

**CONCISE EXPLANATORY STATEMENT**  
**Safety Standards for Firefighters**

Public Hearings: September 25 and October 2, 2012

Adoption: February 19, 2013

Effective Date: January 1, 2014

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## **I. Purpose of Rulemaking**

The Federal Occupational Safety and Health Administration (OSHA) advised the Department of some areas in the firefighters standard where we are not as effective as the federal rules. When we notified stakeholders that we would be amending this chapter, they asked us to look at our firefighter standards and bring them up-to-date with current consensus standards and practices.

## **II. Changes to the Rules (Proposed rule versus rule adopted):**

As a result of written and oral comments received, the following sections are being changed as indicated below:

### **WAC 296-305-01005 Definitions**

- Added a definition for life safety harness.

### **WAC 296-305-04503 Automotive fire apparatus equipment**

- Added language to make it clear that having an electronic version of the U.S. Department of Transportation Emergency Response Guidebook (ERG) would meet the requirement to carry a current copy of the ERG.

### **WAC 296-305-05502 Training and member development**

- Table X was updated to the new title Table 2.

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| <p>The Washington Fire Chiefs are in support of the WAC 296-305 Firefighter Safety Standard and moving forward with the rule making process.<br/>We want to especially thank you for establishing the implementation date for January, 2014.</p> <p>In this economic environment it will be a hardship for many of Washington fire departments to comply. This changed implementation date will assist greatly.<br/>The stakeholders have been working on the standard since 2008 and it is the recommendation of the WFC that a review of the standard be made to assure that nationally recognized standards referenced in the rule identify the most current addition. For example, in WAC 296-305-04510(3) the 2002 edition of NFPA 1911 is referenced when there is a 2012 edition of NFPA 1911 available.<br/>The WFC would also recommend that the Stakeholders Group be reconvened to review the changes to the standard resulting from the public comments. The public comment deadline is October 12, 2013.<br/>We have a vested interest in completing the process so that our citizens and firefighters are safer and we can perform our required duties more efficiently.</p>  | <p>The department appreciates the time taken to provide this comment and recognizes the concerns and opinions presented. No changes were made based on this comment.</p> <p>Updating the regulations to the most current National Fire Protection Association (NFPA) requirements would require a new rulemaking process, which the department is not persuaded is necessary. The rulemaking committee reviewed the NFPA requirements and recommended to not adopt the most current standard as a cost mitigating measure in some cases. The department accepted this recommendation and also chose to push back the effective date of the rule by one year as another cost mitigation measure.</p> <p>The department successfully made significant efforts to engage the stakeholder community. The department reviewed the comments made during the public comment period and incorporated a significant amount of the input from the stakeholder group into this rulemaking process. The department is not convinced that reconvening the stakeholders group as suggested is necessary given the meaningful stakeholder involvement that has already taken place to help generate these rule revisions.</p> |                         |
| <p>Our department strongly supports the recommended improvements to the proposed revisions of WAC 296-305, as submitted by the Washington State Fire Commissioners and Washington State Fire Chiefs.</p> <p>Also we have concerns on the following revisions.<br/>WAC 296-305-04507 Fire Apparatus maintenance and repair Section #3<br/>We feel that suppression components that pertain to small equipment, wildland pumps and wildland equipment should be excluded from EVT, ASE certification. These repairs or service can be performed by personnel qualified in the specific area of repair. This would include trash pumps, portable pumps, slip-in pumps, etc. Some of these suppression components are serviced after every wildland fire when used in extreme conditions to include heavy smoke, dust and dirt, and long term use under extreme high heat conditions. Cost prohibitive and time sensitive. The change to 499 cc or smaller exception is a responsible step in the right direction by L&amp;I.</p> <p>WAC 296-305-05101 Technical rescue general requirements<br/>We have been told there is no training class at this time for Technical Rescue Awareness level. There are awareness level sections in each of the modules for the 120 hour tech rescue certification class, high angle, low angle, water, trench etc. It will take up to a year for a class to be developed after codes are adopted. If departments stay at awareness level it would be a hardship to them to take the 120 hour class.</p> <p>WAC 296-305-05103 Technical Rescue Training<br/>States all fire departments shall be trained to the awareness level. Also states continuing education to maintain your</p> | <p>The department appreciates the time taken to provide this comment and recognizes the concerns and opinions presented. No changes were made based on this comment.</p> <p>The rule language in WAC 296-305-04507 does not apply to pumps mentioned in this comment, rather it applies to a fire apparatus. Fire apparatus is a term used by firefighters and national standards to describe fire vehicles used for firefighting. Specifically, the term “Fire apparatus” is defined in WAC 296-305-01005 as: “A fire department emergency vehicle used for rescue, fire suppression, or other specialized functions.” This requirement would not apply to trash pumps, portable pumps or slip-in pumps. For this reason, no changes were made to the rule based on this comment.</p> <p>The rule making committee wanted this section changed to be clear that people who work on the emergency response portions of the apparatus must be specifically trained. The rule making committee voted to recommend change requirements for who can service the fire suppression portions of apparatus from authorized by owner of apparatus to an Emergency Vehicle Technician (NFPA), factory</p>                |                         |

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| <p>departments level of capability. Where is this training coming from and who is paying for it. Also where is the funding coming from for Technical Rescue equipment.</p>   | <p>trained, or Auto Service Excellence (ASE) trained service technician. Mechanics with training can service the vehicle without the above training except for the portion of the apparatus that deal with fire suppression systems and aerial devices.</p> <p>The note in WAC 296-305-05101 specifies that awareness level training is the basic level of training and does not require written procedures. Only firefighters that are trained to participate in a technical rescue are allowed to take part in a technical rescue. However, the basic awareness level training is required for fire fighters to prepare them for technically challenging rescue situations. Basic awareness training would include sufficient information for a firefighter to determine when he or she is in a technical rescue situation.</p> <p>WAC 296-305-05103 specifies that fire departments will decide when it is necessary to provide continuing education and who they choose to provide the training. The rulemaking committee agreed and recommended that if a department responds to these highly technical rescue incidents and plans on acting at the “hands-on” level (operations and technician) then the department should make sure they follow the highest level of safety and training, which is the 2009 Edition of the NFPA 1670.</p> |                         |
| <p>The Washington Fire Chiefs (WFC), the Washington State Council of Firefighters (WSCFF) and the Washington State Association of Firefighters (WSFFA) requests Washington State Labor &amp; Industries modify WAC 296-305 Firefighter Safety Standard &amp; WAC 296.305-04001 Respiratory Equipment Protection to allow for Emergency Services providers the ability to make direct purchases of SCBA cylinders from the cylinder manufacturer.</p> <p>Firefighters in Washington State rely on self-contained breathing apparatus (SCBA) units to provide breathing air when fighting fires and in other emergencies. SCBA units, including cylinders, are tested as a single product by Federal Code 42 CFR, Part 84 by the National Institute for Occupational Safety and Health (NIOSH). The NIOSH approval process is accepted by the Occupational Health and Safety Administration (OSHA). While NIOSH relies on the US Department of Transportation (DOT) approval for cylinder manufacturing, NIOSH does not assess or approve the cylinders individually. That means that fire departments often choose not to purchase replacement cylinders directly from the cylinders manufacturers. Instead, they pay inflated prices when buying the exact same cylinders from respirator manufacturers</p> <p>The victims of the standard are;</p> <ul style="list-style-type: none"> <li>o Fire departments that pay an inflated mark-up price to respirator manufacturers and are prevented from</li> </ul> | <p>The department appreciates the time taken to provide this comment and recognizes the concerns and opinions presented. No changes were made based on this comment.</p> <p>The requirement in WAC 296-305-04001 does not specify from whom an employer must purchase Self Contained Breathing Apparatus (SCBA) cylinders. The requirement that cylinders be National Institute for Occupational Safety and Health (NIOSH) certified is consistent with other Division of Occupational Safety and Health (DOSH) standards. Changing the requirement as suggested would likely result in DOSH’s rule not being as effective as OSHA’s.</p>  |                         |

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| <p>utilizing their product and industry-specific knowledge of SCBA equipment to make more effective cylinder purchasing decisions.</p> <ul style="list-style-type: none"> <li>○ State Municipalities who fund Fire Department budgets</li> <li>○ Washington State taxpayers who unknowingly subsidize respirator manufacturers' profits in the name of an outdated safety regulation.</li> </ul> <p>As the Washington State economy continues to feel the effects of the recession, state and municipal budgets continue to struggle to make ends meet. Yet the NIOSH approval process for SCBA units in effect punishes cash-strapped fire departments for purchasing identical, lower cost SCBA cylinders directly from the cylinder manufacturer. Firefighting SCBA units, at their core, are comprised of a high pressure cylinder, filled with filtered, compressed air; a pressure regulator; and a face mask. Extra, fully filled cylinders are carried on emergency vehicles and can be interchanged as firefighters' air supplies are depleted.</p>   |  |                  |
| <p>I have a comment about the rule changes proposed for the 296-305 WAC. I am very concerned about the training requirement for Wildland firefighting under New Section 296-305-07010. Specifically Section 3a where it requires equivalent to NWCG firefighter II which is good. Then in line "a" it states the equivalency is determined by the employer. Line "a" is the problem; employers should not be allowed to determine what is equivalent.</p> <p>We have recognized standards for Wildland Firefighting Training in Washington State, the training is not expensive. NWCG training is the standard here and should be up held as a min for all wildland fire fighters. Allowing an employer to form his own equivalent, or adopt a believed to be equivalent may jeopardize firefighter safety. Equivalents should be recognized by industry or a group of wildland training professionals not an individual employer.</p> <p>Wildland firefighters are killed by the hand full; there are few truly experienced personnel on the scene. Many wildland crews are hired as temporary summer employees; there for minimum training by experienced educators is paramount. These events are difficult to train for without the benefit of experience which NWCG allows for in its processes.</p> <p>I request line 3a be removed from the document and Wildland Training be only what the NWCG recognizes as firefighter II equivalent.</p> | <p>The department appreciates the time taken to provide this comment and recognizes the concerns and opinions presented. No changes were made based on this comment.</p> <p>Northwest Wildfire Coordinating Group (NWCC) is one entity that provides firefighting training , however, there are many other entities available to stakeholders that provide comparable firefighter training. The commenter's proposal to eliminate the "comparable training" option under subsection (3)(a) of WAC 296-305-017010 would severely restrict employer options for providing training to employees and, in the department's view, would be inappropriate.</p>   |                  |
| <p>We would like to take this opportunity to make an official comment regarding the proposed rule changes to the WAC 296-305 -vertical firefighter safety standards. Although these recommended changes have been moved forward for comment, we feel that the consensus committee did not take into account both the logistical and financial impact it will have on fire agencies. Due to decreasing budgets and manpower shortages, these impacts will be felt the most within those agencies that have little or no financial flexibility. We stand in unison with the Washington Fire Chiefs Association that some of these changes have will have no impact to our agency, but there are a large number of these revisions that will result in a dramatic financial and logistical impact to the organization. In an era where budgets are declining these unfunded mandates have to be clearly and closely examined as to their desired results.</p> <p>Smaller agencies may not have the financial flexibility or logistical support to meet these proposed changes which could result in a service level reduction. This reduction of service level we feel is not something that the consensus committee did not take into account and</p>  | <p>The department appreciates the time taken to provide this comment and recognizes the concerns and opinions presented. No changes were made based on this comment.</p> <p>Potential costs are outweighed by the potential benefits of the updated requirements. These changes were also agreed to by stakeholders during the stakeholder portion of this rulemaking.</p> <p>The Cost Benefit Analysis grouped the rule changes into six categories based on the intent of each amendment, and the potential costs on the affected parties were addressed for each category as completely and thoroughly as possible. The department concludes that the vast majority of the rule amendments are reflective of existing federal or state laws and rules, national consensus standards</p> |                  |

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| <p>may have in impact both directly and indirectly to an agency and its surrounding departments.<br/>We would like to assist in reviewing these proposed changes to limit the impact of those that would impact budgets and unduly challenge staffing and logistics.</p>  | <p>and many other guidelines that apply to the affected firefighting communities. While a few other rule changes may lead to new costs, the department has provided a cost-mitigating approach for the affected parties to satisfy these new requirements (e.g. per above, the department recommended to not adopt the most current NFPA standard as a cost mitigating measure in some cases, and the department chose to push back the effective date of the rule by one year). The remaining changes are made to improve the clarity, simplicity and consistency of the current rules. Therefore, they are not linked to any additional compliance costs.</p> <p>The department is aware of time and other resource restrictions and the resulting impacts on the entire rulemaking process. Given these restrictions and uncertainties with regard to the consequences of this proposed rule, the cost-benefit analysis for this rulemaking was created and analyzed within these limitations.</p> |                         |
| <p>I am providing this written letter in response to the proposed update to the WAC 296-305 Fire Fighter Safety Standards. I want to thank the personnel who have worked tirelessly on the project since the start in 2007. As you well know this update process was not done in the dark and every entity group that would be impacted by the update had the opportunity to have a seat at the table. The process was give and take and many concessions were made to come up with a saleable plan by all the stakeholders. In fact this process has taken so long that many of the NFPA referenced standards have been updated so the proposed update to WAC 296-305 will not have many of the current NFPA standards included in it. There has been enough time that has gone by and I ask you to publish the proposed update as currently listed in your register, with the minor exception for language clarifications for some articles like the Mechanics certifications. Other than that the standards were agreed to by the stakeholders and should be put in place to provide Firefighters with a safe working environment. Particularly of interest to my group is section WAC 296-305-05013 Aircraft Rescue and Firefighting, This change should remain as it is written in the proposed document. Airports in this State in the past have attempted to use semantics to cloud the responsibility of Airport Fire fighters, make no mistake Airport Firefighters will and should make entry into burning Aircraft where savable lives are at stake. All this new requirement does is to provide guidelines on how to do that. In summary let's put the new proposals in place and thank you for your work and standing up for the safety of Washington workers, we all deserve to go home when our workday is done.</p> | <p>The department appreciates the time taken to provide this comment and recognizes the concerns and opinions presented. No changes were made based on this comment.</p> <p>Stakeholders wanted this section changed to be clear that people who work on the emergency response portions of the apparatus must be specifically trained.</p> <p>The committee voted to recommend a change to the requirements for who can service the fire suppression portions of apparatus from authorized by owner of apparatus to an Emergency Vehicle Technician (NFPA), factory trained, or ASE trained service technician. Mechanics with training can service the vehicle without the above training except for the portion of the apparatus that deal with fire suppression systems and aerial devices.</p>   |                         |
| <p>Position letter submitted for committee consideration in the matter of the revision of WSR 06-01-073<br/>In an effort to help the revision committee to understand the financial hardship this and other working documents place on small rural fire protection districts this exhibit is submitted.<br/>The submission is in two parts; (1) is the written testimony and signature sheet, (2) is the sample expenditures of an average small budget non-transporting Fire/EMS district.</p>   | <p>The department appreciates the time taken to provide this comment and recognizes the concerns and opinions presented. No changes were made based on this comment.</p> <p>SCBA requirements in WAC 296-305 Safety Standards for Firefighters are consistent with other DOSH standards and reducing</p>  |                         |

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| <p>Submission;</p> <p>We operate under the WAC 296-305. This document describes the scope of practice a fire department, no matter what the size, will consider as the minimum standard.</p> <p>The decisions you make, in most cases are made with the larger metropolitan departments with thousands of runs per year in mind. Their equipment is put under more stress in a year than a rural fire protection district will see in possibly its life time. One example is hose testing. Except for a couple of lengths of hose used for training, the hoses being tested this year were placed in the hose bed of the truck last year by the testers. The cost of this testing to a small department is approximately \$1200 per year. Another is SCBA bottles that have had only minimal use (less than 20 hours) in their 15 year life span. They are required to be discarded due an arbitrary expiration date which is based on the average use and exposure by a large department. At a cost of several hundred dollars per bottle.</p> <p>The small districts are being squeezed out of existence by the inability of the Department of Labor and Industry to make changes that will help the small districts.</p> <p>In the revised document there are some references to "resident" and "non resident" districts. You have already made that distinction. We would hope that more consideration be given to this distinction in testing of apparatus, hoses, replacement of gear and facility requirements.</p> <p>As command officers of our respective districts we would not put our firefighters in harm's way with bad gear or poor training because these firefighters are our friends and neighbors.</p> <p>Consideration should be given to allowing the districts to establish a tailored plan of testing and training for small budget districts to accomplish the goal of a small rural fire protection district. That goal is to help and protect our friend's lives and property.</p> <p>If these demands on time and money continue to escalate at their current rate the end of small budget rural fire protection districts is inevitable .. when this happens the response times will go up and lives and property will be lost.</p> <p>Sample average expenditures for 1 year for a small budget rural fire protection district</p> <p>Yearly budget \$53,367.00 (Average figured from low of \$16236 to a high of \$138,617)</p> <p>Additional funding \$ 6438.00</p> <p>Total yearly funding \$60,805.00</p> <p>Yearly required cost;</p> <p>Hose /ladder testing \$1,278.00</p> <p>Pump testing (5 apparatus) \$1,125.00</p> <p>Replacement of bunker gear (2 full sets) \$1,968.00</p> <p>Cycled replacement of SCBA bottles \$4,855.00</p> <p>Operating insurance \$10,137.00</p> <p>Truck Main. (5 apparatus) \$7,185.00</p> <p>Fuel/oil \$2,075.00</p> <p>Standby ambulance fee paid by trip or contract \$37,265.00</p> <p>And there are more not included. These are the primary expenses.</p> <p>Total yearly expense to a small budget district \$65,888.00</p> <p>Budget \$60,805.00</p> | <p>these requirements would likely result in OSHA determining that DOSH's rule is not as effective as OSHA's.</p> <p>The department did not differentiate between small or rural fire fighters and fire fighters in other locations. This rulemaking addresses hazards that all fire fighters could experience.</p> <p>The Cost Benefit Analysis grouped the rule changes into six categories based on the intent of each amendment, and the potential costs on the affected parties were addressed for each category as completely and thoroughly as possible. The department concludes that the vast majority of the rule amendments are reflective of existing federal or state laws and rules, national consensus standards and many other guidelines that apply to the affected firefighting communities. While a few other rule changes may lead to new costs, the department has provided a cost-mitigating approach for the affected parties to satisfy these new requirements (e.g. per above, the department recommended to not adopt the most current NFPA standard as a cost mitigating measure in some cases, and the department chose to push back the effective date of the rule by one year).. The remaining changes are made to improve the clarity, simplicity and consistency of the current rules. Therefore, they are not linked to any additional compliance costs.</p> <p>The department is aware of time and other resource restrictions and the resulting impacts on the entire rulemaking process. Given these restrictions and uncertainties with regard to the consequences of this proposed rule, the cost-benefit analysis for this rulemaking was created and analyzed within these limitations.</p> |                  |

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| <p>Net (\$5,083.00) every year<br/>Obviously there is a problem and each district works in its way to survive the short fall. The end result is if we are required to keep adding more and more unfunded requirements the small budget districts will be no more. What good will come of no Rural Fire Protection Districts! If this trend keeps on as it is we will be mandated out of business.<br/>Please help us survive and review the changes with small budget districts in mind.</p>   |  |                  |
| <p>The Washington State Fire Fighters' Association (WSFFA) is supportive of the WAC 296-305 Firefighter Safety Standard moving forward with the rule making process and thus allowing our concerns to be registered. The impacts of WAC 296-305 may have profound negative effects on the volunteer firefighter and their ability to provide the necessary services to their department and the public they aid on a daily basis.<br/>WSFFA interprets several sections of WAC 296-305 as troubling. We don't discount the need to address safe operations and environment for the over 15,000 volunteer firefighters. We do object to the continued impacts of unfunded mandates. How far might this go to reduce service to the communities they serve? Time will tell. We hope the consequences are not catastrophic.<br/>For instance, WAC 296-305-05502 6(a) speaks to live fire training requirements. While we agree live fire training is essential for maintaining readiness skills, it may go too far at this point. How does the STATE deny a local ready response when the fire service and the STATE is unable to provide the necessary training? It's not like a volunteer is able acquire the required training online. We are willing, we are able but that is not enough to cause training to occur, we are left to the offering of others to maintain our skills.<br/>While we realize the 2014 implementation date is well over a year away yet the financial burden under the current local department revenue streams may not be sufficient to address and comply to the revised and new standards. We recommend further policy discretion be considered thus allowing adequately time for local department's financial preparation.<br/>It is the recommendation of the WSFFA that a review of the standard be made to assure that nationally recognized standards referenced in the rule identify the most current addition. For example, in WAC 296-305-05000 (11) Note Chapter 6H &amp; 6I the 2003 edition of MUTCD is referenced when the 2009 is most current, available and in use by the fire service today.<br/>The WSFFA joins the Washington Fire Chiefs in recommend that the Stakeholders Group be reconvened to review the changes to the standard resulting from the public comment period ending October 12, 2013.</p> | <p>The department appreciates the time taken to provide this comment and recognizes the concerns and opinions presented. No changes were made based on this comment.</p> <p>WAC 296-305-05502 6(a) is a new proposed section regarding continuing education live fire training. The rule making committee agreed to a minimum of training once in three year period. More stringent requirements were discussed until the once every three year requirement was agreed to for Immediately Dangerous to Life or Health requirements.</p> <p>Current requirements require training annually and interior structural training at least quarterly. These requirements were moved into the new training section.</p> <p>Updating the regulations to the most current National Fire Protection Association (NFPA) requirements would require a new rulemaking process.. The department is not persuaded that updating to the most current NFPA requirements is necessary. The rulemaking committee reviewed the NFPA requirements and recommended not to adopt the most current standard as a cost mitigating measure in some cases. The department accepted this recommendation and also chose to push back the effective date of the rule by one year as another cost mitigation measure.</p> <p>The department reviewed the comments made during the public comment period and successfully made significant efforts to engage the stakeholder community. The department incorporated a significant amount of the input from the stakeholder group into this rulemaking process. The department is not convinced that reconvening the stakeholders group as suggested is necessary given the meaningful stakeholder involvement that has taken place to help generate these rule revisions.</p> |                  |
| <p>• WAC 296-305-01003 Scope and application.</p>  | <p>The department appreciates the time taken to provide this comment</p>   |                  |

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| <p>(6) The provisions of this chapter shall be supplemented provisions of the general safety and health standards department of labor and industries ( , chapters 296 24, 296 800, and 296 811 WAC)). In the event of conflict between any provision ( s) of this chapter and any provisions of the general safety and health standards, the provisions of this chapter shall apply.</p> <p>Question: Is this language clear that many other Chapters apply such as 296-27?</p> <ul style="list-style-type: none"> <li>• WAC 296-305-01005 Definitions.</li> </ul> <p>Respiratory equipment:<br/>Recommendation: Air purifying respirators (negative pressure and powered air-purifying) or supplied air respirators (SAR). SARs include air-line supplied respirators and self-contained respirators. "Self-contained breathing ... "</p> <ul style="list-style-type: none"> <li>• WAC 296-305-02019 Life safety ropes, harnesses, and hardware protection.</li> </ul> <p>(1) " ... Ropes and equipment purchased after the effective date of this rule must meet the 2006 edition of NFPA 1983, Standard on Life Safety Rope and Equipment for Emergency Services."</p> <p>Question: Since LNI intends Fire Services to comply with 5,000lb per employee fall arrest requirement? Does 2001 ed. NFPA 1983 specify same working limits?</p> <p>(9) Class II and Class III life safety harnesses shall be utilized for fall arrest and rappelling operations. Class III harnesses shall be used when the potential to become inverted exists.</p> <p>WAC 296-305 Proposed Draft and Requests for Clarification 092012</p> <p>Question: Are these referenced Classes of harnesses ANSI or NFPA?</p> <ul style="list-style-type: none"> <li>• WAC 296-305-04001 Respiratory equipment protection.</li> </ul> <p>(a) Be tested at least quarterly by using an air sample taken from the same outlet and in the same manner as the respirator breathing air cylinders are filled or air line respirators are connected.</p> <p>Question: Does this require testing of manifolded SCBA bottles used for technical rescue SARs?</p> <p>(b) Meet the requirements of either the 2003 edition of NFPA 1989, Standard on Breathing Air Quality for Fire and Emergency Services Respiratory Protection or the 1997 edition of ANSI/CGA G6-1 Commodity Specification for Air, with a minimum air quality of grade D.</p> <p>NOTE: Supplied air respirators require different Grades of air based upon being either an air-line or SCBA. Air required for SCBA is not 'D'. Departments who fill technical dive rescue</p> | <p>and recognizes the concerns and opinions presented. No changes were made based on this comment.</p> <p><b>WAC 296-305-01003 Scope and application</b></p> <p>It is clear that General Health and Safety standards apply.</p> <p><b>WAC 296-305-02019 Life safety ropes, harnesses, and hardware protection.</b></p> <p>The proposed language does not reference the 2006 ANSI.</p> <p>The department updated this language from the 1990 NFPA to the 2000 NFPA version of NFPA 1983, this included the updated title. The 2000 edition of the NFPA increased strength requirements on the hardware and gates on carabineers and snap-hooks. This is consistent with ANSI 359.1 and the department’s fall protection rules in WAC 296-155. The proposed rule does not require fire departments to comply with the newer NFPA 1983 so they can continue to use nine year-old hardware. Ropes still have a six year shelf life</p> <p><b>WAC 296-305-04001</b></p> <p>The old language said “cascade system cylinders” which is the same as a manifold system. The proposed language makes no distinction how the bottles are filled only that the air must be tested quarterly.</p> <p>The requirement in WAC 296-305-04001 does not specify from whom an employer must purchase Self Contained Breathing Apparatus (SCBA) cylinders. The requirement that cylinders be NIOSH certified is consistent with other DOSH standards. Changing the requirement could result in OSHA declaring DOSH’s requirement not as effective as OSHA’s.</p> <p><b>WAC 296-305-05002 Fire suppression.</b></p> <p>We believe that the proposed language that the committee agreed upon to recommend is clear to mean that any activities taking place</p> |                         |

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| <p>bottles need to comply with applicable SCUBA air regulations.</p> <ul style="list-style-type: none"> <li>• WAC 296-305-05002 Fire suppression.</li> </ul> <p>( 13) Self-contained breathing apparatus ( SCBA) shall be worn throughout overhaul. SCBA shall also be worn during activities taking place in the area previously considered the hot zone after overhaul unless the officer in charge conducts an exposure evaluation to determine or reasonably estimate whether an employee is or could be exposed to either an airborne contaminant above a permissible exposure limit (PEL) listed in WAC 296-841-20025 Table 3 or other airborne hazards, such as biological/radiological/nuclear hazards. When the officer in charge cannot determine or reasonably estimate employee exposure they shall conclude that an atmosphere is hazardous to the employees in accordance with WAC 296-842-13005.</p> <p>Question: Due to the lack of scientific studies/research into airborne contaminants that could exist in a burned structure, is it the intent that fire investigators wear SCBP:1. immediately after overhaul, hours or even days after overhaul? A note of guidance would be of benefit.</p> <p>WAC 296-305 Proposed Draft and Requests for Clarification 092012</p> <ul style="list-style-type: none"> <li>• WAC 296-305-05502 Training and member development.</li> </ul> <p>(6) Continuing education live fire training.</p> <p>(a) All members who engage in interior structural firefighting in IDLH conditions shall be provided live fire training appropriate to their assigned duties and the functions they are expected to perform at least every three years. Firefighters who do not receive this training in a three-year period will not be eligible to return to an interior structural firefighting assignment until they do. Responding to a fire scene with a full alarm assignment, an ICS established and a postincident analysis will meet this requirement, but for no more than two training evolutions.</p> <p>(b) All live fire training shall be conducted by fire department qualified fire service instructors. When conducting their own training, fire departments must meet the requirements set out in the 2007 edition of the NFPA 1403, Standard on Live Fire Training Evolutions.</p> <p>Question: What is the economic impact of this requirement for the fire service?</p> | <p>in the previous hot zone will require an SCBA unless exposure monitoring is done to show that the area is safe.</p> <p><b>WAC 296-305-05502 Training and member development.</b></p> <p>The Cost Benefit Analysis grouped the rule changes into six categories based on the intent of each amendment, and the potential costs on the affected parties were addressed for each category as completely and thoroughly as possible. The department concludes that the vast majority of the rule amendments are reflective of existing federal or state laws and rules, national consensus standards and many other guidelines that apply to the affected firefighting communities. While a few other rule changes may lead to new costs, the department has provided a cost-mitigating approach for the affected parties to satisfy these new requirements (e.g. per above, the department recommended to not adopt the most current NFPA standard as a cost mitigating measure in some cases, and the department chose to push back the effective date of the rule by one year). The remaining changes are made to improve the clarity, simplicity and consistency of the current rules. Therefore, they are not linked to any additional compliance costs.</p> <p>The department is aware of time and other resource restrictions and the resulting impacts on the entire rulemaking process. Given these restrictions and uncertainties with regard to the consequences of this proposed rule, the cost-benefit analysis for this rulemaking was created and analyzed within these limitations.</p> <p><b>WAC 296-305-06503 General requirements.</b></p> |                         |

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| <p>WAC 296-305-06503 General requirements.<br/>( 16) Asbestos in facilities, buildings, and properties used by fire departments.<br/>and<br/>of<br/>(a) Fire department employees shall be informed of the presence and location of asbestos-containing material (ACM) presumed-asbestos-containing material (PACM) in areas buildings where employees work.<br/>(b) Damaged and deteriorating asbestos in fire stations and facilities must be repaired, removed, enclosed or encapsulated.<br/>(c) ACM and PACM in fire stations and facilities shall be labeled according to WAC 296-62-07721(6).<br/>Question: Although this requirement is currently in force. This will be of significant economic impact on fire service and should have a phase-in time window.<br/>Fire departments that do not comply with this section must comply with the requirements relating to asbestos set out in chapters 296-62 and 296-65 WAC.<br/>Page 3 of 4<br/>WAC 296-305 Proposed Draft and Requests for Clarification 092012<br/>Question:<br/>What is meant by the above language?<br/>• WAC 296-305-06505 Sanitation, disinfection, cleaning, and storage areas.<br/>(e) Handwashing facilities shall be readily accessible to members. Handwashing facility means a facility providing an adequate supply of running potable water, soap and single use towels or hot air drying machines. When provision of handwashing facilities is not feasible, the employer shall provide either an appropriate antiseptic hand cleaner in conjunction with clean cloth/paper towelettes or antiseptic towelettes.<br/>Statement: Antiseptic hand cleaner Vs. antiseptic towelettes are not comparable for purposes of cleaning hands; moreover, towelettes will not disinfect hands.</p> | <p>These requirements already exist under current rules. The references were updated and the implementation date is a year after adoption.</p> <p><b>WAC 296-305 Proposed Draft and Requests for Clarification 092012</b></p> <p>The above language does not exist in the draft language.</p> <p><b>WAC 296-305-06505 Sanitation, disinfection, cleaning, and storage areas.</b></p> <p>The rule requires that employees use both antiseptic hand cleaner and antiseptic towelettes for hand cleaning. No change is needed.</p> |                  |
| <p>Please submit and consider my comment on proposed WAC 296-305 05502 Training and member development.<br/>The employer must provide training, education and ongoing development for all members commensurate with those duties and functions that members are expected to perform.<br/>I support the concept in this particular section. What concerns me is the word education. The word education is too open to interpretation.</p>   | <p>The department appreciates the time taken to provide this comment and recognizes the concerns and opinions presented. No changes were made based on this comment.</p> <p>An employer determines what qualifies as ongoing education for development of employees.</p>  |                  |

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| <p>Does this rule mean the employer shall pay for a college education? If that is the intent, a severe unintended or intended unfunded mandate many and most fire jurisdictions could never afford. I believe the word education should be clearly defined in the definition section of the WAC 296-305 definitions.</p>  |   |                         |
| <p>Seattle Fire Fighters, IAFF Local 27 would like to express our enthusiastic support for the much needed update of WAC 296-305. It has been fifteen years since the last update and the proposed changes are instrumental in addressing the changes we've seen in the fire service over those years. Whether it is the requirements that fire fighters wear an SCBA during the overhaul phase or the technical rescue operation updates, fire fighter safety will be significantly improved with the adoption of the updated draft version of 296-305. Labor and Industries had put together a strong team to do this update and the work that has been done will be crucial for improving the safety of Fire Fighters in Seattle and Washington State. Thank you for your consideration on this matter.</p>  | <p>The department appreciates the time taken to provide this comment and recognizes the concerns and opinions presented. No specific changes were made based on this comment other than those contained in the revised rules that the comment appears to generally support....</p>  |                         |
| <p>The Washington State Council of Fire Fighters (WSCFF) would like to express appreciation for the Department of Labor and Industries' continued efforts to update safety standards for firefighters in Washington State. The health and safety of Washington's firefighters and citizens are the top priorities for both the WSCFF and the Department of Labor and Industries. The WSCFF is pleased with the collaborative process and will fully support the implementation of the currently proposed updated standard of WAC 296-305 after one modification. Once finalized, we will strongly advocate for an effective date of no later than January 1, 2014. Overall, the proposed changes to the standard provide an excellent framework for fire departments in the areas of safety, training and risk management and were written with input from stakeholders in an open, cooperative process. However, we noticed one modification that we cannot accept.</p> <p>The language presented in section 296-305-01509(7b) is of concern to us as it tasks fire departments with the responsibility of determining which physicians or other licensed health care professionals (LHCP) are qualified to evaluate the ability of firefighters to engage in physically demanding activities. We support replacing "structural firefighter emergencies" with "physically demanding" and adding LHCPs as evaluators. We will not support saddling fire departments with the responsibility of determining which health care providers are qualified to release our members to full duty. This provision does not improve firefighter safety and inappropriately involves fire departments in what should be an objective process.</p> <p>In all other sections, the revisions to the standard improve fire fighter safety and provide clear expectations for fire departments. One distinct example of this clarity is in the area of respiratory protection during the "overhaul" phase of a fire incident. As an industry, the fire service has demonstrated that exposures to numerous toxic products in the post-fire environment are at best difficult or nearly impossible to detect and therefore must be considered hazardous to the health and safety of fire fighters engaged in overhaul or post-fire activities.</p> <p>The mandates that SCBA be worn during the overhaul phase of a fire will undoubtedly reduce the toxic and carcinogenic exposure for fire department members regardless of role, rank or responsibility at a fire scene.</p> | <p>The department appreciates the time taken to provide this comment and recognizes the concerns and opinions presented. No changes were made based on this comment.</p> <p>The language in 296-305-01509(7b) is consistent with other DOSH safety requirements. The rule still allows physicians to evaluate firefighters. It also allows another licensed health care professional (LHCP) that is qualified by training or experience to evaluate firefighters. A LHCP is an individual whose legally permitted scope of practice allows him or her to provide some or all of the health care services required for medical evaluations. The LHCP language was added to the rule language to clarify that the employer must determine if the LHCP is qualified.</p> |                         |

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| <p>A broader example is that of a fire department's responsibility to perform routine risk analysis on which disciplines or activities it will engage in juxtaposed against a risk benefit analysis of current administrative policies, and availability of properly trained, equipped and capable personnel.</p> <p>The positive improvements within the proposed standard are numerous and comprehensive. This letter can hardly do justice to the sizable body of hard work, diligence, cooperation and collaboration by all involved. The WSCFF appreciates and recognizes that Labor and Industries developed the proposed standard with an inclusive stakeholder's group from the fire service industry. Representatives from labor, management, the volunteers, wild land, and the state training academy - all working together to improve firefighter health and safety in Washington State.</p> <p>In closing, after removing the language burdening fire departments with evaluating the qualifications of health care providers, the WSCFF will strongly support and recommend the timely adoption of the proposed revisions to the Standard for Firefighter Safety-WAC 296-305</p>  |  |                         |
| <p>I am asking you to publish the current proposal without any more delay. Our interest in the proposal would be in section 296-305-05013 Aircraft Rescue and Firefighting. This change should remain as it is written in the current proposal document.</p>   | <p>The department appreciates the time taken to provide this comment and recognizes the concerns and opinions presented. No changes were made based on this comment.</p>   |                         |
| <p>The Washington Fire Commissioners Association is thankful for the opportunity to comment on the proposed 296-305 Firefighter Safety Standards. First of all, we appreciate the delay in implementation of the standard until January 1, 2014. This will allow fire districts time to adopt policies and procedures to address these proposed rule changes. We have concerns with the accuracy of the cost benefit analysis as it appears to be based on opinion and not on a sound fiscal analysis.</p> <p>No financial analysis was prepared to assess the impacts of WAC 296-305-05002 (fire suppression), WAC 295-305-05502 (continuing education live fire training) and WAC 296-305-06503 (general requirements for asbestos removal).</p> <p>We believe that any additional new rules adopted by the state of Washington are subject to Initiative 62, which requires the state to reimburse local governments for the added costs of adopting new rules or legislation. Unfunded mandates, especially those adopted in the most regressive financial climate since the Great Depression, do not make sense.</p> <p>For these reasons, the Washington Fire Commissioners Association would like to go on record to express our deep concerns with the known and unknown fiscal impacts of adopting of these proposed standards.</p> | <p>The department appreciates the time taken to provide this comment and recognizes the concerns and opinions presented. No changes were made based on this comment.</p> <p>The Cost Benefit Analysis grouped the rule changes into six categories based on the intent of each amendment, and the potential costs on the affected parties were addressed for each category as completely and thoroughly as possible. The department concludes that the vast majority of the rule amendments are reflective of existing federal or state laws and rules, national consensus standards and many other guidelines that apply to the affected firefighting communities. While a few other rule changes may lead to new costs, the department has provided a cost-mitigating approach for the affected parties to satisfy these new requirements. The remaining changes are made to improve the clarity, simplicity and consistency of the current rules (e.g. per above, the department recommended to not adopt the most current NFPA standard as a cost mitigating measure in some cases, and the department chose to push back the effective date of the rule by one year). Therefore, they are not linked to any additional compliance costs.</p> <p>The department is aware of time and other resource restrictions and</p> |                         |

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|   | <p>the resulting impacts on the entire rulemaking process. Given these restrictions and uncertainties with regard to the consequences of this proposed rule, the cost-benefit analysis for this rulemaking was created and analyzed within these associated limitations.</p> <p>Initiative 62 is applicable to tax increases. This safety rule adoption does not address taxes.</p>  |                  |
| <p>I am providing at attached fire service article that outlines one fire department’s testing of RIT/RIC effectiveness as one illustration to validate our comments.</p> <p>In general, we are convinced that the language in 05002 to sustain the requirement for standby firefighter(s) and RIT teams starting with the second company is likely to produce more dangerous conditions for firefighters and unprotected humans in structure fire situations than if standby firefighters and RIT teams were not required as proposed. There are a significant number of studies, tests and pilot programs across the country over the past several years that demonstrate early use of outside rescue persons or teams to protect firefighter safety is ineffective and anything but “rapid.” I trust you and the committee will give this letter and its subject matter due and legitimate consideration, even as I acknowledge and appreciate the WAC adoption process is well underway at this point.</p> <p>We are all interested in providing the highest levels of firefighter protection as they engage structure firefighting. It is my hope that you and the committee will see the value in adopting a tested and vetted “inside-out” FF rescue approach as noted in the attached letter of comment. If after your review you have questions or need assistance, please contact me for discussion at any time. My contact information is at the bottom of our comment letter. Thank you.</p> <p>This is to provide you with pertinent information related to the “new section” WAC 296-305-05002 – Fire suppression. The proposed language continues to sustain ineffective and fundamentally dangerous requirements for outside “standby or RIT” firefighters during initial offensive firefighting operations. There is NO science; testing or pilot programing to validate this practice actually works. Ironically, there is significant testing, science and pilot programming across the country to prove that a combined approach or rapidly addressing critical fireground factors, deploying tactical reserve companies, and establishing an early and strong command structure can and does save firefighters more rapidly and effectively than the “outside-in” rescue approach of standby teams or RIT.</p> <p>Below you will find our proposal for amending and revising the proposed language of WAC 296-305-05002, items (1) through (8) dealing with standby and RIT team requirements. All yellow highlighted language illustrates our proposed “add” changes. All red-font and strikethroughs indicates our proposed “delete” changes. Following our proposed edits, you will be presented with a summary of the reasoning for the proposed changes to this section of the WAC.</p> <ul style="list-style-type: none"> <li>WAC 296-305-05002 - Fire suppression. (1) Before beginning interior structural firefighting operations, the incident commander must evaluate the situation and risks to operating teams assigned in the hot zone.</li> </ul> | <p>The department appreciates the time taken to provide this comment and recognizes the concerns and opinions presented. No changes were made based on this comment.</p> <p>Requirements in WAC 296-305-05002 were updated to address OSHA’s concerns that the department’s standards were not as effective as OSHA’s. The stakeholders felt that standby firefighters should not be doing something critical to the safety of fire fighters on the scene.</p> |                  |

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| <ul style="list-style-type: none"> <li>• (2) The “initial stages” of an incident shall encompass the tasks undertaken by the first arriving <del>company</del> companies within the first alarm assignment required to address the critical fireground factors as determined by the Incident Commander <del>with only one crew assigned or operating in the hot zone.</del></li> <li>• (3) In the initial stages of an incident the Incident Commander may assign one or more teams into the hot zone as needed to address the critical fireground factors in order to slow or stop the fire and protect savable lives. When the critical fireground factors have teams assigned, the Incident Commander must provide for a <u>tactical reserve</u> of at least one team of available firefighters in the warm zone just outside the entry point of the initial team(s), commonly referred to as “on-deck.” <del>where only one crew is operating in the hot zone at a working structural fire, a minimum of four individuals shall be required, consisting of two individuals working as a crew in the hot zone and two individuals present outside the hot zone available for assistance or rescue of firefighters during emergency operations where entry into the hot zone is required.</del></li> <li>• (4) Initial fireground <del>attaek</del> operations shall be organized to ensure that if, on arrival at the emergency scene, responders find a known rescue situation where immediate action could prevent the loss of life or serious injury, such action shall only be permitted when no less than three personnel (2-in/1-out) are present and equipped so that one firefighter can <del>to</del> provide emergency assistance or rescue to <del>of</del> the team(s) entering the hot zone.<br/> <p style="margin-left: 40px;">No exception shall be allowed when there is no possibility to save savable lives or no "known" active rescue situation exists <del>viable victims.</del></p> <ul style="list-style-type: none"> <li>• <del>(5) Firefighters must not engage in interior structural firefighting in the absence of at least two standby firefighters (2-in/2-out) except as provided in WAC 296-305-05002(4).</del></li> <li>• (6) Tactical reserve (<i>on-deck</i>) <u>Standby</u> team members shall comply with the following: <ul style="list-style-type: none"> <li>(a) <del>Members shall</del> Remain aware of the status of firefighters in the hot zone.</li> <li>(b) <del>Members shall</del> Remain in positive communication (radio, visual, voice or signal line) with the entry team(s), in full protective clothing with respiratory protection donned while in standby mode.</li> <li>(c) Sustain crew integrity and readiness at all times, and maintain direct contact with the Incident Commander for tactical assignment at his/her discretion. <del>Only- one standby team member may be permitted to perform other duties outside the hot zone, provided constant communication is maintained with the team in the hot zone, and provided that those duties will not interfere with his or her ability to initiate a rescue as appropriate.</del></li> <li>(d) <del>No standby team members shall be permitted to serve as a standby member of the firefighting crew when the other activities in which the firefighter is engaged inhibit the firefighter's ability to assist in or perform firefighter rescue or are of such importance that they cannot be abandoned without placing other firefighters in danger.</del></li> </ul> </li> <li>• (7) When the Incident Commander has assigned initial companies to cover each critical fireground factor in an offensive strategy, <del>Once a second crew arrives at the hot zone,</del> the incident shall no longer be considered to be in the "initial stage," and at least one “on-deck” tactical reserve <del>rapid intervention</del> crew should be assigned in the warm zone outside the entry point of interior team(s). Where any fire incident continues to escalate beyond the capability of the full first alarm assignment, the Incident Commander should consider the assignment of one or more Rapid Intervention Teams. For further guidance, see nonmandatory Appendix D. (<i>Amend Appendix D appropriately to match proposed language</i>)</li> </ul> </li> </ul> |          |                  |

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| <p><b>Summary of Reasoning:</b></p> <p>The first several minutes of any structure fire is the best opportunity for a fire department to put out a fire, before it advances to flashover. The proposed “safety” regulation in 05002 requiring the assignment of a standby and/or RIT team after only one team has entered the hazard zone, immediately eliminates at least one two-person team out of the tactical operation. I presume that as fire service professionals we can agree this makes it more likely that a working fire will grow and extend while waiting for additional companies to arrive and get into assignments. This will result in more dangerous conditions for subsequent entry teams and any unprotected occupants. Why would we want to write or sustain a regulation that will produce a more dangerous working environment for our firefighters or unprotected humans inside?</p> <p>We encourage the committee rewriting WAC 296-305 to adequately evaluate the numerous sources of credible and validated science and testing related to an inside-out approach to protecting firefighters. It is essential that Incident Commanders are permitted to evaluate the critical fireground factors; match those factors to a solid risk model; define a strategy; develop an IAP and assign initial resources to address the problem and put the fire out. This commonly requires from 1 to 3 companies. Once the critical fireground factors are addressed, then the Incident Commander can assign on-deck companies to reinforce the interior operating companies. This approach will check or stop the problem quickly and provide for effective rescue protection should this become necessary.</p> <p>I am willing and prepared to provide the committee with statistical and analytical documentation and professional testimony to verify the statements we have provided in this letter. The statements we have provided are only representative of the scope and depth of analysis and research that exists to prove the concept of inside-out firefighter rescue as more effective than the RIT/RIC outside-in approach. We encourage the committee to do the right thing here and adopt our proposed language changes to 05002. This will provide the WA fire service with the regulatory “tools” that allow it to significantly advance the safety of firefighters by permitting it to assign initial resources to combat the critical fireground factors at each fire that occurs while still providing for FF rescue when needed.</p> |          |                  |

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| <p>I respectfully submit my comments and suggestions for the WAC 296-305 re-write.</p> <p>Add to definitions section:</p> <p>"Emergency Vehicle Technician" (EVT). An Individual who performs inspections, maintenance, diagnosis, repair, and performance testing on emergency response vehicles and who, by possession of a recognized certificate, professional standing, or skill, has acquired the knowledge, training, and experience and has demonstrated the ability to deal with issues related to the subject matter, the work, or the project." (NFPA 1071 "Standard for Emergency Vehicle Technician Professional Qualifications", 2011 edition)</p> <p>WAC 296-305-04501 Fire apparatus design and construction</p> <p style="padding-left: 40px;">(1) Change 2003 edition to 2009 edition.</p> <p>WAC 296-305-04505 Automotive apparatus operational rules</p> <p style="padding-left: 40px;">(1) Delete current wording and replace with "Each employer with fire apparatus shall establish a written policy and procedure whereby the apparatus has a scheduled daily operational check. Each Employer shall establish a schedule that meets or exceeds the manufacturers recommended checks realizing the need to confirm a state of readiness.</p> <p><i>**Batteries go dead, tires go flat.**</i></p> <p>WAC 296-305-04507 Fire apparatus maintenance and repair</p> <p style="padding-left: 40px;">(3) All repairs, preventative maintenance, and testing of fire apparatus shall be performed by an emergency vehicle technician, or other individual that possess equal or more specialized, nationally recognized certifications that are specific to the apparatus being worked on.</p> <p><i>** This is a dangerous step to make as written. A fire apparatus are not individual parts and systems. They are parts and systems working together to perform the task as safely as possible for the firefighters and community around them. This will be a liability problem as written.**</i></p> <p style="padding-left: 40px;">(b) A minimum annual service test shall be performed per the manufacturers recommendations.</p> <p style="padding-left: 40px;">(c) *(Note) Qualifications for persons working on emergency vehicles can be found in the 2012 edition of NFPA 1071, Standard for Emergency Vehicle Technician Professional Qualifications."</p> <p><i>** a 2000 reference is way outdated. **</i></p> | <p>The department appreciates the time taken to provide this comment and recognizes the concerns and opinions presented. No changes were made based on this comment.</p> <p>The proposed rule language in the comment is unnecessary because the rule is clear about what types of training employees are required to have. The proposed definition does not clarify the rule language</p> <p><b>WAC 296-305-04501 Fire apparatus design and construction</b><br/>Updating the regulations to the most current National Fire Protection Association (NFPA) requirements would require a new rulemaking process.. The department is not persuaded that updating to the most current NFPA requirements is necessary. The rulemaking committee reviewed the NFPA requirements and recommended not to adopt the most current standard as a cost mitigating measure in some cases. The department accepted this recommendation and also chose to push back the effective date of the rule by one year as another cost mitigation measure.</p> <p><b>WAC 296-305-04505 Automotive apparatus operational rules</b><br/>Administrative updates were made to this section and no significant changes were made to the language cited in this comment.</p> <p><b>WAC 296-305-04507 Fire apparatus maintenance and repair</b><br/>The rule language specifies what types of qualifications are required to work on fire suppression equipment. Including this change would be an increase in requirements for working on non-fire suppression equipment.</p> <p>The rule making committee voted to change requirements for who can service the fire suppression portions of apparatus from authorized by owner of apparatus to an Emergency Vehicle Technician (NFPA), factory trained, or ASE trained service technician. Mechanics with training can service the vehicle without the above training except for the portion of the apparatus that includes fire suppression systems and aerial devices.</p> |                         |

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| <p>(d) All fire apparatus shall receive a third party, documented, DOT safety inspections annually. The inspection reports shall be kept with all maintenance records of the vehicle and be available for inspection.</p> <p><b>**Badly Needed**</b></p> <p>WAC 296-305-04510 Aerial Apparatus</p> <p>(1) Change date to 2009 edition</p> <p>(3) Change date to 2012 edition</p> <p>(4e) Do not use aerial to break out windows for ventilation. DO NOT rest aerial on any structure. The tip of the ladder should NEVER come in contact with ANY solid structure.</p> <p><b>**Aerials will collapse if they are reverse loaded or twist loaded**.</b></p>   | <p><b>WAC 296-305-04510 Aerial Apparatus</b></p> <p>This language was not changed in this rulemaking. Both WAC 296-305-4509 and WAC 296-305-45010 were combined to form this section. Employers are still expected to follow manufacturer recommendations for aerials.</p> <p>Updating the regulations to the most current National Fire Protection Association (NFPA) requirements would require a new rulemaking process. The department is not persuaded that updating to the most current NFPA requirements is necessary. The rulemaking committee reviewed the NFPA requirements and recommended not to adopt the most current standard as a cost mitigating measure in some cases. The department accepted this recommendation and also chose to push back the effective date of the rule by one year as another cost mitigation measure.</p> |                         |
| <p>Attached is a comment letter from the North Central Washington Fire Chiefs Association about the impacts of the proposed WAC 296-305. It needs to go back for review. Policy committee did not think through the financial and logistical impacts.</p> <p>I have been requested to write concerning WAC 296-305 policy that is planned to take effects January 1<sup>st</sup>, 2014.</p> <p>The 296-305-05502 Training and member development (6) Continuing education (a) requirement for live fire training every 3 years. We can appreciate the allowance of full alarm assignment for two cycles, but that is still not logistically possible.</p> <p>There are nearly 20,000 firefighters in the State and only a handful of burn training facilities. The mandate seems reasonable from the outside. Career fire departments are still laying firefighters off for budgetary issues. This requirement will require callback firefighters on overtime to cover during more training days. Who pays for it?</p> <p>Many rural volunteer fire departments do not have burn facilities within an hour drive. Volunteer firefighters are challenged at best to maintain today's standard. On January 1<sup>st</sup>, 2014, more firefighters will be out of compliance than those in compliance.</p> <p>How does L&amp;I plan to handle taking every fire department out of full compliance and most of the workforce?</p> <p>Please withdraw this section and consult the fire service for options.</p> | <p>The department appreciates the time taken to provide this comment and recognizes the concerns and opinions presented. No changes were made based on this comment.</p> <p>WAC 296-305-05502 6(a) is a new proposed section regarding continuing education live fire training. The rule making committee agreed to recommend a minimum of training once in three year period. More stringent requirements were considered by the rule-making committee. The committee also agreed to recommend the once every three year requirement for firefighters who work in Immediately Dangerous to Life or Health conditions fighting interior structure fires.</p> <p>The department determined that the once every three year requirement is reasonable and consistent with the objective of this rule.</p>  |                         |
| <p>The Board of Commissioners for SE Thurston Fire Authority is appreciative of the efforts thus far to revitalize WAC</p>   | <p>The department appreciates the time taken to provide this comment</p>  |                         |

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| <p>296-305 Firefighter Safety Standard. It has been a long effort by many interest groups. Unfortunately the long delay in moving from discovery to enactment has resulted in many significant pit falls. WAC 296-305 needs work but it should be accomplished in a timely manner utilizing current language.</p> <p>The need to finish this process and the unforeseen delays has lead to a rush for closure, thus the Cost Benefit Analysis does not accurately identify costs. Given our down economy and continued falling economies it is necessary to act in good faith towards our citizens and fire service personnel. We agree the leaders in our states fire services want to do everything possible to take care of our members; however we are bound by financial restrictions. Many of these proposals carry financial burdens that will significantly impact our departments and our neighboring departments. Reducing services to meet the increased demands of these, proposed, unfunded mandates is not in the best interest of our firefighters or the citizens we serve.</p> <p>We, like many others, have seen the benefit of consolidating services to save taxpayers money and be more efficient; however the down economy is still out doing our efforts. As formerly three entities our combined income has reduced by 30 percent since consolidating.</p> <p>The financial impacts within the proposed standard will jeopardize our ability to keep our firefighters on the job. We ask the standard be re-addressed, bring the stake holders back to the table, and address these impacts. We ask that current standards be reviewed for adoption and all of this to be brought to the table in a timely manner. Five years has allowed a lot of things to change. Implementing standards that have already been replaced does not serve this process, our organization, or our citizens in a manner we find acceptable.</p> | <p>and recognizes the concerns and opinions presented. No changes were made based on this comment.</p> <p>The Cost Benefit Analysis grouped the rule changes into six categories based on the intent of each amendment, and the potential costs on the affected parties were addressed for each category as completely and thoroughly as possible. The department concludes that the vast majority of the rule amendments are reflective of existing federal or state laws and rules, national consensus standards and many other guidelines that apply to the affected firefighting communities. While a few other rule changes may lead to new costs, the department has provided a cost-mitigating approach for the affected parties to satisfy these new requirements. The remaining changes are made to improve the clarity, simplicity and consistency of the current rules (e.g. per above, the department recommended to not adopt the most current NFPA standard as a cost mitigating measure in some cases, and the department chose to push back the effective date of the rule by one year). Therefore, they are not linked to any additional compliance costs.</p> <p>The department is aware of time and other resource restrictions and the resulting impacts on the entire rulemaking process. Given these restrictions and uncertainties with regard to the consequences of this proposed rule, the cost-benefit analysis for this rulemaking was created and analyzed within these limitations.</p> <p>Updating the regulations to the most current National Fire Protection Association (NFPA) requirements would require a new rulemaking process. The department is not persuaded that updating to the most current NFPA requirements is necessary. The rulemaking committee reviewed the NFPA requirements and recommended not to adopt the most current standard as a cost mitigating measure in some cases. The department accepted this recommendation and also chose to push back the effective date of the rule by one year as another cost mitigation measure.</p> |                         |
| <p>I'm representing the Seattle Fire Department. I was also a stakeholder member representing the Washington State Council of Firefighters. I'm currently also the chairperson for the Joint Labor Management Safety Committee for the Seattle Fire Department. And today I have a few comments related to the updating of the standard. First of all, I'd like to thank Labor and Industries as well as the stakeholder group for their hard work and continued efforts. The Seattle Fire Department is in full support of the adoption of the updated standard WAC296-305. In particular, a few items to point out: Improvements for firefighter safety. The fire departments must make reasonable risk management</p>   | <p>The department appreciates the time taken to provide this comment and recognizes the concerns and opinions presented. No changes were made based on this comment.</p>   |                         |

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| <p>decisions in their everyday operations as well as administration of their fire department activities. We're seeing with this standard update improvements in the use of self-contained breathing apparatus during the overall phase of any fire incidents, as well as any scenarios where contaminants are unknown. We also are seeing the improvements of requirements for TB or tuberculosis -- screening based on risk assessments conducted by individual fire departments with an eye on reflection of the Center for Disease Control standards for tuberculosis. Also in full support of compliance with NFPA –National Fire Protection Association standards related to fire department operations, in particular, technical rescue incidents. Also, the improvement of risk assessments through all disciplines within fire department activities. And also an improvement for the framework of frequency of training for live fire incidents -- excuse me -- live fire training scenarios. Again, the Seattle Fire Department is in full support and appreciates the activities of the stakeholder group and Labor and Industries, and that concludes my remarks.</p>  |  |                         |
| <p>I work for City of Pasco.. And my comments are on Section 04507, third paragraph. Need clarification-- further clarification of sections of ASE certifications, which ones should apply to the maintenance of fire apparatus. Or the emergency vehicle technician -- the sections in that part -- what applies. It's very wide. In order for us to comply with it, we kind of need to focus it down, so I know what to have the mechanics certified on. And that's the end of my comments.</p>  | <p>The department appreciates the time taken to provide this comment and recognizes the concerns and opinions presented. No changes were made based on this comment.</p> <p>Stakeholders wanted this section changed to be clear that people who work on the emergency response portions of the apparatus must be specifically trained.</p> <p>The committee voted to change requirements for who can service the fire suppression portions of apparatus from authorized by owner of apparatus to an Emergency Vehicle Technician (NFPA), factory trained, or ASE trained service technician. Mechanics with training can service the vehicle without the above training except for the portion of the apparatus that deal with fire suppression systems and aerial devices.</p> |                         |
| <p>I'm a Lieutenant on the Spokane Fire Department, and I represent -- but I'm not representing Spokane Fire Department here today. I'm representing the Washington State Council of Firefighters.I was on the stakeholders committee. And actually, this is my fourth rewrite of the WAC 305Standard.We received in the mail some comments by some of the stakeholders that I found interesting; the fact that they don't support some of the issues that are being put forward right now. And this has been already a five-year process. It's taken us five years from the beginning to get to this point. We had many meetings, and all the represented fire groups in the state were there, able to have input. There were many compromises made between the fire commissioners, the chiefs, the Firefighters Association,and the State Council of Firefighters. And those compromises with L&amp;I's direction and helping us put together wording for those compromises is what we have in front of us today. Just like the standard that we're building on now -- the changes we're going to make – the same sort of meetings happened four other times and the standards have been -- actually five other times standards have been built upon these compromises and changes. and the All the stakeholders were fully aware of all the changes that are taking place. I believe that some of them didn't keep their membership well enough informed as to what os~ happening and, obviously, you end up dealing with that. But the Washington State Council of Firefighters fully supports all the changes that have taken place. One of the biggest changes we see and that we support is the requirement to wear self-contained breathing apparatus during overall stages of the fire. You know, we have hundreds of our members injured each year and many people that have</p> | <p>The department appreciates the time taken to provide this comment and recognizes the concerns and opinions presented. No specific changes were made based on this comment other than those contained in the revised rules that this comment appears to generally support.</p>   |                         |

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| <p>lung diseases and die from cancer that they've gotten on the job from breathing smoke and gases and the things that we have been presented with at fires. And we see this as a positive step in the right direction to protect the firefighters in this state, both the paid and volunteer firefighters in the state, and keeps their lungs clean and protected from all the negative things that can happen in a fire. The State Council of Firefighters has had – we have had our opportunity to have input into these changes and to discuss the changes with the really the four main other stakeholder groups. Had some lively discussions and some discussions obviously about cost, and those things were pounded out at the table in all the committee meetings we had before we got to this point. So we'd like to say that as the -- as the standard stands now with the changes that are proposing to be made that the Washington State Council of Firefighters supports all of those changes and looks forward to this standard going into effect. Thank you.</p>   |  |  |
| <p>I'm here representing the Seattle Fire Department and was anon-voting contributor to the language in the standard or proposed standard. I have two comments. The first is a definition under "Harness." The document refers to life safety harness as the source of the definition. And that was apparently an errata was omitted. The definitions were submitted, but we're not clear in the language of the document. And my second comment has to do with the technical rescue section. With the delay in implementing the standard -- the NFPA standards -- the revision date of the NFPA standards has since changed. And I would offer that the document reflect the most current edition of the NFPA standards and refer to the discipline by name as opposed to chapter number, to ensure that proper – that the -- the chapter numbers and NFPA standards can change from revision to revision but the title remains. And that concludes my comments.</p>  | <p>The department appreciates the time taken to provide this comment and recognizes the concerns and opinions presented. The definition of Life Safety Harness will be added to the definitions section.</p> <p>Updating the regulations to the most current National Fire Protection Association (NFPA) requirements would require a new rulemaking process. The department is not persuaded that updating to the most current NFPA requirements is necessary. The rulemaking committee reviewed the NFPA requirements and recommended not to adopt the most current standard as a cost mitigating measure in some cases. The department accepted this recommendation and also chose to push back the effective date of the rule by one year as another cost mitigation measure.</p>  | <p>Life safety harness: A configuration of connected straps to distribute a fall arresting force over at least the thighs, shoulders and pelvis, with provisions for attaching a lanyard, lifeline, or deceleration devices.</p> |
| <p>I am the chairman for the Washington Fire Mechanics and also a member of the Emergency Vehicle Technician Certification Commission. We do not endorse the changes that are being made in here. I have a couple of examples. One, when you go to build a house you use the current codes or IBC, IFC. So my question is, why aren't we using the current NFPA editions that are referenced throughout the whole document here? There's a number of them. For instance, taking an old document -- sometimes you can't even get the older documents, so I don't understand why the old editions are being used versus the new ones. Secondly, the definition for the repair of the fire apparatus needs to be addressed with the standards that are in the NFPA 1071 for professional qualifications. Since there was no representation on the stakeholders committee for the fire mechanics, people do not understand that all of the systems on those fire trucks are tied together. So to have a person work on a system that somebody deems they are certified on, they need to go back and reread the NFPA 1071. This has been put in place nationally, so why do we need to change it here? I don't understand that. I am a master EVT, so I'm speaking with some authority here, 30 years in the industry of working on vehicles, so I'm very aware of it. The other thing that I'm seeing in here is definitions; for instance, ground jacks, this is an old definition. Why can't we use what is currently being used in 1901 NFPA, where it's referenced as a stabilizer and stabilizer pad? Or outrigger. That's another one that has been deleted and is used as a stabilizer, not an outrigger. Pumper definition. It's so easy just to -- I see the wheel being reinvented here instead of using what is nationally used for 1901 and 1911 and 1914 and 1071. Why pull out just certain things? I mean, we are the liable party when we are working on these vehicles, so I would like to see the current standards used, especially</p> | <p>The department appreciates the time taken to provide this comment and recognizes the concerns and opinions presented. No changes were made based on this comment.</p> <p>This is language that the committee worked on and agreed to and adding this requirement could result in additional costs to fire departments.</p> <p>Updating the regulations to the most current National Fire Protection Association (NFPA) requirements would require a new rulemaking process. The department is not persuaded that updating to the most current NFPA requirements is necessary. The rulemaking committee reviewed the NFPA requirements and recommended not to adopt the most current standard as a cost mitigating measure in some cases. The department accepted this recommendation and also chose to push back the effective date of the rule by one year as another cost mitigation measure.</p> |  |

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| <p>when I've got to use them as reference material to test on. So this makes absolutely no sense to me at all. I mean there's like -- for instance, on the 1906, it's referencing the older edition, where right now the 2012 edition just came out. I went through and validated every NFPA in there, and you've got a number of them that are old editions and it's not making any sense at all. When you get into the repair of the apparatus too, using the 1071, it's all been spelled out. To take just little pieces of it and put it in here, we do not agree with that at all. Aerial devices. This is another one that I just am blown away, I can't believe it. We are talking about safety here, so why would you want to use an aerial for ventilation? It's going to do damage to it. The aerial -this is an excerpt from Pierce Manufacturing, which has been in business for many years, builds a lot of fire trucks: The aerial is designed for positive loads. Do not set aerial on the ground, roof, et cetera. Any aerial loading or operation of lowering control while aerial is in this condition could cause a back-bending negative flow to the aerial sections and may cause serious damage, quote from Pierce Manufacturing. So ... (Perusing.) There's another one down here where we are using the old edition of NFPA. We did delete the 1914, which is good and agreeable on that. Testing of the fire service equipment. The current edition is 2008 and you are referencing the 2003. I don't understand that one either. Ground ladders. Same thing: We've got the 2004 edition referenced where it should be 2010. Fueling areas. This is another one I don't understand. You are referencing International Fire Code, which edition? You seem to reference all the other code editions of NFPA, but nothing there. Dispensing of the liquid. The same thing there: Which edition of the International Fire Code are you using? When we get into personal protective clothing, the current NFPA is 2011, not the 2005 edition. And just in the PowerPoint here, I mean, during wildland, if you are going to stay consistent with industry definitions, why can't it be done with the rest of this? And one of the big complaints is, why wasn't any of us, being fire mechanics, included on the stakeholders committee? I testified at the last hearing, and I had a couple people call me, one was Doc Bernard, on the phone, and did not disclose to me what the information was going to be used for. Did not appreciate that. Jim McClellan (phonetic) from Labor &amp; Industries called me too and did not disclose to me what the information was going to be used for. So that's a pretty dirty way, in my opinion, to get information out of a person and then not include someone on the committee.</p> |   |                  |
| <p>I'm with Seattle Firefighters Local 27. And initially I planned on coming down to support and encourage the department to impose -- or pass this standard because it's been a long work in progress. By 2014, the work is going to be seven years old. But for some of the work that's been done -- I noticed the change in 296-305-01509(7) (b), management's responsibility with personnel, where the department will determine which doctors are qualified to evaluate firefighters. And as a labor representative and a firefighter that is on the line, I have a problem with this language. Initially when this was discovered I spoke with Frank Wenzel, who was in charge of the project at that time, and Frank was unable to recall or determine how this language was implemented into the standard -- into this proposed draft. This language was never introduced to the stakeholders committee, was never discussed at that level. And when I raised my concerns, Frank realized that it hadn't been discussed at the stakeholders committee and said that it would be removed from the draft. But, you know, when I came in today and when I looked on the website this language continues to be in the draft, but nobody knows how it got there. And as a labor representative, that's a significant problem. How are these changes imposed into state law and nobody knows where it came from? There's been no discussion at the stakeholder level on why the language is there, what's the interest. And I don't know what qualifications a fire department or fire chief has to evaluate a physician's qualifications. So, although my initial intent on coming down here was to encourage the department to pass the standard, with this kind of language in here we can't support that until this is removed. And if there is some interest here that needs to be addressed, then that should</p>  | <p>The department appreciates the time taken to provide this comment and recognizes the concerns and opinions presented. No changes were made based on this comment.</p> <p>Updating the regulations to the most current National Fire Protection Association (NFPA) requirements would require a new rulemaking process.. The department is not persuaded that updating to the most current NFPA requirements is necessary. The rulemaking committee reviewed the NFPA requirements and recommended not to adopt the most current standard as a cost mitigating measure in some cases. The department accepted this recommendation and also chose to push back the effective date of the rule by one year as another cost mitigation measure.</p> <p>The language in 296-305-01509(7b) is consistent with other DOSH safety requirements. The rule still allows physicians to evaluate</p> |                  |

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| <p>be discussed by the stakeholders, not just implemented into the proposed draft with no discussion, no review. You will recognize that in this morning's presentation this change wasn't addressed in there. So there are some concerns about how and why this was put into the draft and how it got there.</p>   | <p>firefighters. It also allows another licensed health care professional (LHCP) that is qualified by training or experience to evaluate firefighters. A LHCP is an individual whose legally permitted scope of practice allows him or her to provide some or all of the health care services required for medical evaluations. The LHCP language was added to the rule language to clarify that the employer must determine if the LHCP is qualified.</p>  |                         |
| <p>I work for Spokane Fire Department. I'm a lieutenant. And I am representing the Washington State Council of Firefighters. I guess basically the State Council of Firefighters, with the exception of the issue that was just brought up by Brother Baker, supports the passing of the safety standard. I believe he documented the number of that issue in his statement. And so we do have an issue with that as well. So we will look into that and get that addressed before we get done here. But the rest of the standard, I would just like to say that it was put together by the four agencies and the State that oversee the fire service, that both fight the fires and oversee the budgets for the fire service, the fire chiefs, fire commissioners, the Washington Firefighters Association, the volunteers, and the Washington State Council of Firefighters' professional staff. So we would like to -I'd like to say that this process of getting the standard in place was a cooperative effort by all those groups. There were some other people that came and spoke to us that had technical expertise in different areas. And as with anything, there's compromises. When we started this standard in 2007, the latest NFPA standards were entered into the standards as we went through it. Obviously they are not the current standards now because it's six years later. So they are not the current standards. Those may need to be updated, the standard numbers, but other than that, there are obviously compromises that come. Sometimes the NFPA standards are not accepted in whole. We would love to see them accepted in whole, but there's part of the organizations that don't want to address things, like the staffing standard or other things that they deem to be too expensive. So those changes that have been made where we don't accept the full NFPA standard is for a reason; somebody felt it was too expensive to implement so that wasn't put into place. And again, those are all compromises that came through discussions and trade-offs with the stakeholders group. On the whole, though, I believe the standards is an improvement over what was there. It has some items in it that will protect the health and the lives of the young firefighters that are starting in the fire service, well into their careers, and we hope that the changes that have been proposed will be implemented, and Washington State Council of Firefighters supports those changes. Thank you.</p> | <p>The department appreciates the time taken to provide this comment and recognizes the concerns and opinions presented. No changes were made based on this comment.</p> <p>Updating the regulations to the most current National Fire Protection Association (NFPA) requirements would require a new rulemaking process.. The department is not persuaded that updating to the most current NFPA requirements is necessary. The rulemaking committee reviewed the NFPA requirements and recommended not to adopt the most current standard as a cost mitigating measure in some cases. The department accepted this recommendation and also chose to push back the effective date of the rule by one year as another cost mitigation measure.</p> <p>The language in 296-305-01509(7b) is consistent with other DOSH safety requirements. The rule still allows physicians to evaluate firefighters. It also allows another licensed health care professional (LHCP) that is qualified by training or experience to evaluate firefighters. A LHCP is an individual whose legally permitted scope of practice allows him or her to provide some or all of the health care services required for medical evaluations. The LHCP language was added to the rule language to clarify that the employer must determine if the LHCP is qualified.</p> |                         |
| <p>I am president of the Washington State Firefighters Association, representing over 15,000 volunteers across the state of Washington, with our mission to provide information, education, benefits and representations to the volunteer fire service in order to enhance their capabilities and professionalism. To that end, three of the four overarching priorities of our organization, firefighter training, safety, recruitment and retention, and fire service funding, are affected with the WAC 296-305 proposal. The Firefighters Association is supportive of the 296-305 standard moving forward into the rulemaking process, thus allowing our concerns to be registered. The impacts of WAC 296-305 may have profound negative effects on the volunteer firefighters and their capabilities to provide the necessary service to their departments and the public on a daily basis. The Washington Firefighters Association interprets several sections of WAC 296-305 as troubling. We don't discount the need to address a safe operations environment for the over 15,000 volunteer firefighters and the many thousands of career firefighters as well. What we do object to is a continued</p>   | <p>The department appreciates the time taken to provide this comment and recognizes the concerns and opinions presented. No changes were made based on this comment.</p> <p><b>WAC 296-305-05502 6(a)</b> is a new proposed section regarding continuing education live fire training. The rule making committee agreed to a minimum of training once in three year period. More stringent requirements were discussed until the once every three year requirement was agreed to for Immediately Dangerous to Life or</p>   |                         |

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| <p>impact of unfunded mandates. How far this goes to reduce service to the communities they serve, time will tell. We hope the consequences are not catastrophic. For instance, WAC 296-305-05502(6) (a) speaks to live fire training requirements. While we agree live fire training is essential for the maintaining of readiness skills, it may go too far at this point. How does the State deny a local readiness response when the fire service in the state is unable to provide the necessary training? It's not like a volunteer can acquire this training online. It's not like a volunteer is able to be there at any time to take the training. We are willing and we are able, but this is not enough to cause the training to occur. We are left to the offerings of others to maintain our skills. The very requirements posed to protect the volunteer responder may serve to jeopardize the reason we choose to serve, the unselfish desire to serve the public, to be there for our neighbors. Volunteer firefighters offer themselves professionally, unselfishly, and WAC 296-305 may hamper that essential service. While we realize the 2014 implementation date is well over a year away, the financial burden under the current local department revenue streams may not be sufficient to address and comply to revise to the new standards. We recommend further policy discretion be considered, thus allowing adequate time for local department financial preparation. We are aware that stakeholders have been working on the standards since 2008. We applaud that effort. Time has found reference standards to be out of date. It's the recommendation of the Washington Firefighters Association that a review of the standards be made to assure that nationally recognized standards referenced in the rule identify the most current editions. For example, WAC 296-305-05000 (11) notes chapters (6) (i) and (6) (h) in the 2003 edition of the MUTCD. It's referenced -- the 2009, the most current, is available and is used in the fire service today. The Washington Firefighters Association joins with the Washington Fire Chiefs that the stakeholders' group be reconvened to review the changes of standards resulting from the public comment period ending October 12th. We believe that it is the responsibility of all parties with a vested interest to deliver the best balanced product, the standards, for the responders and the citizens of the state of Washington. After all, the goal is not to preclude volunteer response, is it? Thank you.</p> | <p>Health requirements. Current requirements require training annually and interior structural training at least quarterly. These requirements will be moved into the new training section.</p> <p>Updating the regulations to the most current National Fire Protection Association (NFPA) requirements would require a new rulemaking process. The department is not persuaded that updating to the most current NFPA requirements is necessary. The rulemaking committee reviewed the NFPA requirements and recommended not to adopt the most current standard as a cost mitigating measure in some cases. The department accepted this recommendation and also chose to push back the effective date of the rule by one year as another cost mitigation measure.</p> <p>The department reviewed the comments made during the public comment period and successfully made significant efforts to engage the stakeholder community. The department incorporated a significant amount of the input from the stakeholder group into this rulemaking process. The department is not convinced that reconvening the stakeholders group as suggested is necessary given the meaningful stakeholder involvement that has taken place to help generate these rule revisions..</p> |   |
| <p>Most of my concerns with the fire apparatus repair were addressed, but I have one small item in 04503, section three, on each fire app shall carry a current U.S. Department of Transportation ERG guidebook. I think the rule should also include digitized or a written form. It seems too literal, that it looks like we just want -that the standard just says the guidebook, and those are available both digitized and written. That's it.</p>   | <p>The department appreciates the time taken to provide this comment and recognizes the concerns and opinions presented. The department will clarify that electronic versions on digital devices will also meet this standard.</p>   | <p>(3) Each fire apparatus shall carry a current U.S. Department of Transportation (<del>chemical identification book or the equivalent</del>) <u>Emergency Response Guidebook</u> in hardcopy or in electronic form for viewing on a digital reading device.</p> |