

# OSHA Proposed Emergency Response Standard – 29CFR1910.156

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# Overview

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- 02/05/2024 OSHA published a Notice of Proposed Rulemaking (NPRM) to modernize the “Fire Brigades” standard with a new “Emergency Response Standard.”
- Some of the new requirements would be very burdensome if not impossible for volunteer fire and emergency service departments to comply with.



# **View a list of 22 NFPA standards incorporated by reference**

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- 1. NFPA 1001, Standard for Structural Fire Fighter Professional Qualifications, 2019 edition**
- 2. NFPA 1002, Standard for Fire Apparatus Driver/Operator Professional Qualifications, 2017 edition**
- 3. NFPA 1005, Standard for Professional Qualifications for Marine Fire Fighting for Land-Based Fire Fighters, 2019 edition**
- 4. NFPA 1006, Standard for Technical Rescue Personnel Professional Qualifications, 2021 edition**
- 5. NFPA 1021, Standard for Fire Officer Professional Qualifications, 2020 edition**
- 6. NFPA 1081, Standard for Facility Fire Brigade Member Professional Qualifications, 2018 edition**
- 7. NFPA 1140, Standard for Wildland Fire Protection, 2022 edition**
- 8. NFPA 1407, Standard for Training Fire Service Rapid Intervention Crews, 2020 edition**



# **View a list of 22 NFPA standards incorporated by reference (continued)**

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- 9. NFPA 1582, Standard on Comprehensive Occupational Medical Program for Fire Departments, 2022 edition**
- 10. NFPA 1910, Standard for the Inspection, Maintenance, Refurbishment, Testing, and Retirement of In-Service Emergency Vehicles and Marine Firefighting Vessels, 2024 edition**
- 11. NFPA 1951, Standard on Protective Ensembles for Technical Rescue Incidents, 2020 edition**
- 12. NFPA 1952, Standard on Surface Water Operations Protective Clothing and Equipment, 2021 edition**
- 13. NFPA 1953, Standard on Protective Ensembles for Contaminated Water Diving, 2021 edition**
- 14. NFPA 1971, Standard on Protective Ensembles for Structural Fire Fighting and Proximity Fire Fighting, 2018 edition**
- 15. NFPA 1977, Standard on Protective Clothing and Equipment for Wildland Fire Fighting and Urban Interface Fire Fighting, 2022 edition**



# **View a list of 22 NFPA standards incorporated by reference (continued)**

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- 16. NFPA 1981, Standard on Open-Circuit Self-Contained Breathing Apparatus (SCBA) for Emergency Services, 2019 edition**
- 17. NFPA 1982, Standard on Personal Alert Safety Systems (PASS), 2018 edition**
- 18. NFPA 1984, Standards on Respirators for Wildland Fire-Fighting Operations and Wildland Urban Interface Operations, 2022 edition**
- 19. NFPA 1986, Standard on Respiratory Protection Equipment for Tactical and Technical Operations, 2023 edition**
- 20. NFPA 1987, Standard on Combination Unit Respirator Systems for Tactical and Technical Operations, 2023 edition**
- 21. NFPA 1990, Standard for Protective Ensembles for Hazardous Materials and CBRN Operations, 2022 edition**
- 22. NFPA 1999, Standard on Protective Clothing and Ensembles for Emergency Medical Operations, 2018 edition**





# View a list of the ANSI standard incorporated by reference

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**ANSI/ISEA 207, American National Standard for High-Visibility Public Safety Vests, 2011 edition**



# How to submit a comment for OSHA in the registry

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1. Go to <https://rb.gy/2f4vsr>

[https://www.federalregister.gov/documents/2024/02/05/2023-28203/emergency-response-standard?utm\\_campaign=subscription+mailing+list&utm\\_medium=email&utm\\_source=federalregister.gov](https://www.federalregister.gov/documents/2024/02/05/2023-28203/emergency-response-standard?utm_campaign=subscription+mailing+list&utm_medium=email&utm_source=federalregister.gov)

2. Click on the **SUBMIT A FORMAL COMMENT** tab

3. This will open the comment box where you have two options.

- You can simply type your comment in the box or upload a comment as a file.
- Select the **PROPOSED RULES** in the **drop down** under the What is your comment about?



# How to submit a comment for OSHA in the registry (continued)



## Emergency Response Standard

A Proposed Rule by the [Occupational Safety and Health Administration](#) on 02/05/2024

Comments on this document are being accepted at Regulations.gov.

**SUBMIT A FORMAL COMMENT**

1394 comments received. [View posted comments](#)

### PUBLISHED DOCUMENT

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#### AGENCY:

Occupational Safety and Health Administration (OSHA), Labor.

#### ACTION:

Proposed rule; request for comments.

#### SUMMARY:

OSHA is proposing through this notice of proposed rulemaking (NPRM) to issue a new safety and health standard, titled *Emergency Response*, to replace the existing Fire Brigades Standard. The new standard would address a broader scope of emergency responders and would include programmatic elements to protect emergency responders from a variety of occupational hazards. The

### DOCUMENT DETAILS

#### Printed version:

[PDF](#)

#### Publication Date:

02/05/2024

#### Agencies:

[Department of Labor](#)  
[Occupational Safety and Health Administration](#)

#### Dates:

Comments on this NPRM (including requests for a hearing) and other information must be submitted by May 6, 2024.

#### Comments Close:

05/06/2024

#### Document Type:





# How to submit a comment for OSHA in the registry (continued)

## Emergency Response Standard

A Proposed Rule by the [Occupational Safety and Health Administration](#) on 02/05/2024



You are submitting an official comment to Regulations.gov.

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Thank you for taking the time to create a comment. Your input is important.

Once you have filled in the required fields below you can preview and/or submit your comment to the Labor Department for review. All comments are considered public and will be posted online once the Labor Department has reviewed them.

You can view [alternative ways to comment](#) or you may also comment via Regulations.gov at <https://www.regulations.gov/commenton/OSHA-2007-0073-0118>.

Comment \*

What is your comment about?

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Note: You can attach your comment as a file and/or attach supporting documents to your comment. [Attachment Requirements](#).

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# How to submit a comment for OSHA in the registry (continued)

Select One


What is your comment about?


Upload File(s) [+ Add a file](#) Note: You can attach your comment as a file and/or attach supporting documents to your comment. [Attachment Requirements](#).


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Tell us about yourself! I am... \*

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☐  Anonymous

You are filing a document into an official docket. Any personal information included in your comment text and/or uploaded attachment(s) may be publicly viewable on the web.

☐ I read and understand the statement above.

[SUBMIT COMMENT](#) [Preview Comment](#)

Please review the [Regulations.gov privacy notice](#) and [user notice](#).





**What should my  
comment letter  
contain?**

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# How to draft your comment letter

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1. Start with an opening paragraph that provides the name of the proposed rule (Emergency Response Standard), the rule number (29 CFR 1910), and a brief overview of the points your comment letter makes.
2. Describe your department to OSHA.
  - How many members on your department?
  - What's your budget?
  - What's the area you serve look like?
  - Do you have the funds to comply with this proposed standard?
  - Do you have the staffing to comply?



# How to draft your comment letter

## (continued)

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3. How would your area be negatively impacted if your department had to shut down due to this standard?
4. Does your department rely on fundraising for much of your income?
5. Provide a detailed explanation of what is at stake for you and your emergency services organization because of the proposed rule.  
***Be specific***, but do not overestimate costs.

The next slide will share examples how to construct each argument.



# Construct each argument like this:

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- A. Provide your main argument, the ***claim***. For example, “the proposed standard addresses many risks that may not be relevant to small departments like ours that don’t encounter many emergency calls.”
- B. Provide ***evidence*** for that claim. Supply supporting materials that demonstrate, clearly and specifically, the evidence that supports your argument. Federal agencies prefer hard numbers, but examples help too.





# Construct each argument like this:

## (continued)

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C. Provide the ***impact***. Explain to the regulators you are writing to why your data matters. Don't worry about over-explaining. Regulators prefer clarity.



# How to draft your comment letter (continued)

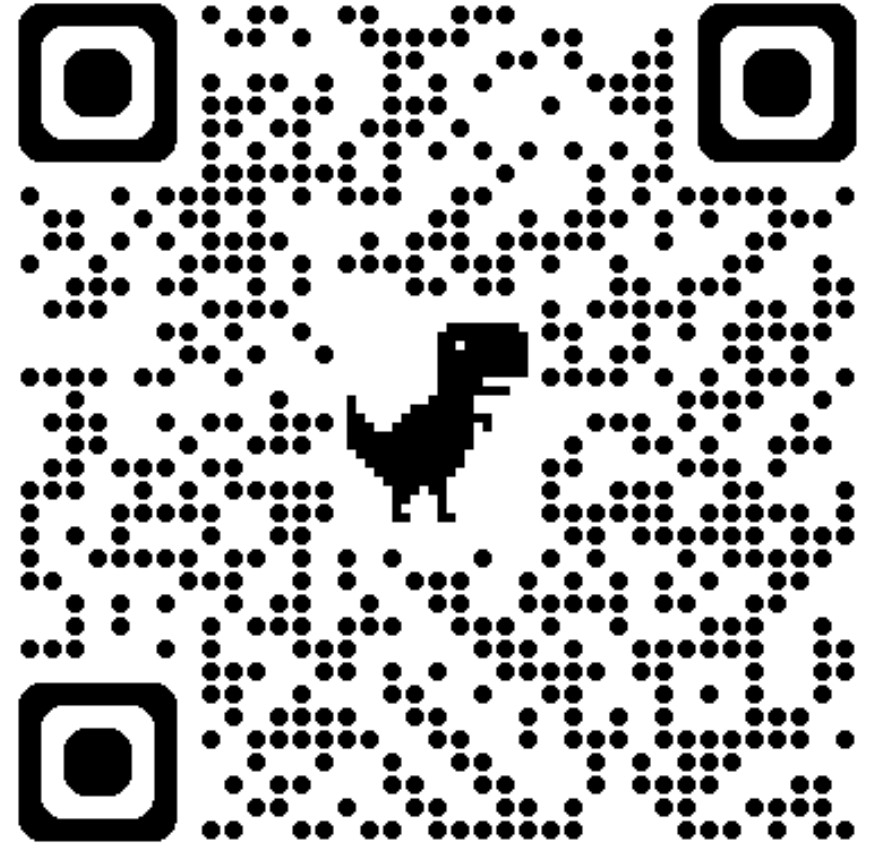
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3. Make clear requests or recommendations to improve the rule. For instance:
  - A delay to provide more time to comply.
  - A revision to a specific part of the rule.
  - Exclusion for a particular part of your industry that may not be contributing to the problem the rule seeks to address.
4. Finally, provide a summary paragraph of your comments. Close with a word of thanks to the agency for considering your comments.



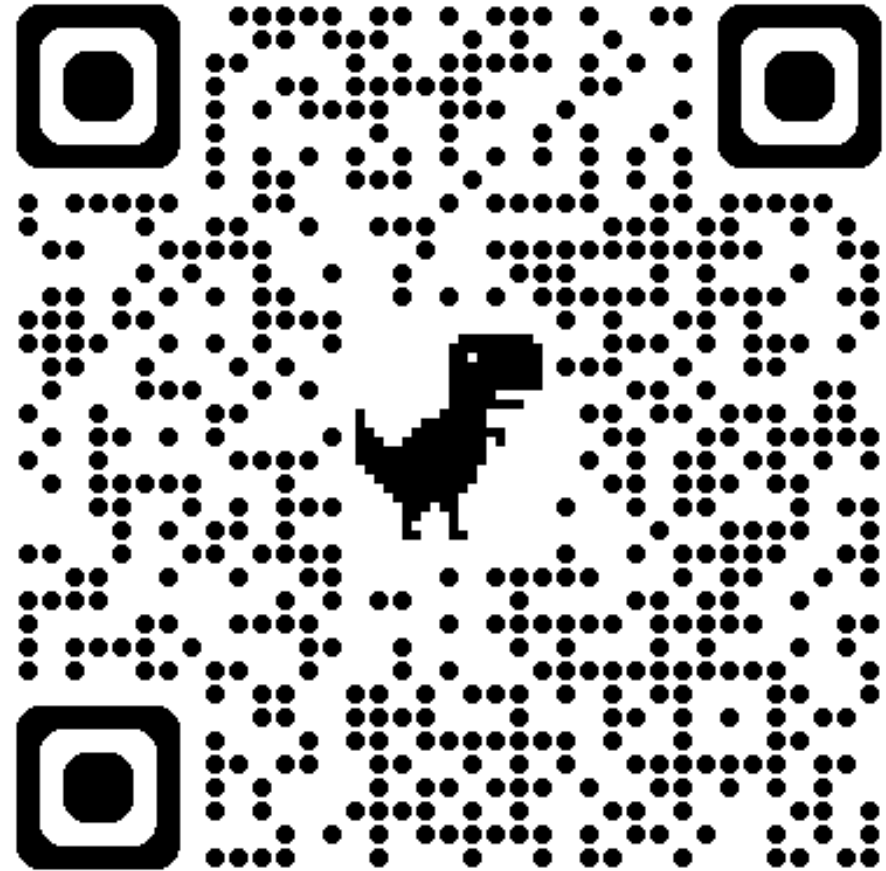
# Additional Resources

<https://escapeinc.org/osha-standard/>



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<https://nvfc.org/osha-standard>



**Questions?**

<https://escapeinc.org/osha-standard/>  
<https://nvfc.org/osha-standard>



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