



Volunteer Fire Service Opposes OSHA's Proposed Emergency Response Standard As Written

Background: On February 5, 2024, the Occupational Safety and Health Administration (OSHA) published its proposed Emergency Response Standard. This proposed standard imposes numerous requirements that would be infeasible for many volunteer fire departments to comply with. The initial public comment period on this proposed standard concluded on July 22, 2024. OSHA then held a virtual public hearing regarding the proposed standard from November 12 to December 4, 2024, followed by a subsequent public comment period that ended on January 17, 2025. OSHA is now reviewing this public input. The National Volunteer Fire Council's initial 2024 public comments on the proposed standard can be found here: <https://www.nvfc.org/wp-content/uploads/2024/07/NVFC-OSHA-Comments-071624.pdf>.

Volunteer Fire Service Position:

- **Appreciates OSHA's intent to pursue our mutual goal of promoting firefighter safety:** The proposed standard would do a great deal to improve firefighter safety, however, if it's adopted **as written** it would hinder emergency response capabilities of volunteer fire departments that serve small rural areas.
- **The proposed standard is as written economically infeasible:**
 - Small rural communities are almost exclusively protected by volunteer firefighters.
 - The resources available to each volunteer department are either dependent on the local tax base, or the department's capability to fundraise, which can be very restrictive and limited in rural communities.
 - OSHA estimates the annual cost for volunteer fire department to comply with this standard would be approximately \$14,000. The NVFC believes the cost of compliance would be much greater due to the expertise, time, and staffing needed to fulfill the numerous reporting requirements in this standard, mandated compliance with one size fits all industry consensus standards, among other factors.
 - The NVFC conducted a survey of our membership on department budgets. Of the 2,444 responses we received 19% said their department's budget was less than \$50,000.
 - The most important federal grant programs that assist fire departments in achieving a baseline level of readiness are the Assistance to Firefighters Grant (AFG) and Staffing for Adequate Fire and Emergency Response (SAFER). For the past few years there has only been enough funds available to grant 15% of applications received for these grants.
- **The proposed standard would incorporate by reference 23 industry standards that are not readily available:** These standards require a monthly paid membership to print and preprinted copies cost over \$140 apiece.
- **Volunteer Fire Services Proposed Edits to the Emergency Response Standard:** Here are the NVFC's post hearing comments where we outline our edits for a more scalable Emergency Response Standard based on population: <https://www.nvfc.org/wp-content/uploads/2025/01/NVFC-Post-Hearing-Public-Comments-to-OSHA.pdf>.

Highlights of Congressional Engagement:

- The House Homeland Security Subcommittee on Emergency Management and Technology held a hearing on OSHA's proposed Emergency Response Standard on June 4, 2024. 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, 2024. The NVFC had a witness testify at this hearing.
- In May 2024 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.
- Senator Boozman sponsored an amendment that was included in the mark-up of the Senate's FY 25 Labor HHS 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.

Ask: Please send a letter urging OSHA to adopt an Emergency Response Standard that is economically feasible and workable in the volunteer fire service and does the following: 1) removes NFPA standards that are incorporated by reference, 2) recommends local risk management and hazard mitigation plans are tailored to the vastly different local hazards each department encounters, 3) removes fire departments serving communities of 5000 residents or fewer. For more information or questions please contact the NVFC's Chief of Legislative and Regulatory Affairs, Ryan Woodward at Ryan@NVFC.org.