



IOWA DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

Douglas L. Parker
Assistant Secretary of Labor for Occupational Safety and Health
200 Constitutional Ave NW
Washington, DC 20210

Re: New OSHA Fire Brigades Standard, 29 C.F.R. Part 1910 (Docket No. OSHA-2007-0073)

Dear Assistant Secretary Parker:

We write with concern about the proposed upcoming changes to the Occupational Safety and Health Administration's Fire Brigades standard. According to the United States Fire Administration, roughly 70% of all fire departments nationwide are volunteer rather than career—and in Iowa, as well as other more rural States, that number eclipses 90%. For those departments, the extra costs the proposed Rule imposes could be fatal—both for the departments' operation and for the Americans that depend on the departments' volunteers to put out fires.

Running a volunteer fire department takes incredible amounts of time, effort, dedication, and money. Imposing new burdens on those departments—even with the best intentions—risks their viability. And this rule imposes significant burdens beyond what those departments can handle.

The proposed Rule's regulations go too far and in so doing impose substantial costs that will be hard for departments to bear. For example, mandating National Fire Protection Association standards for personal protection equipment will be a burden. But if the proposed Rule stopped there, it would not be quite so substantial a problem. Many departments agree that burden may be worth the cost. But the proposed Rule does so much more. And those additional costs on Departments risk pushing those Departments into insolvency.

It takes six brave firefighters to put out a fire, regardless of whether the fire is in a town of 500 or a city of 50,000. But the cost of the necessary equipment and training for those six fire fighters is 100 times more expensive

per resident in the 500-person town than in the 50,000-person city. And there is no funding to support that increased cost.

And in many small-town departments there is not enough—or any — administrative staff to deal with increased regulatory burdens. Annual community-risk analyses for these small-town departments may be good in theory but requiring them will likely fail in practice.

To put some concrete numbers on the costs of the rule: the Iowa Firefighters Association anticipates that the cost to implement this rule change in Iowa will be up to \$14,000 and 198 hours of extra administrative work time. For context, the average volunteer fire department in Iowa operates with a \$75,000 budget—and even then struggles. Increasing such a department's costs by almost 20% without any commensurate increase in funding risks pushing many volunteer fire departments out of operation.

Availability of and proximity to fire departments and fire hydrants is also a major player in housing costs through insurance. Insurance rates for homes far away from fire departments are significantly higher than those in close proximity. Rules that will decrease access to fire departments—or increase response times through thinner staffing, fewer trucks with an up-to-date maintenance record, or many of the other proposals in the rule—will be felt in pocketbooks across the country.

While many of the proposed changes in this proposed Rule are being made with the best intentions, the effect will be less fire protection for people across the country—especially in rural areas. Our volunteer firefighters step up because their communities need them. OSHA should not be pressuring them to go out of business rather than continue protecting their communities. We ask that you reconsider and narrow this rule so that these departments can continue to do what is important in defending our communities.

Sincerely,

A handwritten signature in cursive script that reads "Brenna Bird".

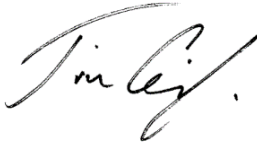
Brenna Bird
Attorney General of Iowa



Steve Marshall
Attorney General of Alabama



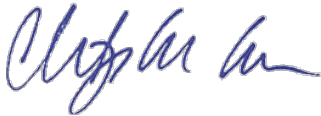
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