

To whom it may concern:

On behalf of the Alaska State Firefighters Association (ASFA), I offer the following comments regarding the proposed rule published by the Occupational Safety and Health Administration (OSHA) in the Federal Register entitled "Emergency Response Standard." The ASFA appreciates OSHA's efforts to promote firefighter safety by putting forth this proposed Emergency Response Standard. It is a primary mission of the ASFA to improve firefighter health and safety by providing training and education that can help reduce injuries or illnesses that our members could experience while performing their duties. We believe the proposed standard contains many provisions that would serve the fire service well and protect the well-being of firefighters. However, if adopted as written, this proposed standard would be economically infeasible for volunteer fire departments to comply with and could cause many of these departments to shut down due to compliance and liability concerns. As written, this proposed standard could also compromise the safety and emergency response capabilities of many small communities, particularly those in rural areas served by volunteer departments.

The Alaska State Firefighters Association serves a membership of over 1,100 emergency responders in the state of Alaska. The membership comprises firefighters in departments that are fully career, combination and all volunteer. The vast majority of our members are representing all volunteer departments in small, rural communities that are inaccessible by the road system. If adopted in its current form, much of this proposed standard would be financially burdensome and not feasible to implement. There are areas of the proposed standard that we feel need clarification about the status of a volunteer when it comes to receiving stipend compensation and how that would impact them.

The ASFA believes that by incorporating the NFPA consensus standards into the proposed rule, it could create a heavy burden for many of our members and their fire departments that they would not be able to meet.

There are two key items we feel would be burdensome to our members. These are highlighted below:

- 1) Partially incorporated by reference into this proposed Emergency Response Standard is NFPA 1910. NFPA 1910 contains requirements for establishing an inspection, maintenance, refurbishment, and testing program for emergency service vehicles and marine firefighting vessels and provides the minimum job performance requirements including the requisite knowledge and skills for emergency vehicle technicians. Incorporating this standard by reference would require all fire apparatus to be inspected weekly or within 24 hours of responding to an emergency. Inspections would have to be conducted by staff who are trained in chassis inspection. This would also require periodic, comprehensive, diagnostic inspections of up to 70 components within an apparatus. This could be prohibitive for small departments that have a single apparatus and lack the staffing, expertise, and access to training to conduct such an inspection. In Alaska, it is often a challenge just to receive apparatus. Many of our members rely on

donations of apparatus from larger departments that have retired them due to age and replacement cycle. The ability to inspect and maintain fire apparatus in the rural communities is extremely difficult and to place a requirement like this on a department would cause undue stress on the fire department members.

- 2) One more difficult standard to comply with is the proposal to incorporate the requirement for the NFPA 1582 medical exam for firefighters that have been exposed to products of combustion 15 or more times. The ASFA sees three potential issues with this proposal. The first part that would add undue burden to volunteer fire departments is the cost of these medical exams. Quotes for medical exams can be extremely high, and even with FEMA grants, it is still potentially not enough to cover the cost. The second problem is the lack of available medical professionals in some of our member communities to perform the exams. This could mean for our members that they would have to fly to a larger hub community to get their exam. The third problem we see is the ambiguity of being exposed to products of combustion 15 or more times. What constitutes an exposure? Many of our members are exterior only firefighters that lack the financial ability or training to utilize self containing breathing apparatus.

Many of our volunteer fire departments are required to fundraise for the bulk of their budget requirements. Incorporating these proposed changes into the regulation will create a ripple effect for these departments to have to pick and choose what services they might be able to provide. In this proposed regulation's current format, the ASFA feels that our volunteer firefighter members and their departments would not be able to comply with it. There needs to be a way to scale this standard for firefighters representing all demographics. In its current form, we feel that volunteer firefighters should be exempted from the proposed rule changes.

Conclusion:

The AFSA appreciates OSHA's commitment to ensuring the safety of firefighters and appreciates the opportunity to comment on this proposed Emergency Response Standard. As expressed previously in these comments, the ASFA would like volunteer firefighters and volunteer fire departments to be exempt from this proposed standard as written. The ASFA would also like to further engage with OSHA to develop a safety enforcement approach for volunteer firefighters who fall under the OSH Act that is appropriately scalable according to the types of risks faced by volunteer fire departments and takes into greater account factors like call volume, population protected, square miles protected, and annual budgets. Thank you for your consideration of this important matter.

Sincerely,

Bryan W. Vincent  
President, Alaska State Firefighters Association