

Oregon OSHA Non-Structural Firefighting Workgroup Conference Call March 28, 2019 Meeting Minutes

Attendees:

Tiffany Bennett- Representative Lynn Findley's Office
Alan Ferschweiler- Portland Firefighter's Association
Eriks Gabliks- Oregon Department of Public Safety Standards and Training (DPSST)
Jason Jantzi- Special Districts Association of Oregon
Jim Oeder- Nestucca Fire District
Mark Prince- Hillsboro Fire Department
Renée Stapleton- Oregon OSHA
Heather Case- Oregon OSHA

Meeting called to order at 2:00 p.m.

The group introduced themselves

Handouts: Eriks sent an email to the group attaching handouts, including: A 2007 draft fire stratification training matrix created by the Governor's Fire Service Policy Council, and a document crafted by Representative Findley regarding enhancing the capacities of frontier fire organizations.

Eriks outlined the issues to the group, stating that this is a workgroup to address mainly the challenges of small fire organizations to meet the requirements of Oregon OSHA rules for Firefighters, Subdivision 2/L. Small, rural fire organizations are often not the same as a traditional fire department, and do not meet the definition of a fire brigade, but often find themselves helping out neighbors and rural communities in non-structural firefighting.

Renée thanked the group for participating, noting that the bill introduced by Representative Findley was aimed to be reasonable, and to insure that people continue to be a part of helping these communities, which is what this potential rulemaking is aimed at as well.

The bill as introduced had a 68-hour training maximum. Oregon OSHA stated that setting a maximum creates inherent problems with training. The goal is to create rules that would help the community know what is required, and not be prohibitive.

The group discussed the need for rural fire organizations, which are often fully volunteer staffed, as the population in these areas cannot sustain a fire department, however they have fire service needs, and the volunteers need to be trained to provide those services. The group also discussed a proposed training curriculum, included in Representative Findley's handout. Often these volunteers are not members of statewide organizations and not part of organized labor unions.

The group moved on to talk about Subdivision 2/L as a starting point to discuss which potential elements of 2/L were in and which were out. The group also discussed rulemaking strategies, and where the new rules might live. This discussion what division would be affected. The group

emphasized the need for rules regarding training, as well as following through on delivery of that training.

The group identified the previous stratification plan handout as a helpful one, as there will likely be a need to call out exterior versus interior firefighting. The group identified various concerns with identifying and figuring out personal protective equipment (PPE), and that PPE would be different for exterior versus interior firefighting. There were concerns shared regarding interior firefighting only within these rules, as it seemed firefighting would always either be a mix or only exterior.

Renée spoke to the group about how Oregon OSHA makes decisions in rulemaking. She also pointed out that 2/L discusses structural firefighting, and does not mention exterior versus interior firefighting.

The group discussed what a new standard might look like, and used an example from the Oregon Department of Forestry, which states workers cannot get within 20 feet of a structure. The group also discussed the protectiveness and age of equipment outside the metro area, and the need to make the rules achievable, or else they will not be followed. Rural fire organizations also have other entities to keep in mind, for example county commissioners, etc.

The group discussed how often Oregon OSHA gets out to organized fire departments, and the obligation Oregon OSHA has to employees to issue citations if they find violations. If rural fire organizations with limited resources can find ways to mitigate that risk to employees (for example, not using SCBA's if they're not necessary), then that would be one less thing they would have to correct. Voluntary respirator and SCBA use was given as an example, as medical evaluations are required, but not always completed in those cases.

The group discussed the differences between Subdivision 2/L and the stratification document and how they delineate groups differently. The group also discussed certain safety actions which may be easier for rural fire organizations to comply with (like hose testing), versus rules that may be harder to comply with (SCBA testing and maintenance).

The group also discussed what kinds of standard would the rural fire organizations be held to- NFPA? Mechanical standards? Oregon OSHA representatives voiced concerns about allowing equipment to operate outside manufacturer's standards, however some in the group pointed out the some equipment is homemade, and therefore may not have manufacturer's standards.

The group identified that the Sargent of the Wasco County Sheriff's Office, which is involved with rural fire and rescue help would be a good addition to the workgroup. The group agreed to reach out and invite him to the next workgroup meeting.

Eriks stated that he envisioned the workgroup would move to a larger sit down meeting, and work through the rules in person. He asked the group what larger buckets the group wanted to include to tackle at the in-person meetings. The following subjects were identified: Training, equipment, capability. The group also agreed the overarching theme would be to make sure the employees helping stay safe and develop OSHA regulations that are achievable.

The group also discussed ideas related to structuring a new section for exterior only firefighters, and using old standards, or standards that would be for entry level firefighters as guides. However, the group identified that scope creep is a major consideration- as we need to keep these standards achievable for small departments. The group emphasized that Oregon OSHA is

looking at hazards for rural employees doing firefighting, and that the rulemaking should encompass things that make sense for hazards encountered by that group.

The group also discussed the intersection between rural and wildland firefighting, and how wildland firefighter training may play a part in this rulemaking. The group decided to look to Division 7, Forest Activities, to wildland firefighting, only for a starting point for rulemaking. Additionally, the group discussed a potential to bring in Division 4, Agriculture. The group also discussed logistically how that would look to potentially point to a standard within other Divisions, if referenced. Some in the group emphasized the need to keep the rules concise, understandable, and in one spot.

The group briefly discussed the importance of training rollout when/if it becomes available, especially due to the lack of formal organization membership of many volunteer rural fire organizations.

Renée stated that Oregon OSHA's focus is not to second-guess emergency decision making. But the idea behind this work is that, in theory, non-structural firefighting won't have as many life and death decisions.

The group identified two main groups of people these standards may apply to: non-profit volunteer fire companies, and farmers helping each other out. These groups will likely contain employees working for different employers, and direction and control may look different. The group discussed an initial focus on exterior structure containment first, and then move to educating employers about what to provide for employees.

Representative Findley's office confirmed he will be withdrawing the bill this session and the group agreed that moving forward was prudent regardless of legislative constraints.

The group also discussed a name for the rulemaking- potentially Rural Fire Defense Force, or Exterior Fire Team. The name for the rulemaking can change, but right now what we're calling it is clunky and not inclusive. The group was asked to think about the name and bring some more ideas to the next meeting.

The group also identified Marvin Vedder from the Department of Forestry as someone who should be invited to the workgroup, as he is the liaison to the Ranch Fire Protection.

Renée and Eriks both thanked the group for their time and work put in, and the group set their next meeting, which will be an in person meeting.

Next Meeting:

The workgroup scheduled an in person meeting for April 26, 2019 9AM-Noon, location TBD.

Meeting adjourned 3:00 p.m.