

# **New Jersey Public Employees' Occupational Safety And Health (NJ PEOSH)**



## **Fire Service Update 2019**

### **Fire Service Safety 101**

### **How to Augment Compliance Effort and Avoid PEOSH Enforcement Action**

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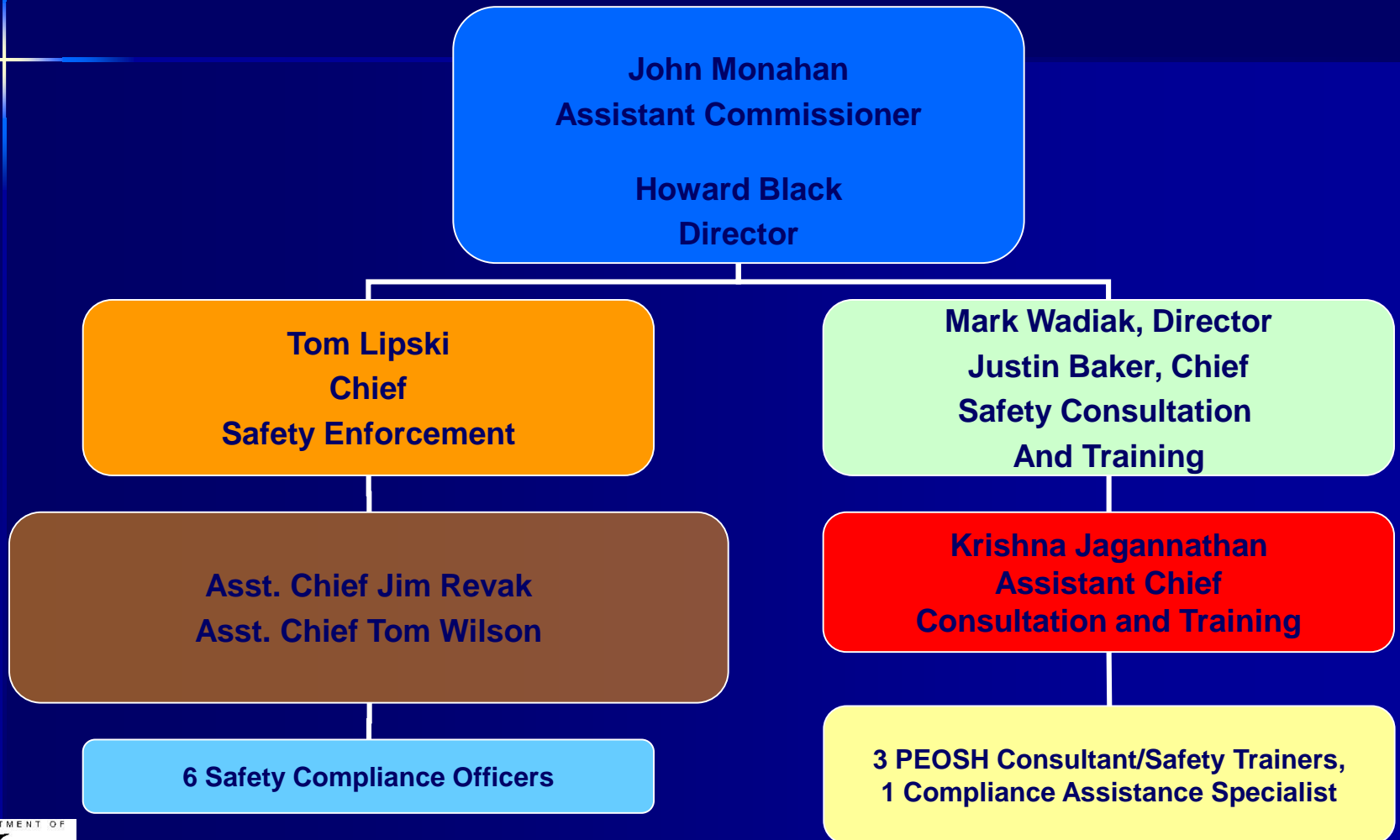
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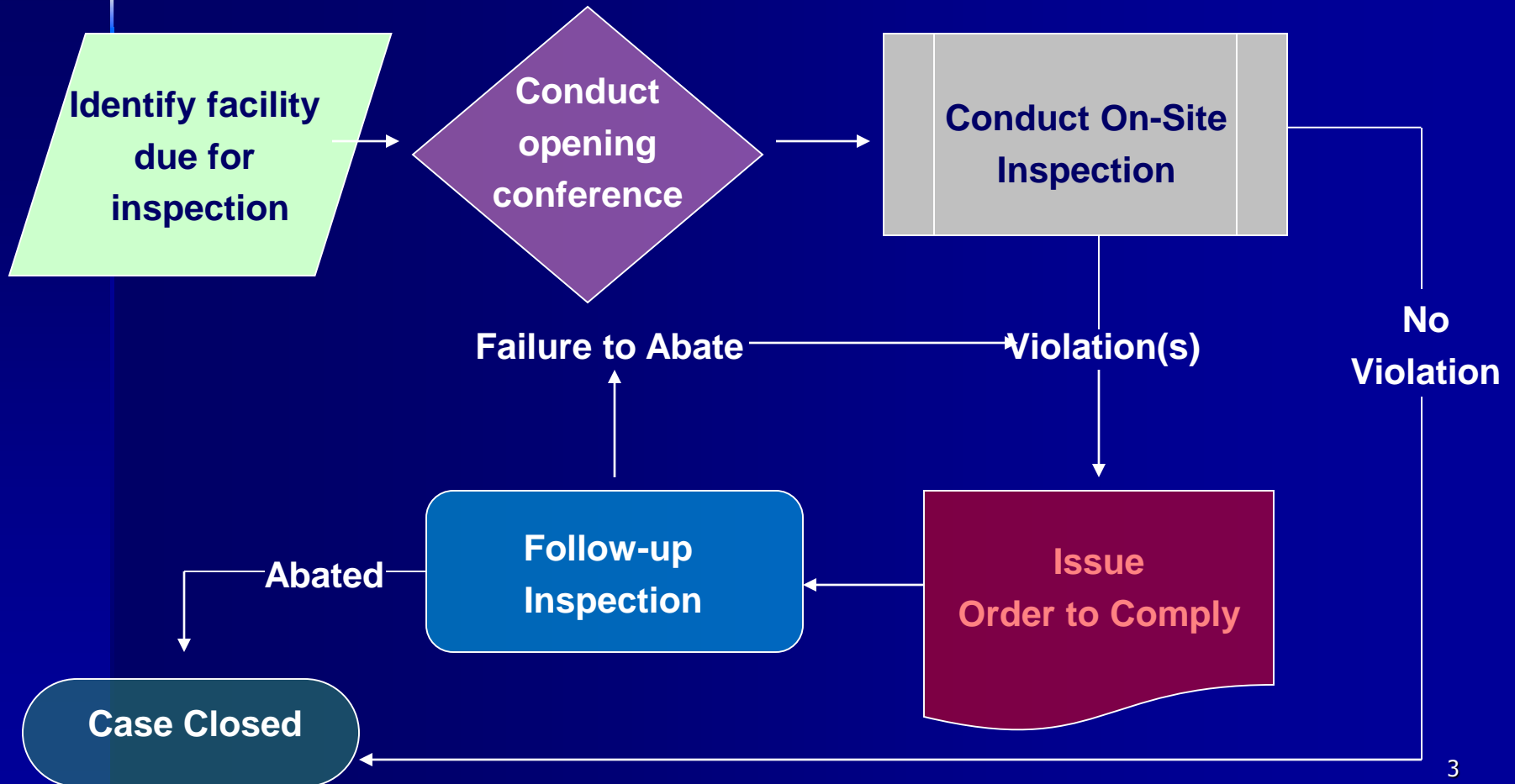
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# PEOSH Organization

## NJLWD



# PEOSH Enforcement Process



# Enforcement Inspection Targeting

- PEOSH **Enforcement Inspections** originate in several different ways:
  - Fatalities
  - In patient hospitalization, amputation, or loss of eye
  - Complaints
  - State Emphasis Programs
  - Referrals from other disciplines



# Inspection Targeting

- **Enforcement** Inspections originate in several different ways:
  - Employee Complaints 800-624-1644 (PEOSH Enforcement 24/7 #)  
2015 changes
  - Fatality (Employer must call within 8 hrs – 800-624-1644)
  - Hospitalization, Amputation, Loss of Eye  
(must call within 24 hrs – 800-624-1644)
  - Site Specific Targeting (based on injury/illness rates, ie, the DART and TRC rates – calculated from 300 Log sheets and 300A Summary)
    - Injury rate =  $\# \text{ injuries} \times 200,000 / \# \text{ hrs worked}$
    - Example:  $\text{TRC} = 3 \times 200,000 / 9800 = 60.9$
    - The 2016 National Average for FDs:  $\text{TRC} = 9.5$

## The Regs

- 1904.29(a) "you must use OSHA 300, 300A, and 301 Forms or equivalent.
- 1904.30(a) "You must keep a separate OSHA 300 Log for each establishment."

# Changes In Standards/Procedures

- In the current (FY 2014-2019) PEOSH Strategic **Five Year Plan** the following public industry segments have been identified as requiring emphasis:
  - Local Fire Protection
  - Departments of Public Works
  - Water and Sewer Treatment Facilities
  - State Support Activities for Transportation

# PEOSH Five Year Plan

- Special emphasis areas include:
  - Work Zone Safety
  - Trenching and Excavation
  - Nursing Home Residential Care
  - Noise (NJDOH)
  - Asbestos (NJDOH)

# Confined Space Rescue Alert



Requirements for Employers Who Designate  
Outside Rescue & Emergency Service, As  
Their Permit-Required Confined Space  
Rescue Team



## Public Employee Safety & Health Bulletin #31

ATTENTION: All Public Employers

October 2010

National Statistics Indicate That Two-Thirds of All  
Confined Space Fatalities Involve Rescue and Emergency  
Services Team Members Who Attempt Confined Rescue  
Without Proper Training, Equipment And Fail To Follow  
Rescue Team Requirements As Contained In 29CFR  
1910.146 (k).

Recent investigations conducted by the Office of Public Employees Occupational Safety and Health, (OPEOSH) revealed that many public employers who rely on outside emergency rescue services as part of their permit required confined space entry procedures, are in violation of the requirements as specified under 29CFR 1910.146 . The health and safety of confined space entrants is compromised when procedures as outlined under 29CFR 1910.146 (k) (rescue and emergency services) are not followed.

In Order To Prevent Serious Injury Or Death Related To Confined Space Emergency Rescue Operations, Employers Are Required To Comply with 29CFR1910.146(d)(9) "Develop And Implement Procedures For Summoning Rescue and Emergency Services , For Rescuing Entrants From Permit Spaces, For Providing For Necessary Emergency Services To Rescued Employees And For Preventing Unauthorized Personnel From Attempting Rescue".

Employers who name first responders as their rescue team as part of their permit required confined space rescue teams must follow all procedures as outlined under 29CFR 1910.146 (k) Rescue and emergency services:

**29CFR 1910.146(k)(1)(i)** *Evaluate a prospective rescuer's ability to respond to a rescue summons in a timely manner, considering the hazard(s) identified;*

**Note to paragraph (k)(1)(i):** *What will be considered timely will vary according to the specific hazards involved in each entry. For example, 29CFR 1910.134, Respiratory Protection, requires that employers provide a standby person or persons capable of immediate action to rescue employee(s) wearing respiratory protection while in work areas defined as Immediately Dangerous to Life and Health (IDLH) atmospheres.*

**29CFR 1910.146(k)(1)(ii)** *Evaluate a prospective rescue service's ability, in terms of proficiency with rescue-related tasks and equipment, to function appropriately while rescuing entrants from the particular permit space or types of permit spaces identified;*

# Elevator Rescue

- Risk of serious injury or death for employees attempting self rescue or when rescue services aren't qualified
- Employees should be informed of procedures to follow when an entrapment occurs





# Elevator Rescue

- For Fire Departments providing Elevator Rescue services:
  - Establish **written procedures** which address **lock out / tag out**, **permit required confined space entry**, and **General Duty Clause** provisions
  - Use ASME A17.4 as a reference
  - Is it in your SOG??
  - N.J.S.A 34:6A-33(a)
    - The NJ General Duty Clause
  - “The employer did not provide each of his employees ... a place of employment ... free from recognized hazards which may cause serious injury, physical harm, or death to his employees.”



# New Jersey Standards for Firefighters

## ■ Covered under N.J.A.C. 12:100 Subchapter 10 (handout)

- Organizational Structure
- Education and Training
- Personnel
- Turnout Gear
- Harnesses / Hardware
- Pass Devices

- Hearing Protection
- Filling Air Cylinders
- Fire Apparatus Operations
- Maintenance of Fire Fighting Equipment

# N.J.A.C. 12:100-10.3 Organization, Training and Education

- The employer shall prepare a statement or written policy which contains the following
  - The basic organizational structure
  - The expected number of members
  - The functions the fire service is to perform
- This policy must be available during a PEOSH inspection
- Is it in your SOG??



# N.J.A.C. 12:100-10.3 Organization, Training and Education continued

- Training requirements include:
  - All must receive Firefighter I Training
  - All Interior Firefighters must have training at least quarterly
  - All members must have training at least annually
  - Trainers must have received training which is more comprehensive than the members for which they provide training
  - Are training requirements in your SOG??
  - Is your training documented?? (handout)

## **N.J.A.C. 12:100-10.3 Organization, Training and Education continued**

- All Firefighters shall be instructed in special hazards they may encounter which may include storage and use of flammable liquids and gases, toxic chemicals, radioactive substances, and water reactive substances
- There must be written procedures which describe actions to be taken in situations involving these special hazards.

# **N.J.A.C. 12:100-10.3 Organization, Training and Education continued**

- All Firefighters shall receive training in the following:
  - HAZWOPER Operations Level I
  - Bloodborne Pathogens
  - Incident Management Systems I-100

# N.J.A.C. 12:100-10.3 Organization, Training and Education continued

- If **special** tasks are performed they shall also receive training:
  - Confined space rescue
  - Trench rescue
  - High angle
  - Technical rescue operations
  - Water Rescue
  - Etc.

# Other PEOSH Required Written Programs

- The following general **PEOSH written programs** and records are required in fire stations:

- PEOSH 300 Logs
- Personal Protective Equipment (PPE) Hazard Assessment
- Lock Out Tag Out Program
- Emergency Plan
- Permit Required Confined Space
- *Respiratory Protection Program*
- *Hazard Communication*
- *Bloodborne Pathogens*

All written programs have a training component.

If you need help on written programs  
Call Consultation for help.



## N.J.A.C. 12:100-10.4 Personnel

- To ensure all members are physically capable of performing interior structural firefighting they must pass a physical equivalent to the Medical Evaluation Protocol required in OSHA's 29 CFR 1910.134 Respiratory Protection Standard prior to appointment.
- Failure to pass initial physical will exclude a member from serving as a structural Firefighter.
  - 1 time requirement
  - Some fire company by-laws require annual physicals
  - Captain Buscio Program – free comprehensive annual physical exams

## 1910.134(f)(2) – Fit Test

- **Fit Test** - Required at least **ANNUALLY**
- Medical Evaluation or Physical by PLHCP is req'd prior to Fit Test  
Failure to pass will exclude a member from serving as a structural Firefighter
- What happens if individual **lies** on the Med Eval??
- What happens if Med Eval is done by email to Houston??
- Will a Capt. Buscio Exam give a "Pass" for ability to wear SCBA??

# 1910.134(g)(1)(i)(A) – Facial Hair

- Fit Test - Required at least ANNUALLY
- The Employer shall not permit respirators with tight fitting face pieces to be worn by employees who have...
  - Facial hair that comes between the sealing surface of the facepiece and the face
  - Any condition that interferes with the face to facepiece seal or valve function.
- If rules are not enforced other Firefighters are potentially put at risk.
- (Also certain health benefits could be affected if it determined that PPE was intentionally worn or used improperly.)



# N.J.A.C. 12:100-10.5 Protective Clothing

- The employer shall provide at no cost to the employee, and assure the use of, protective clothing which complies with this subchapter.
- Issues
  - face piece – Must fit, can be shared, if sanitized
  - 10 year rule – Not enforced by PEOSH

**Boots with no tread .**

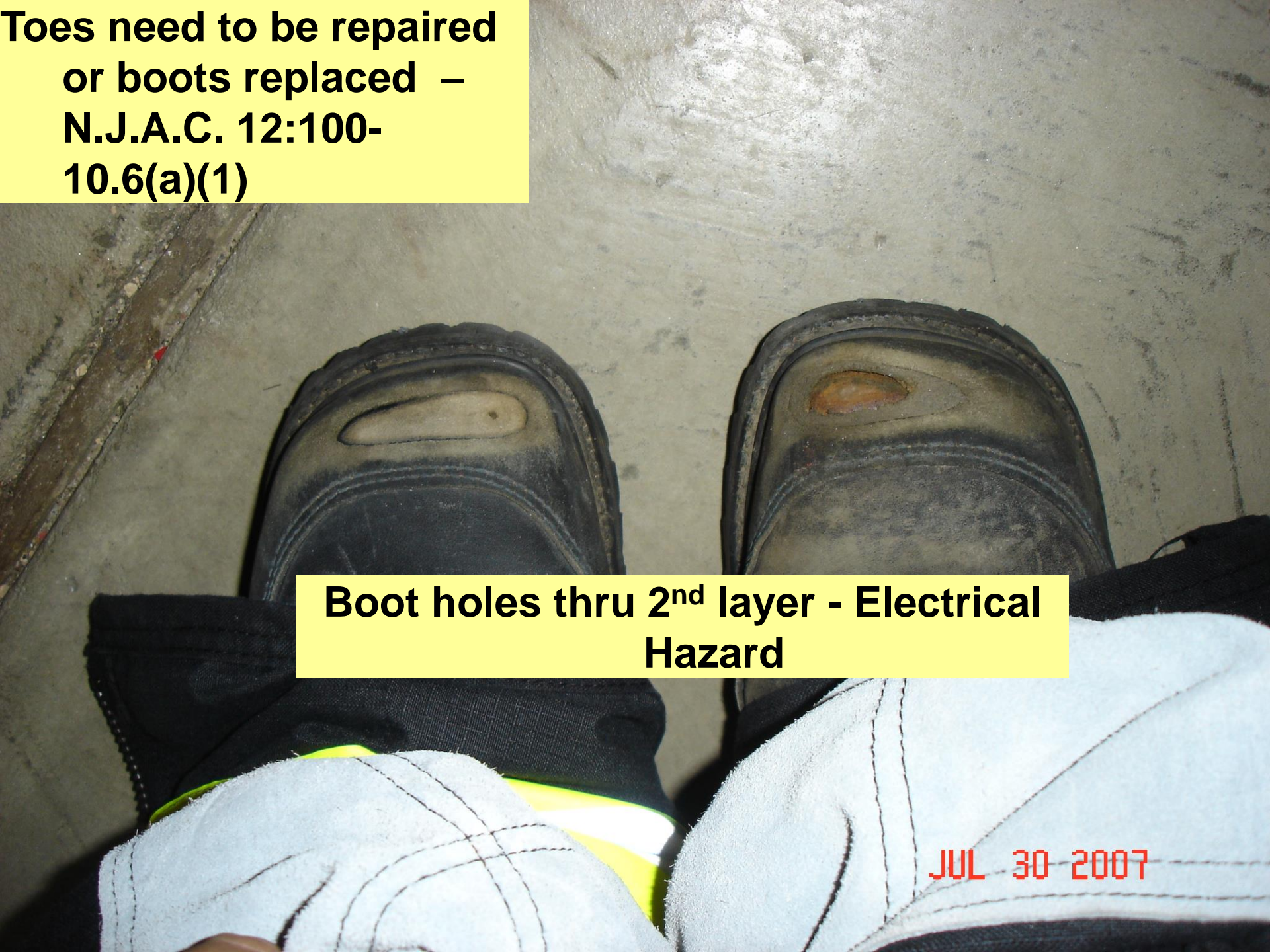


**These need to be  
replaced – N.J.A.C.  
12:100-10.6(a)(1)**

**JUL 30 2007**



**Toes need to be repaired  
or boots replaced –  
N.J.A.C. 12:100-  
10.6(a)(1)**

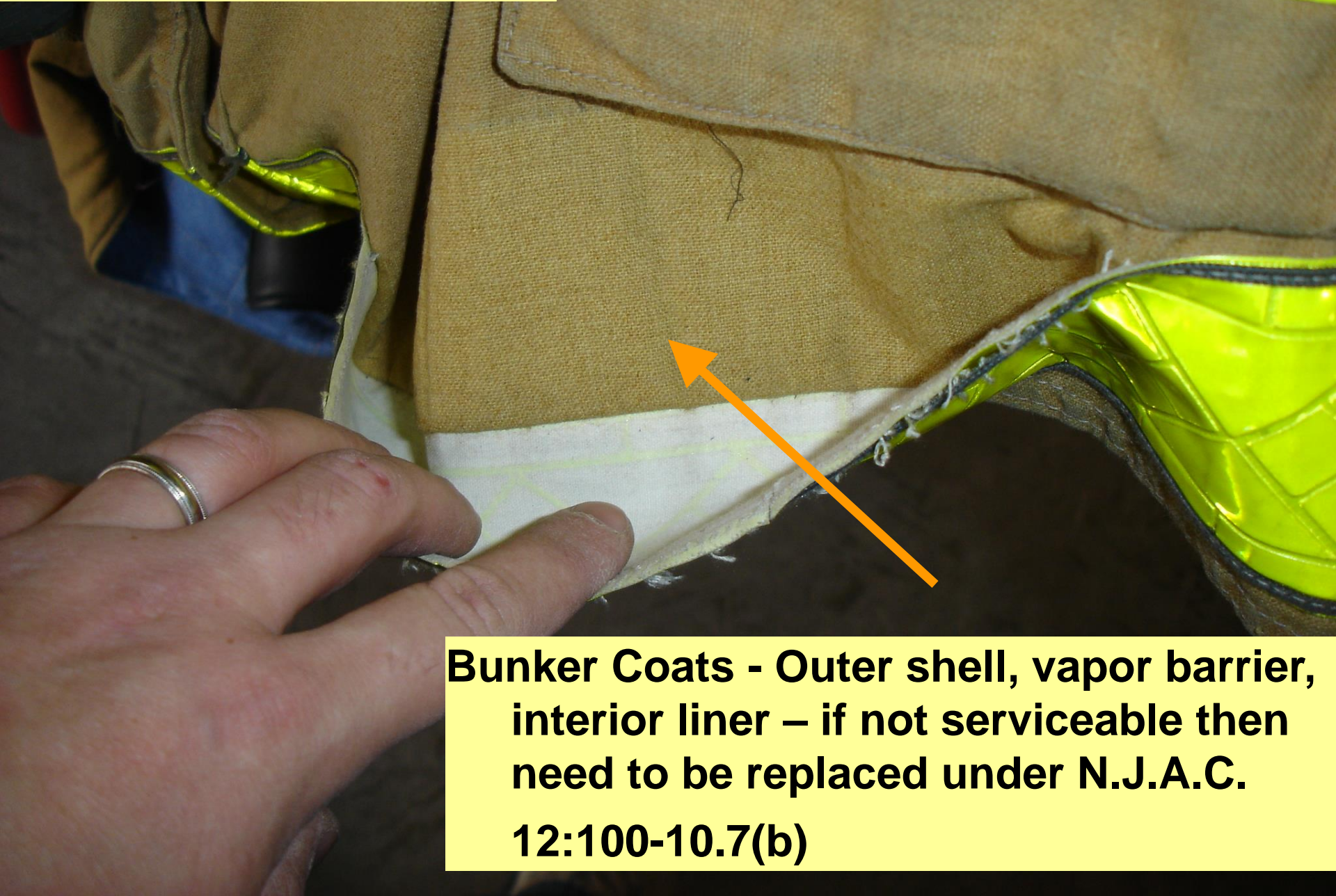


**Boot holes thru 2<sup>nd</sup> layer - Electrical  
Hazard**

**JUL 30 2007**




**Holes and rips can be repaired**



**Bunker Coats - Outer shell, vapor barrier, interior liner – if not serviceable then need to be replaced under N.J.A.C. 12:100-10.7(b)**





**Bunker Coat with burn  
through the pocket –  
Needs to be repaired  
or replaced.**

NOV 26 2007



## Holes in bunker pants



**Need to be repaired or  
replaced under  
N.J.A.C. 12:100-10.7(b)**



**Cuffs must be repaired.**



OCT 3 2007



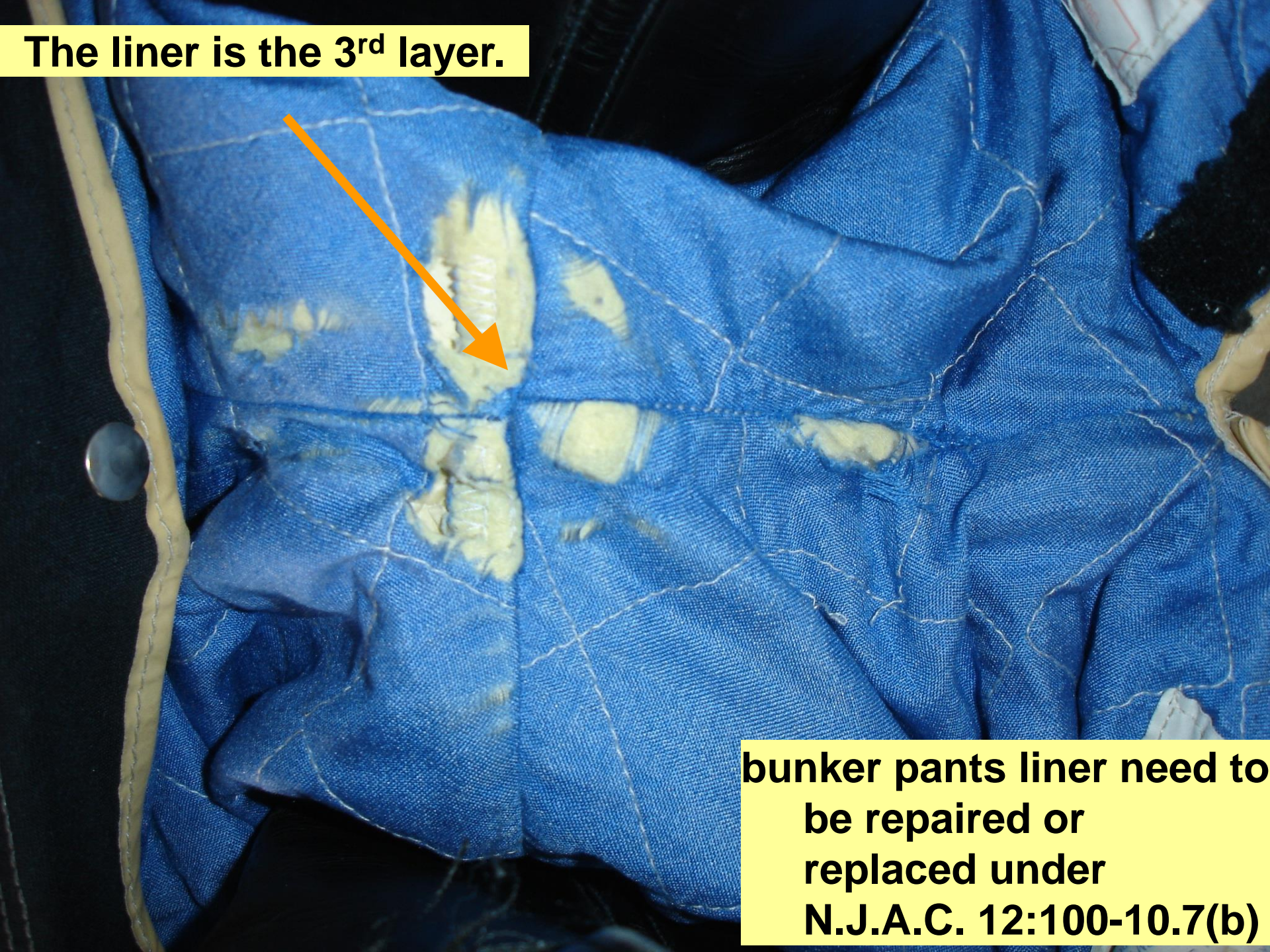
**Holes and grime-**



SEP 23 2005



**The liner is the 3<sup>rd</sup> layer.**



**bunker pants liner need to  
be repaired or  
replaced under  
N.J.A.C. 12:100-10.7(b)**



**Gloves with holes in do not provide required protection.**



**Gloves need to be  
replaced – N.J.A.C.  
12:100-10.8(a)**

**NOV 26 2007**



**Another bad glove**



**JUL 30 2007**





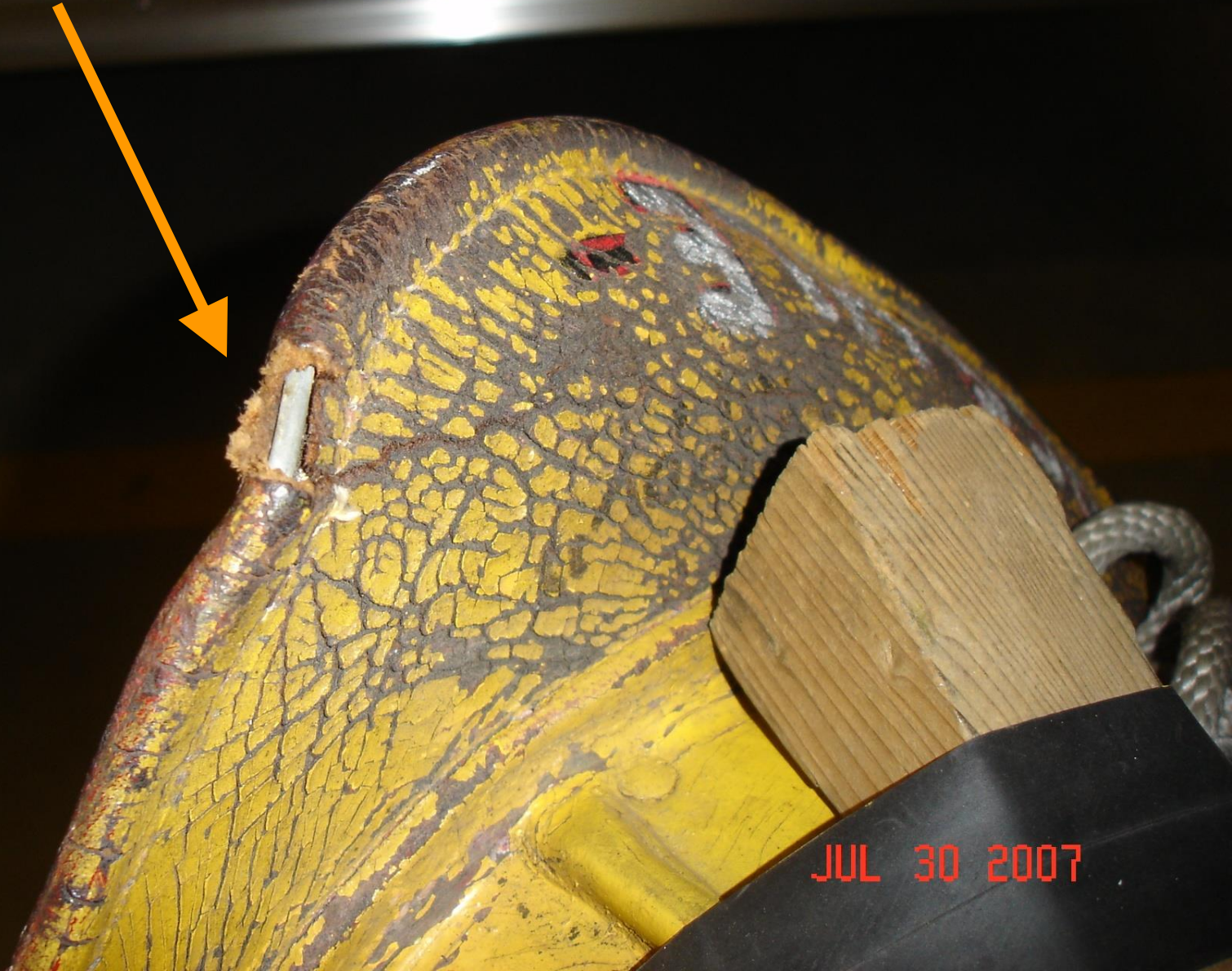
**Damaged helmet does not  
provide required  
protection.**

**Damaged helmets need to  
be repaired or  
replaced under  
N.J.A.C. 12:100-10.9(a)**

NOV 26 2007



Exposed wire in rim –  
repair or replace



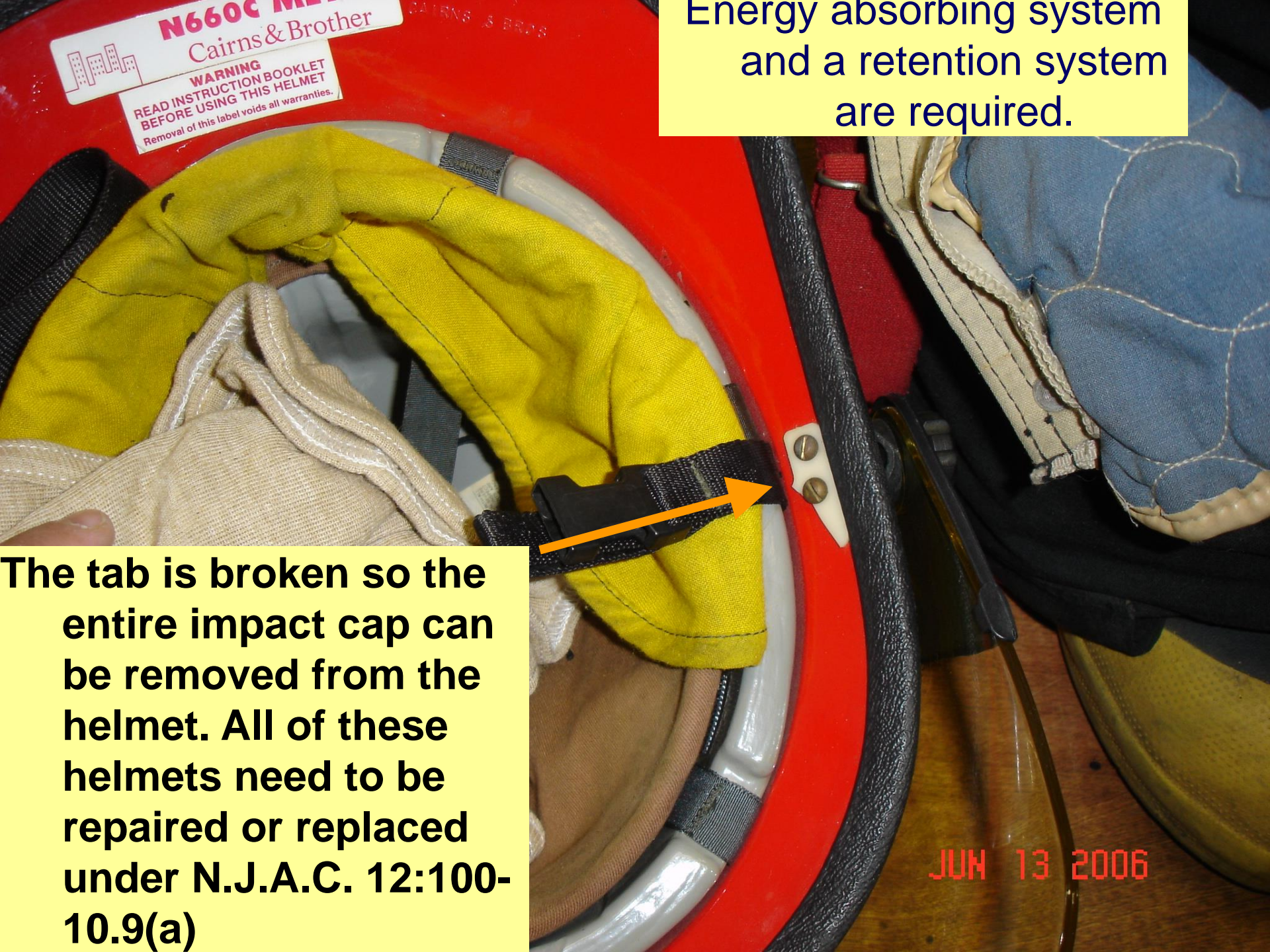
JUL 30 2007

**No reflectors**

**Reflective markings are  
required.**

**JUL 30 2007**



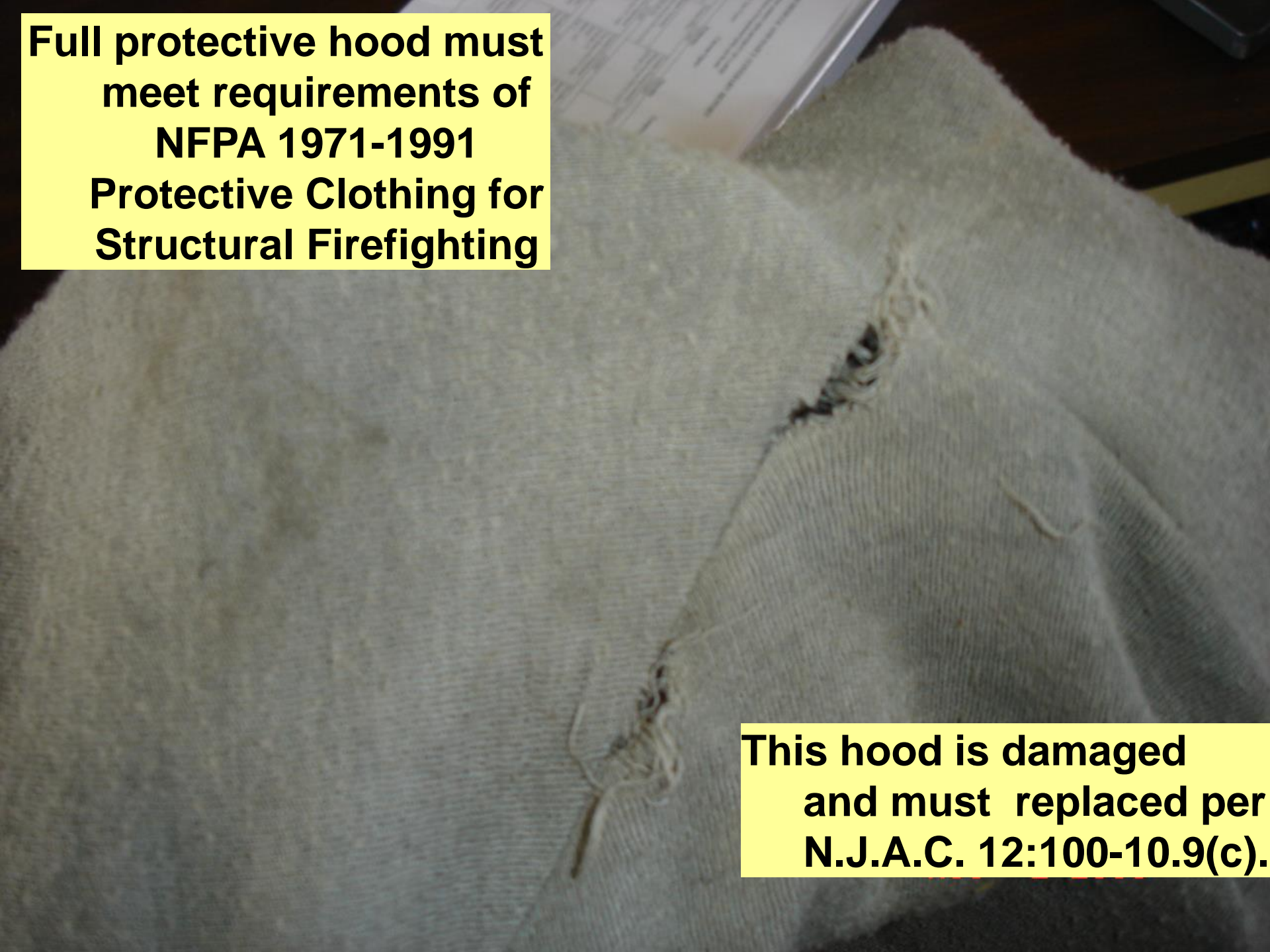


Energy absorbing system  
and a retention system  
are required.

The tab is broken so the  
entire impact cap can  
be removed from the  
helmet. All of these  
helmets need to be  
repaired or replaced  
under N.J.A.C. 12:100-  
10.9(a)



**Full protective hood must  
meet requirements of  
NFPA 1971-1991  
Protective Clothing for  
Structural Firefighting**



**This hood is damaged  
and must be replaced per  
N.J.A.C. 12:100-10.9(c).**



# N.J.A.C. 12:100-10.10

## Respiratory Protection Devices

- **Must be worn when:**
  - Interior structural firefighting
  - Confined spaces
  - Emergency situation involving toxic substances
  - **During all phases of firefighting and overhaul**
    - How does incident commander determine end of overhaul??
    - How much do you have to worry about HCN gas in modern fires??



# N.J.A.C. 12:100-10.11

## Life Safety Rope, Harness and Hardware

- For Departments that perform rope rescue:
  - Ropes, harnesses and hardware must be provided at no cost.
  - Ropes, harnesses and hardware must comply with NFPA 1983-1985
  - *Note: Training and written procedures are also required as written in NJAC 12:100-10.3*



# N.J.A.C. 12:100-10.12

## Personal Alert Safety System

- Required that all employees are provided with a PASS device at no cost.
- Both external and integrated PASS devices are compliant.
- If you have both, they both must be in working order at all times.



# N.J.A.C. 12:100-10.14

## Filling Air Cylinders

- Firefighters **must** receive **training** before filling SCBA tanks.
- ( pressure in a SCBA tank = ????)
- The filling station must have proper facilities to ensure the safety of personnel.





# N.J.A.C. 12:100-10.15

## Fire Apparatus Operations

- All Firefighters except the driver must **don** their protective gear **before** leaving the station.
- All seat stations must have a restraining device for Firefighters such as a **seatbelt**.
- All fire apparatus remanufactured after 1/4/1993 must have enclosed crew quarters.

