

**Windsor Volunteer Fire Department  
PO Box 181  
Windsor, ME 04363**



Arthur C. Strout, Chief

May 21, 2024

To whom it may concern,

The members of the Windsor Volunteer Fire Department (Maine) are submitting public comment in reference to the proposed OSHA changes to CFR 29 1910.156.

### **Our Community Background**

The Windsor Volunteer Fire Department is a volunteer department in Windsor, Maine, located just east of the capital of Augusta. Our rural town has a year-round population of around 2,650 residents, consists of 36 square miles, and includes three State highways that link coastal and central Maine. Windsor is also home to the Windsor Fair which is the second largest agricultural fair in the State of Maine. We are responsible for providing on-site fire and medical services throughout the entire ten-day fair to over 100,000 people.

Our fire department maintains two pumpers, two tankers, a forestry truck, a Utility (light and air) truck, and a Basic Life Support Rescue truck. Windsor Fire responds to an average of 120 fire calls per year including structure fires, chimney fires, vehicle fires, motor vehicle accidents, natural disaster cleanup, EMS assistance, carbon monoxide alarms and smoke investigations. Windsor Rescue is a Basic Life Support unit and responds to approximately 300 medical calls each year including injuries, motor vehicle accidents, as well as cardiac and respiratory issues. We have a mutual aid agreement with three fire departments in our neighboring Lincoln County and we typically respond about a dozen times a year for structure fires, chimney fires, and brush fires. We have also responded to fires in at least eight other surrounding towns for similar type calls in the past.

We have been fortunate to hold a stable membership over the past ten years. We currently have twenty members on the fire department, eight members on Rescue and five of whom perform functions on both. Twelve of our firefighters are SCBA certified, four of whom have completed Firefighter I/II. We hold monthly meetings to discuss organizational business, health and safety topics, upcoming trainings, and special events. We hold at least two regular trainings per month and a mandatory annual training refresher to fulfill all the required trainings for the entire membership. The Lieutenants perform monthly inspections for all equipment and apparatus.

The fire department operations budget is \$61,800, or 0.65% of the Town of Windsor's municipal, county and school budget combined. This amount is not sufficient to cover our annual operating costs, so we must hold fundraisers to make up the difference needed.

Compliant inspections with Maine Department of Labor/Bureau of Labor Standards have earned us their Safety and Health Award for Public Employees (SHAPE) award in 2016, with successful renewals in 2018 and 2022. SHAPE is a voluntary protection program for all public safety sector employers/employees that are going above and

beyond the safety and health requirements to provide a safe and healthy workplace and strive to keep injuries and illnesses down. Earning this award means that we have proven to be compliant with the regulations set before us by our OSHA regulated State and trusted to conform with the safety requirements at the State level.

## **Program and Financial Impacts**

While we appreciate that the intent of the proposed standards is to improve the health and safety of firefighters nationwide, we believe the proposed regulations are drastic, unachievable to small fire departments, and unrealistic to be implemented in the short timeframe. These proposed standards will have detrimental impacts to most small fire departments. The reality is that regardless of the size, how wealthy, how organized, or how well trained, no fire department will ever be fully OSHA compliant. Most small rural towns that fund the operating cost of fire departments don't have a large tax base to draw from to pay for the expenses of implementing these standards. Most fire departments support the proposed changes but realize they will also have difficulty with the constricted timeframe, limited resources, and financial burden to be fully compliant.

Some firefighters would be physically unable to continue under the proposed regulations. Some firefighters would be unwilling or unable to continue to volunteer their time due to the stringent requirements. Some firefighters will simply decide to retire from the fire service completely. Those few remaining firefighters who are still willing to serve will need to dedicate significantly more hours to do much more training than what is currently required. Multiply this situation across every small-town fire department across our state. Multiply this situation across every state across our nation. These regulations are going to significantly change the face of the fire service as we know it. ***Many small fire departments will simply be forced to close their doors permanently and attempt to contract with other fire departments who would already be feeling the effects of reduced manpower. This circumstance would have an impact on increased response times, a larger response area to be covered, and at a greater cost and higher insurance rates to the taxpayer.***

Small and mid-sized communities nationwide rely heavily on volunteer firefighters. ***In the past 40 years, the number of volunteers decreased by 25%, however, the number of calls increased by 208% mainly due to fire departments assuming wider response roles and an increase in EMS call volume. With a decrease in firefighters in rural areas, there has been an increase in automatic mutual aid calls, even for basic types of calls.*** In Maine, 93% of our fire departments are comprised of "volunteers" or "mostly volunteers", more commonly in small towns, well above the national average of 65%. If the OSHA regulations are implemented as proposed, the impact on the staffing levels in our state would be devastating. For example, imagine walking into any service business and there was only one employee working, but it took ten employees to make the business work efficiently. The same situation would occur in Maine; the neighbor's house would burn or the elderly lady next door having a heart attack would die due to the lack of first responders available.

If most of our members decide not to remain on the department due to these changes, our town would be forced to hire a full-time department. Based on estimates and using actual salary and benefit rates, it would cost the Town of Windsor at least \$700,000 annually for a Fire Chief, six firefighters, and one administrative staff to operate with full-time employment as a fire department. This figure does not include other benefit types not currently offered by the Town, which may need to be offered to be competitive, retain, or entice firefighters to be employed in our community. When including the cost to modify and add to the existing building to accommodate the proposed regulations for a PPE decontamination and storage room, physical fitness room, sleeping/living/restroom/shower facilities, an additional \$600,000 would be needed.

We are currently doing our required training; equipment, apparatus, and station inspections; and specialized trainings appropriate for the risks in our town—our responses have been safe and successful with low injury rates. We could handle the enhanced medical physicals and driver qualifications as proposed. We would have difficulty implementing Emergency Response Plan tiers, a physical fitness room, the expedited PPE replacement plan, and a decontamination/storage room, all due to lack of money; and, Fire Officer training due to lack of time. The regulations that would be impossible to achieve would be the replacement of apparatus every 20 years (not to mention manufacturers couldn't keep up with the demand), and the development of Emergency Response Plans

for every type of commercial and industrial facility. We can't afford full-time administrative staff to assist in the overwhelming feat of paperwork and changing regulations.

### **Requests and Recommendations**

These regulations will burden small fire departments, however, providing federal funding will not totally resolve the problem either. ***These regulations need to consider the contrasting demographics, characteristics, geography, climate, and infrastructure of rural versus urban fire departments and their communities. Not all fire departments are the same size and face the same risks and challenges.*** By putting Windsor, Maine in the same category as large fire departments such as Chicago, New York, or Los Angeles, OSHA is ignoring the fact that all departments are not similar and don't have the same operational risks.

***We respectfully request an additional 90-day extension of the comment period be granted to allow fire departments more time to not only learn of these changes for the first time, but to also understand and put a plan of action together.*** This would also provide fire departments further time to discuss, determine, plan, and prepare for the impacts of these new proposed standards to their organization and community. To ease fire departments on the implementation of the complexity of numerous changes, we would suggest a phase-in plan of these regulations of a minimum of a 5-year timeframe and a 10-year timeframe on apparatus replacement. If these regulations are passed into law as proposed, volunteer firefighters will resign, and fire departments will close permanently. ***The result will cause a drastic increase in damages to property and lives lost in the rural parts of our country.***

Thank you for taking the time to read our comments on these proposed regulations. We ask that you will carefully and thoughtfully consider the significant changes they would have on fire departments, the financial impact to municipalities, and citizens that we protect and serve.

Sincerely,  
Members of the Windsor Volunteer Fire Department  
Windsor, Maine