

RANKING MINORITY MEMBER
ENVIRONMENTAL CONSERVATION
INTERNET AND TECHNOLOGY

COMMITTEES
EDUCATION
HEALTH
RULES
VETERANS, HOMELAND SECURITY
AND MILITARY AFFAIRS

**THE SENATE
STATE OF NEW YORK**



DANIEL G. STEC
SENATOR, 45TH DISTRICT

ALBANY OFFICE:
ROOM 408
LEGISLATIVE OFFICE BLDG.
ALBANY, NY 12247
(518) 455-2811
(F) (518) 426-6873

DISTRICT OFFICE:
5 WARREN STREET, STE. 3
GLENS FALLS, NY 12801
(518) 743-0968
(F) (518) 743-0336

EMAIL:
STEC@NYSenate.GOV

The Honorable Julie A. Su Acting Secretary
U.S. Department of Labor
200 Constitution Avenue, NW Washington, DC 20210

July 12, 2024

Dear Acting Secretary Su:

On Feb. 5, the Occupational Safety and Health Administration published a proposed rule, 1910.156, to establish a new safety and health standard to protect emergency responders from a variety of occupational hazards. The proposal would broaden the scope of entities falling within the regulation beyond firefighting services to include entities that provide technical search and rescue and emergency medical services.

While the proposal's goal is laudable, it would ultimately do more harm than good and would jeopardize the existence of many fire, rescue, and emergency medical services organizations.

Specifically, the proposed rule would establish a one-size-fits-all regulatory regime without consideration for the resources in a given community. It would impose massive administrative and cost burdens, and includes educational and physical requirements that would exacerbate existing retention and recruitment challenges from emergency service organizations.

The proposal would particularly cripple volunteer fire, rescue, and emergency medical services organizations in rural communities.

It would saddle ESOs with excessive administrative requirements that would take resources away from ensuring the health and safety of their workforce. The paperwork required to document compliance with the risk management plan alone is staggering and would especially burden small and volunteer departments without in-house legal or clerical staff.

The costs imposed would cripple fire departments, technical search and rescue, and EMS organizations. In addition to having to hire clerical staff to meet the administrative requirements, the proposed rule may necessitate ESOs to replace existing personal protective equipment, upgrade emergency response vehicles, invest in new equipment, and make infrastructure modifications to their facilities.

Further, the increased medical and physical requirements under the proposed rule are overly burdensome and could disqualify many volunteers despite their skills and relevant experience.

For these reasons, the U.S. Department of Labor should abandon the proposed rule and consider alternative ways to protect the health and safety of emergency responders.

Sincerely,



Daniel G. Stec
Senator, New York's 45th District



Steven D. Rhoads
Senator, New York's 5th District



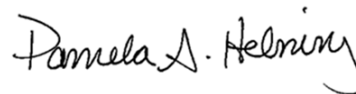
Peter Oberacker
Senator, New York's 51st District



George M. Borrello
Senator, New York's 57th District



Rob Rolison
Senator, New York's 39th District



Pamela Helming
Senator, New York's 54th District



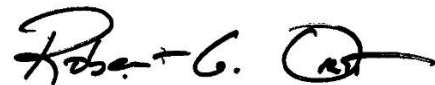
James N. Tedisco
Senator, New York's 44th District



Patrick M. Gallivan
Senator, New York's 60th District



Joseph A. Griffo
Senator, New York's 53rd District



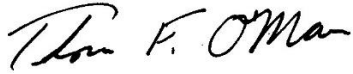
Robert G. Ort
Senate Minority Leader
New York's 62nd District



Patricia Canzoneri-Fitzpatrick
Senator, New York's 9th District



Jacob Ashby
Senator, New York's 43rd District



Thomas F. O'Mara
Senator, New York's 58th District