

March 15, 2005

Proposed Changes in Division 2/L Oregon Rules for Fire Fighters

Public Hearing Scheduled for:

<u>Date</u>	<u>Time</u>	<u>Location</u>
April 25, 2005	10:30 am	Labor and Industries Building Basement – Conference Room F 350 Winter Street NE Salem OR 97301-3882

In late 2003 Oregon OSHA discovered that the requirements for live fire training, in OAR 437-002-0182(10)(c), are not usable, and in fact, don't exist. The Oregon State Fire Marshal's standard (OAR 837-010-0070(3)(b)(c) and (d)) that Oregon OSHA's rule refers to was repealed several years ago, and no other standard has been adopted in its place. OR-OSHA contacted some fire departments, and DPSST to review a variety of programs for live fire training. It became clear that the programs, though different, were usually based on the NFPA standard for live fire training. Oregon OSHA decided to ask for assistance from the Oregon OSHA Fire Fighters Advisory Committee (a standing committee with representatives from various parts of the Fire Service) to select, or develop a standard for live fire training. The first meeting was held in March, 2004, followed by five more meetings, ending in November. The Committee based the development of a new standard, focused on occupational safety and health of fire fighters during live fire training, on NFPA 1403, Live Fire Training. Acceptable sources of ignition became a major topic. A petition for the use of drip torches was sent to the NFPA 1403 Subcommittee on Ignition Sources. The subcommittee agreed that ignition sources need to be addressed in the next (2007) draft of NFPA 1403. Unofficial acceptance by the subcommittee was given for the use of fusees. After further studying the use and safety of drip torches, the Oregon OSHA Fire Fighters Advisory Committee recommended allowing use of drip torches in the proposed standard. Another major topic for discussion was calculation of water supply. Consensus of the committee was to use the calculations of NFPA 1142, 2001 edition, for the minimum water supply.

When does this happen: Adoption tentatively will be May 2005.

To get a copy: Our web site – www.orosh.org
Telephone – 503-947-7447, OR-OSHA Resource Center

To comment: Department of Consumer and Business Services/Oregon OSHA
350 Winter Street NE
Salem OR 97301-3882
E-mail – tech.web@state.or.us
Fax – 503-947-7461

Comment period closes: April 29, 2005

OR-OSHA contact: **Mike Mitchell, Central Office @ 503-947-7450**

Note: In compliance with the American with Disabilities Act (ADA), this publication is available in alternate formats by calling 503-378-3272.

Secretary of State
NOTICE OF PROPOSED RULEMAKING HEARING*
A Statement of Need and Fiscal Impact accompanies this form.

Department of Consumer and Business Services, OR-OSHA
Agency and Division

OAR 437
Administrative Rules Chapter Number

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Rules Coordinator

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Labor & Industries Building
Basement – Conference Room F
350 Winter Street NE
Salem OR 97301-3882

April 25, 2005
Hearing Date

10:30am
Time

Location

Marilyn Schuster
Hearings Officer

Are auxiliary aids for persons with disabilities available upon advance request? XX Yes No

RULEMAKING ACTION

AMEND: 437-002-0182

ORS 654.025(2) and 656.726(4)
Stat. Auth.: ORS

ORS 654.001 through 654.295
Stats. Implemented: ORS

RULE SUMMARY

In late 2003 Oregon OSHA discovered that the requirements for live fire training, in OAR 437-002-0182(10)(c), are not usable, and in fact, don't exist. The Oregon State Fire Marshal's standard (OAR 837-010-0070(3)(b)(c) and (d)) that Oregon OSHA's rule refers to was repealed several years ago, and no other standard has been adopted in its place. OR-OSHA contacted some fire departments, and DPSST to review a variety of programs for live fire training. It became clear that the programs, though different, were usually based on the NFPA standard for live fire training. Oregon OSHA decided to ask for assistance from the Oregon OSHA Fire Fighters Advisory Committee (a standing committee with representatives from various parts of the Fire Service) to select, or develop a standard for live fire training. The first meeting was held in March, 2004, followed by five more meetings, ending in November. The Committee based the development of a new standard, focused on occupational safety and health of fire fighters during live fire training, on NFPA 1403, Live Fire Training. Acceptable sources of ignition became a major topic. A petition for the use of drip torches was sent to the NFPA 1403 Subcommittee on Ignition Sources. The subcommittee agreed that ignition sources need to be addressed in the next (2007) draft of NFPA 1403. Unofficial acceptance by the subcommittee was given for the use of fusees. After further studying the use and safety of drip torches, the Oregon OSHA Fire Fighters Advisory Committee recommended allowing use of drip torches in the proposed standard. Another major topic for discussion was calculation of water supply. Consensus of the committee was to use the calculations of NFPA 1142, 2001 edition, for the minimum water supply.

April 29, 2005
Last Day for Public Comment

/s/ Peter De Luca 3/14/05

Signature and Date

Peter De Luca
Printed Name

ORS 183.335(2)(G) requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

* The *Oregon Bulletin* is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation. Notice forms must be submitted to the Administrative Rules Unit, Oregon State Archives, 800 Summer Street NE, Salem, Oregon 97310 by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a Saturday, Sunday or legal holiday when Notice forms are accepted until 5:00 pm on the preceding workday.

NTC HRG

Secretary of State
STATEMENT OF NEED AND FISCAL IMPACT
A Notice of Proposed Rulemaking or a Notice of Proposed Rulemaking Hearing accompanies this form.

Department of Consumer and Business Services, OR-OSHA
Agency and Division

OAR 437
Administrative Rules Chapter Number

In the Matter of: Proposed to amend: 437-002-0182

Statutory Authority: ORS 654.025(2) and 656.726(4)

Statutes Implemented: ORS 654.001 through 654.295

Need for the Rule(s): The revision of OAR 437-002-0182(10)(c), and adoption of a mandatory appendix is necessary to fill a void and meet a need in Oregon's Rules for Fire Fighters. The void exists as the result of repeal of the Fire Marshal's Standard referred to by the standard, and the need is for minimum requirements for live fire training.

Documents Relied Upon:

National Fire Protection Association (NFPA) 1403, Live Fire Training.

National Fire Protection Association (NFPA) 1142, Water Supplies, 2001 edition.

Department of Public Safety Standards and Training, Guidelines for Conducting Live Fire Training, April 2002

Fiscal and Economic Impact:

The fiscal and economic impact of this revision and adoption will be minimal to none. Fire departments throughout Oregon are already following various live fire training programs based on NFPA recommendations. For any fire departments in need of assistance to comply with the standard, neighboring departments, already in compliance, normally are willing to offer assistance.

Administrative Rule Advisory Committee consulted?:

Yes. Oregon OSHA decided to ask for assistance from the Oregon OSHA Fire Fighters Advisory Committee (a standing committee for approximately 10 years with representatives from various parts of the Fire Service) to select, or develop a standard for live fire training. The first meeting was held in March, 2004, followed by five more meetings, ending in November. The Committee based the development of a new standard, focused on occupational safety and health of fire fighters during live fire training, on NFPA 1403, Live Fire Training. Acceptable sources of ignition became a major topic. A petition for the use of drip torches was sent to the NFPA 1403 Subcommittee on Ignition Sources. The subcommittee agreed that ignition sources need to be addressed in the next (2007) draft of NFPA 1403. Unofficial acceptance by the subcommittee was given for the use of fusees. After further studying the use and safety of drip torches, the Oregon OSHA Fire Fighters Advisory Committee recommended allowing use of drip torches in the proposed standard. Another major topic for discussion was calculation of water supply. Consensus of the committee was to use the calculations of NFPA 1142, 2001 edition, for the minimum water supply.

/s/ Peter De Luca 3/14/05

Signature and Date

Peter De Luca
Printed Name