

# RIN Data

DOL/OSHA

RIN: 1218-AC91

Publication ID: Fall 2023

Title: Emergency Response

**Abstract:**

OSHA currently regulates aspects of emergency response and preparedness; some of these standards were promulgated decades ago, and none were designed as comprehensive emergency response standards. Consequently, they do not address the full range of hazards or concerns currently facing emergency responders, and other workers providing skilled support, nor do they reflect major changes in performance specifications for protective clothing and equipment. The agency acknowledges that current OSHA standards also do not reflect all the major developments in safety and health practices that have already been accepted by the emergency response community and incorporated into industry consensus standards. OSHA is considering updating these standards with information gathered through an RFI and public meetings.

**Agency:** Department of Labor(DOL)

**Priority:** Section 3(f)(1) Significant

**RIN Status:** Previously published in the Unified Agenda

**Agenda Stage of Rulemaking:** Proposed Rule Stage

**Major:** Yes

**Unfunded Mandates:** Undetermined

**CFR Citation:** [29 CFR 1910](#)

**Legal Authority:** [29 U.S.C. 655\(b\)](#), [29 U.S.C. 657](#), [5 U.S.C. 609](#)

**Legal Deadline:** None

**Statement of Need:**

Emergency response is a dangerous activity with more than 100 responders killed, and hundreds of thousands injured each year. OSHA currently regulates aspects of emergency response and preparedness; some of these standards were promulgated decades ago, and none were designed as comprehensive emergency response standards. Consequently, they do not address the full range of hazards or concerns currently facing emergency responders, nor do they reflect major changes in performance specifications for protective clothing and equipment. The agency acknowledges that current OSHA standards also do not reflect all the major developments in safety and health practices that have already been accepted by the emergency response community and incorporated into industry consensus standards. OSHA is developing a proposed rule that updates, by replacing, the existing outdated fire brigade standard to reflect current consensus standards and industry best practices. The agency anticipates that compliance with the updated rule would significantly reduce injuries and fatalities.

**Summary of the Legal Basis:**

The Occupational Safety and Health Act of 1970 authorizes the Secretary of Labor to set mandatory occupational safety and health standards to assure safe and healthful working conditions for working men and women (29 U.S.C. 651).

**Alternatives:**

One alternative to proposed rulemaking would be to take no regulatory action. As a program standard that is primarily performance based, alternatives would depend on each employer's individual situation. There are no alternatives proposed in the NPRM under development. OSHA intends to seek stakeholder input for alternatives that could reduce the burden on small entities, and on entities with volunteer emergency responders who are treated as employees in some states with OSHA approved state OSH programs and would be impacted by a proposed rule.

**Anticipated Costs and Benefits:**

The estimates of costs and benefits are still under development.

**Risks:**

Analysis of risks is still under development.

**Timetable:**

Action	Date	FR Cite
Stakeholder Meetings	07/30/2014	
Convene NACOSH Workgroup	09/09/2015	
NACOSH Review of Workgroup Report	12/14/2016	
Initiate SBREFA	08/02/2021	
Finalize SBREFA	12/02/2021	
NPRM	11/00/2023	

**Regulatory Flexibility Analysis Required:** Yes

**Government Levels Affected:** Local, State

**Small Entities Affected:** Governmental Jurisdictions

**Federalism:** Undetermined

**Included in the Regulatory Plan:** Yes

**RIN Data Printed in the FR:** Yes

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