduced in 1925 but not patented until the early 1960s. The Smith company is now part of the Fountainhead Group also of Central New York. As of press time, they haven't changed their moniker.

CAFDA OFFICERS AND DIRECTORS

President, Tom Rinaldi, Commissioner, Stillwater Fire District

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

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Les Bonesteel Commissioner Burnt Hills/Saratoga,

Fred Richards Commissioner Harmony Corners/Saratoga,

Joyce Petkus Treasurer Greenfield/Saratoga,

Ed Woehrle Commissioner Niskayuna #1/Schenectady

Mike Podolec Commissioner West Glenville/Schenectady

Secretary Lisa Diemer, Deputy Treasurer, Northumberland Fire District

Treasurer: Tony Hill

Sargent at Arms: Tom Wood, Commissioner, Northumberland Fire District

Chaplain: Fred Richards, Commissioner, Harmony Corners Fire District

Legal Council: Greg Serio, Safety Officer, Verdoy Fire District

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

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

CAFDA PO Box 242 East Schodack, NY 12063

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

518-407-5020

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

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

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

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

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

The Answer is posted on our web site at www.CAFDA.net

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

CAPITAL AREA BUSINESS PARTNER'S

WELCOME REVEAL ARCHITECTURE & DESIGN AS A BUSINESS PARTNER

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.

LEGAL SERVICES



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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>

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

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

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

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

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

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

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

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


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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Here are some major concerns:

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

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

SIGN UP AT THIS LINK:

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

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

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

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

ACTION: Proposed rule; notice of informal hearing.

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

INFORMAL PUBLIC HEARING:

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

Additional information on how to access the informal hearing will be posted at <https://www.osha.gov/emergencyresponse/rulemaking>.

To testify or question other witnesses at the hearing, interested persons must electronically submit a Notice of Intention to Appear (NOITA) on or before September 27, 2024.

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

ADDRESSES:

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

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

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

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

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

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

August 27, 2024

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

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

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

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

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

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

NEW WEEK OF AUGUST 24TH!!

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

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

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

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



NYS Homeland Security.pdf



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>

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

Excellent Docket Response from South Carolina Firefighters Association

Open the Document at This Link:

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

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

Open the Document at This Link:

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

What Are Your Pain Points

PAIN POINT FINANCIAL....

OSHA's Proposed Rule:

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

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

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

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

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

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

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

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

OSHA’s Proposed Rule:

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

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

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

OSHA’s Proposed Rule:

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

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

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

OSHA’s Proposed Rule:

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

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

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

OSHA’s Proposed Rule:

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

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

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

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

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

OSHA’s Proposed Rule:

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

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

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

1. "Have you had time to completely read and analyze the new proposed OSHA standard 1910.156 rule and the effects it would have on your organization? If not, click here and tell OSHA that 165 days has not been adequate to review a document that took them years to write."
2. "Do your captains and lieutenants hold Fire Officer I training? Do your assistant chiefs hold Fire Officer II training? The new proposed OSHA 1910.156 rule would require this. Click here and tell OSHA why this would be problematic for your organization."
3. "Does your fire department have an annual budget of less than 1.7 million dollars? OSHA is under the assumption that the average fire department budget for volunteer or combination depts is 1.7 million dollars. If your budget is less, click here, and tell OSHA what your budget is and that you believe their data is inaccurate."
4. "OSHA believes the impact of the proposed 1910.156 rule would be less than 1%. Is this true for you? Several fire departments have analyzed the proposal and this would increase their budgets by over 40%. Click here and tell OSHA why a substantial tax increase is not feasible"
5. "Does your organization do weekly vehicle inspections or within 24 hours of each run? That's what the proposed OSHA 1910.156 rule would require. Click here and tell OSHA why that is problematic for your organization." T
6. "Do you clearly mark control zones for every emergency incident to establish a cold zone, warm zone, hot zone and no entry zone? The proposed OSHA 1910.156 rule would require this. If this would be problematic for your organization, click here and tell OSHA why this is not feasible."
7. "Do you provide annual physicals for your firefighters that include comprehensive behavioral health evaluations, skin cancer screenings, and bi-annual mammograms for firefighters over 40? The Incorporation of NFPA 1582 in the proposed OSHA standard 1910.156 rule would require this. If you are not currently performing physicals at this level, click here and tell OSHA why that would be problematic for your organization."
8. "Does your organization have \$620 per member for annual or bi-annual medical exams? If not, click here and explain to OSHA what your budget is for medical exams."
9. "Did you know the proposed OSHA rule incorporates by reference twenty-one NFPA standards, which are NOT free to comment on. Click here to tell OSHA to give free copies of these standards to the public."

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

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

Commented [PL3]: Tried cleaning this one up too

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

Commented [PL5]: Not accurate re-worded it

Pain Points to Address

PAIN POINT #1

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

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

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

PAIN POINT #2

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

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

Tell OSHA: This is economically infeasible. Tell OSHA what your budget is and if you don't have administrative staff to schedule and track medical exams. Tell OSHA if you are in a rural area with poor access to occupational medical care or are unable to find a doctor who can perform all the requirements found in NFPA 1582 or that are willing to sign off.

Tell OSHA about volunteer firefighters traveling hours out of their way to get the physicals or the added costs of having an organization come to the department to perform the physicals. The cost of a NFPA 1582 physical for each member can range from several hundred to several thousand dollars. Tell OSHA what this would cost your department. Tell OSHA about the time constraints with NFPA-compliant physicals – are they only available during the workday when volunteers are working their primary jobs?

PAIN POINT #3

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

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

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

PAIN POINT #4

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

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

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

PAIN POINT #5

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

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

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

PAIN POINT #6

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

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

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

PAIN POINT #7

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

The Pain Point: While NFPA standards are available to view for free online, printed copies of these standards are not free. An \$11.99 a month NFPA membership would be required to print these standards, plus the cost of ink and paper. The NFPA also sells printed copies of their standards. For example, a printed copy of NFPA 1021 costs \$149.00. This

limited access to printed NFPA standards is particularly problematic since many volunteer fire departments in rural areas lack reliable internet access or funding to purchase printed copies.

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

PAIN POINT #8

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

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

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

PAIN POINT #9

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

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

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

PAIN POINT #10

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

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

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

5 MORE PAIN POINTS TO ADDRESS

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

PAIN POINT #16

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

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

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

PAIN POINT #17

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

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

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

PAIN POINT #18

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

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

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

PAIN POINT #19

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

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

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

PAIN POINT #20

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

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

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

PAIN POINT #21

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

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

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

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

[LINK TO TV COVERAGE](#)

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

House Subcommittee Testimony

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

LINK TO THE TESTIMONY GIVEN BY THE WITNESSES HERE:

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

OSHA's Move to Improve Safety to Firefighters, EMS Providers, and Technical Search and Rescue Members

LINK TO MOST RECENT ARTICLE IN FIREHOUSE MAGAZINE:

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



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

May 21, 2024

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

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

In addition, the NVFC has held several webinars, including two over the past two weeks, to break down the concerns regarding the proposed standards and help responders formulate their comments. These webinars may be viewed [here](https://virtualclassroom.nvfc.org/webinars): (<https://virtualclassroom.nvfc.org/webinars>) The NVFC hosting a Roundtable Talk on May 23 at 2pm ET with the National League of Cities and the National Association of Counties to highlight areas of mutual concern and provide recommendations on how volunteer departments can collaborate with their local government to express these concerns to OSHA. [Register here](https://us06web.zoom.us/webinar/register/WN_JXLQL0c5S3acTz9c6US0dA#/registration): (https://us06web.zoom.us/webinar/register/WN_JXLQL0c5S3acTz9c6US0dA#/registration)

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

One of the most frequent questions the NVFC has received is how the proposed standard would impact non-OSHA states (refer to [this map](https://www.osha.gov/stateplans): at this link <https://www.osha.gov/stateplans> to see which states are OSHA states). The answer is this proposed standard would impact non-OSHA states if adopted as written. The immediate impact on non-OSHA states would be related to volunteer fire departments that are nonprofits and unaffiliated with municipalities. Reading

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

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

CONTACT YOUR REPRESENTATIVE AT THIS LINK:

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

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

Landing Page with Resources

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

NVFC LANDING PAGE LINK HERE:

<https://gma5qspab.cc.rs6.net/tn.jsp?f=001L6aLm-Ax7THBUrMdNSMphNIFi1WWWXRzYxdUshoNVzVUkCq2FlvoxhE-Ayblw8OnamiN0BiBpzyC-pPzLiiYEvhxQ9sAxH0UIN-rMeW-UojESKwKkPDdMRzXK8VXBP-Sh4YQDWc0PJekSA9BGQCOh6lo AGJ2vqw1b4iSBqWLS=&c=LauWWHLcf9ha42GymhqekGbW4yikuTH862UfuVJahY7fFHeGI qUJw==&ch=IefmM7sGv75CYvgpTK9dENyqA1Rv5PwzXZ1xkZP-JITscwLK8iGsQ==>

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

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

Meeting with NYS-DOL/PESH

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

I have also been contacted by one of our congressional friends that said they are behind us, but we have to get in front of OSHA and a seat at the table. They fear legal options are our only other remedy. NVFC is looking at that angle now. I have attached my comment to OSHA that will be submitted today. ***Along with this one we are going to have an online petition with a goal of 50K signatures. More details to follow. SEE DAVE'S LETTER AT THIS LINK***

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

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

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

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

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

Register for OHIO Webinar Here: https://archcapgroup.zoom.us/webinar/register/WN_ae-TdGcUR3SDQJzuEaG_aQ

We cannot stress enough, our message is not that we oppose changes, and that in fact the fire service needs to embrace this and make serious changes in how we do business for firefighter safety. This has been our message since

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

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

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

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

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

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

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

Standard for Fire Fighter Professional Qualifications

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

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

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

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

Standard for Training Fire Service Rapid Intervention Crews

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

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

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

Standard for Fire Apparatus Driver/Operator Professional Qualifications

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

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

Standard for Fire Officer Professional Qualifications

- References 10 other NFPA Standards in part.

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

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

Standard for Wildland Fire Protection

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

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

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

Standard for Technical Rescue Personnel Professional Qualifications

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

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

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

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

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

Standard on Protective Ensembles for Technical Rescue Incidents

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

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

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

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

- References 44 other technical documents.

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

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

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

Standard on Surface Water Operations Protective Clothing and Equipment

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

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

- References 38 additional technical standards

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

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

Standard on Protective Ensembles for Contaminated Water Diving

Basically, this standard shall specify requirements for protective clothing and protective equipment used during operations in contaminated water dive operations. The purpose of this standard shall be to establish minimum levels of protection for emergency service personnel assigned to or

involved in performing search and rescue activities in and below the surface of contaminated water. This standard shall apply to the design, manufacture, and certification of new contaminated water dive operations protective clothing and equipment. This standard applies to the manufacture of such equipment and not to the persons, using the equipment or the operations related to the equipment.

- References 33 additional technical standards
- [NFPA 1971 \(198 page document\)](#)

Standard on Protective Ensembles for Structural Firefighting and Proximity Firefighting

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

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

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

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

- 74 additional reference technical documents.
- [NFPA 1977 \(118 page document\)](#)

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

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

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

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

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

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

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

- 22 additional referenced technical standards

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

Standard on Personal Alert Safety Systems

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

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

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

This standard applies to the manufacturer of PASS devices.

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

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

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

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

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

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

Standard on Respiratory Protection Equipment for Tactical and Technical Operations

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

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

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

Standard on Combination Unit Respirator Systems for Tactical and Technical Operations

- 71 additional referenced technical standards

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

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

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

Standard for Protective Ensembles for Hazardous Materials and CBRN Operations

- 59 additional reference technical standards

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

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

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

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

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

Standard on Protective Clothing and Ensembles for Emergency Medical Operations

- 60 additional referenced technical standards

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

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

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

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

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

Formal Comment Submitted by CAFDA on Your Behalf!

<https://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-osa-standard-comment-period-opens-february-5th/>

Here are the links for the resources as Dave promised:

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

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

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