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SPS 330 ADVISORY COUNCIL
FIRE DEPARTMENT SAFETY AND HEALTH
Room 121A, 1400 East Washington Avenue, Madison
Contact: Jeff Grothman (608) 266-2112
April 27, 2015

The following agenda describes the issues that the Council plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the resulting meeting minutes for a description of the recommendations of the Council.

AGENDA

10:00 A.M.

CALL TO ORDER – ROLL CALL

A. Adoption of Agenda (1)

B. Welcome and Introduction

C. Approval of Minutes of October 1, 2013 (2)

D. Department Update

E. Election of Chairperson and Vice-Chairperson

F. Summary and Discussion of SPS 330 Handout (3-55)

G. Public Comments

H. Future Business

I. Adjournment

SPS 330 FIRE DEPARTMENT SAFETY AND HEALTH CODE COUNCIL
MEETING MINUTES
October 1, 2013

PRESENT: Steve Beer, Todd Blaser, Gerald Derr, Don Dominick, and Nate Melby

EXCUSED: Randy McCartney

STAFF: April Hammond, Occupational Safety Inspector; Sam Rockweiler, Rules Coordinator; and Jeff Weigand, Policy Director

CALL TO ORDER

Jeff Weigand called the meeting to order at 9:10 a.m. A quorum of five members was present.

ADOPTION OF AGENDA

MOTION: Todd Blaser moved, seconded by Gerald Derr, to adopt the agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES

MOTION: Gerald Derr moved, seconded by Todd Blaser, to approve the minutes of August 14, 2013 as published. Motion carried unanimously.

COUNCIL ISSUES AND CONCERNS

MOTION: Don Dominick moved, seconded by Steve Beer, to revise section SPS 330.003 (2) so that it applies the chapter to private-sector-employer fire companies and fire departments that provide firefighting service to public-sector employers. Motion carried unanimously.

MOTION: Nate Melby moved, seconded by Don Dominick, to delete "public" from the definition of fire department in SPS 330.01 (9). Motion carried unanimously.

ADJOURNMENT

MOTION: Nate Melby moved, seconded by Steve Beer, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 12:16 p.m.

SPS 330 - Current	29 CFR 1910 (OSHA) - Current Standards	Suggested Revisions	Comments
Subchapter I - Purpose and Scope			
330.001 Purpose- Pursuant to s. 101.055 (3) (a), Stats., the purpose of this chapter is to establish minimum safety and health standards for **public sector** fire department employees.			Meets OSHA standards
SPS 330.002 Scope. In addition to the requirements in ch. SPS 332, this chapter contains minimum requirements for an occupational safety and health program for **public sector** fire department employees involved in fire department operations.	1910.155 Scope, application and definitions applicable to this subpart. (a) Scope. This subpart contains requirements for fire brigades, and all portable and fixed fire suppression equipment, fire detection systems, and fire or employee alarm systems installed to meet the fire protection requirements of 29 CFR part 1910. 29 CFR 1910.155 (18) Fire brigade (private fire department, industrial fire department) means an organized group of employees who are knowledgeable, trained, and skilled in at least basic fire fighting operations.		Meets OSHA standards
SPS 330.002 Note: Chapter SPS 332 contains additional safety and health requirements for all public employees.			

SPS 330.003 Application.(1) Covered. This chapter applies to all fire departments having **public** employees, whether existing prior to the effective date of this chapter or subsequently established.	1910.155 Scope, application and definitions applicable to this subpart. (a) Scope. This subpart contains requirements for fire brigades, and all portable and fixed fire suppression equipment, fire detection systems, and fire or employee alarm systems installed to meet the fire protection requirements of 29 CFR part 1910. 29 CFR 1910.155 (18) Fire brigade (private fire department, industrial fire department) means an organized group of employees who are knowledgeable, trained, and skilled in at least basic fire fighting operations.		Meets OSHA standards
SPS 330.003(2) Not covered. This chapter does not apply to private sector employer fire companies and fire departments either of which are organized as non-stock, non-profit corporations under ch. 181, Stats., or under ch. 213, Stats., without the input of a municipality.	1910.155 Scope, application and definitions applicable to this subpart. (a) Scope. This subpart contains requirements for fire brigades, and all portable and fixed fire suppression equipment, fire detection systems, and fire or employee alarm systems installed to meet the fire protection requirements of 29 CFR part 1910. 29 CFR 1910.155 (18) Fire brigade (private fire department, industrial fire department) means an organized group of employees who are knowledgeable, trained, and skilled in at least basic fire fighting operations.	SPS 330.003(2) Not covered. This chapter does not apply to private sector employer fire companies and fire departments either of which are organized as non-stock, non-profit corporations under ch. 181, Stats., or under ch. 213, Stats.~~, without the input of a municipality~~.	NOTE: Caselaw and Wis. Atty Gen. opinions do not appear to support the conclusion that we can draw private fire departments under the purview of SPS 330. (See OAG 80-61; 265 Wis. 250; 265 Wis.2d 575) Conclusion: Consulted with DSPS chief legal counsel as to our authority to treat private fire companies/departments as public fire departments. He opined that it makes most sense to keep volunteer and other fire departments separate from SPS 330. Also, he felt that the last clause of 330.003(2) is superfluous.

SPS 330.003(2) Note: Private sector employer fire companies and fire departments are regulated under 29 CFR 1910, especially section CFR 1910.156, of the federal Occupational Safety and Health Administration (OSHA) regulations.			
SPS 330.003(2) Note: Most of the requirements of this chapter are based upon the National Fire Protection Association Standard NFPA No. 1500 - Standard on Fire Department Occupational Safety and Health Program. The requirements of subch. XI are based upon 29 CFR section 1910.156 (b) (2) of the OSHA regulations.			
SPS 330.003(3) Conflicts. If requirements of the statutes, this chapter or other Wisconsin administrative code chapters specify varying requirements, the requirement more protective of employee safety and health shall apply.			
Subchapter II - Definitions			
330.01(9) "Fire department" means any public organization engaged in fire fighting.	1910.155(c) Definitions applicable to this subpart— (18) Fire brigade (private fire department, industrial fire department) means an organized group of employees who are knowledgeable, trained, and skilled in at least basic fire fighting operations.		Meets OSHA standards

330.01(12) "Fire fighting" means any activity related to controlling and extinguishing an unwanted fire or a fire set for training fire fighters, including any activity that exposes a fire fighter to the danger of heat, flame, smoke or any other product of combustion, explosion or structural collapse, but does not include any activities pertaining to fighting wildland fires.	Not defined	(12) "Fire fighting" means any activity related to controlling and extinguishing an unwanted fire or a fire set for training fire fighters, including any activity that exposes a fire fighter to the danger of heat, flame, smoke or any other product of combustion, explosion or structural collapse , but does not include any activities pertaining to fighting wildland fires. Fire fighting includes miscellaneous emergency operations and hazardous situations such as, but not limited to, structural collapse rescue, elevator rescue, trench rescue and terrorism responses.	Definition does not include other firefighting functions such as rescue, extraction. Included language from 330.23 - miscellaneous emergency operations and hazardous situations. "Wildland fires" fall under the purview of the DNR.
Subchapter III - Administration and Enforcement			
SPS 330.011 Inspections.			

SPS 330.011(1) Right of entry to investigate or inspect. The authorized representatives of the department, upon presentation of the appropriate credentials to an employer, may:	1903.3(a) Compliance Safety and Health Officers of the Department of Labor are authorized to enter without delay and at reasonable times any factory, plant, establishment, construction site, or other area, workplace or environment where work is performed by an employee of an employer; to inspect and investigate during regular working hours and at other reasonable times, and within reasonable limits and in a reasonable manner, any such place of employment, and all pertinent conditions, structures, machines, apparatus, devices, equipment and materials therein; to question privately any employer, owner, operator, agent or employee; and to review records required by the Act and regulations published in this chapter, and other records which are directly related to the purpose of the inspection. Representatives of the Secretary of Health, Education, and Welfare are authorized to make inspections and to question employers and employees in order to carry out the functions of the Secretary of Health, Education, and Welfare under the Act.		Meets OSHA standards
SPS 330.011(1)(a) Enter without delay and at reasonable times any building, place of employment or workplace of a public employer, or an environment where work is performed by an employee of the employer; and	1903.3(a) - above		Meets OSHA standards

330.011(1)(b) Inspect and investigate during regular working hours and at other reasonable times, and within reasonable limits and in a reasonable manner, any place of employment and all pertinent conditions, structures, machines, apparatus, devices, equipment, and materials therein, and question privately any employer or employee.	1903.3(a) - above		Meets OSHA standards
330.011(2) Participation in inspections. Pursuant to s. 101.055 (5), Stats., a representative of the employer, an employee, or an employee representative shall be provided an opportunity to accompany a department inspector on any inspection made under this chapter.	1903.8(a) Compliance Safety and Health Officers shall be in charge of inspections and questioning of persons. A representative of the employer and a representative authorized by his employees shall be given an opportunity to accompany the Compliance Safety and Health Officer during the physical inspection of any workplace for the purpose of aiding such inspection....		Meets OSHA standards
330.011(3) Requests for inspections.			
330.011(3)(a) Any person who believes a safety or health standard or variance is being violated, or that a situation exists which poses a recognized hazard likely to cause death or serious physical harm, may request the department to conduct an inspection.	1903.11(a) Any employee or representative of employees who believe that a violation of the Act exists in any workplace where such employee is employed may request an inspection of such workplace by giving notice of the alleged violation to the Area Director or to a Compliance Safety and Health Officer....		Meets OSHA standards

330.011(3)(b) If an employee or employee representative requesting an inspection so designates, that person's name may not be disclosed to the employer or any other person, including any state agency except the department.	1903.11(a) ...A copy shall be provided the employer or his agent by the Area Director or Compliance Safety and Health Officer no later than at the time of inspection, except that, upon the request of the person giving such notice, his name and the names of individual employees referred to therein shall not appear in such copy or on any record published, released, or made available by the Department of Labor.		Meets OSHA standards
330.011(3)(c) When determined necessary by the department, a request for inspection shall be made on a form provided by the department.	1903.11(a) Any employee or representative of employees who believe that a violation of the Act exists in any workplace where such employee is employed may request an inspection of such workplace by giving notice of the alleged violation to the Area Director or to a Compliance Safety and Health Officer. Any such notice shall be reduced to writing, shall set forth with reasonable particularity the grounds for the notice, and shall be signed by the employee or representative of employees.		Meets OSHA standards

330.011(4) Orders. Pursuant to s. 101.055 (6), Stats., the department shall issue orders for violation of this chapter.	1903.14(a) The Area Director shall review the inspection report of the Compliance Safety and Health Officer. If, on the basis of the report the Area Director believes that the employer has violated a requirement of section 5 of the Act, of any standard, rule or order promulgated pursuant to section 6 of the Act, or of any substantive rule published in this chapter, he shall, if appropriate, consult with the Regional Solicitor, and he shall issue to the employer either a citation or a notice of de minimis violations which have no direct or immediate relationship to safety or health....		Meets OSHA standards
SPS 330.012 Posting department order. Upon issuance of an order of noncompliance, the employer shall post a copy of the order in accordance with s. 101.055 (6) (a) 1., Stats.	1903.16(a) Upon receipt of any citation under the Act, the employer shall immediately post such citation, or a copy thereof, unedited, at or near each place an alleged violation referred to in the citation occurred, ….		Meets OSHA standards
SPS 330.013 Variances. Pursuant to s. 101.055 (4), Stats., the department shall consider and may grant a temporary variance, an experimental variance or a permanent variance as specified in s. SPS 303.04 for a safety and health issue affecting public employees.	No provision		

SPS 330.014 Notices. Every employer shall post a notice which summarizes the employee's protections and rights as granted under s. 101.055, Stats.	1903.2(a)(1) Each employer shall post and keep posted a notice or notices, to be furnished by the Occupational Safety and Health Administration, U.S. Department of Labor, informing employees of the protections and obligations provided for in the Act, and that for assistance and information, including copies of the Act and of specific safety and health standards, employees should contact the employer or the nearest office of the Department of Labor. Such notice or notices shall be posted by the employer in each establishment in a conspicuous place or places where notices to employees are customarily posted. Each employer shall take steps to insure that such notices are not altered, defaced, or covered by other material.		Meets OSHA standards
SPS 330.015 Penalties. Penalties for violations of this chapter may be assessed as specified in s. 101.02, Stats.	1903.15(a) After, or concurrent with, the issuance of a citation, and within a reasonable time after the termination of the inspection, the Area Director shall notify the employer by certified mail or by personal service by the Compliance Safety and Health Officer of the proposed penalty under section 17 of the Act, or that no penalty is being proposed.		Meets OSHA standards
SPS 330.015 Note: Section 101.02 (13) (a), Stats., indicates penalties will be assessed against….			
SPS 330.015 Note: Section 101.02 (12), Stats., indicates that every day during which….			

Subchapter IV - Adopted Standards			
SPS 330.02 Incorporation of standards by reference.			
SPS 330.02(1) NFPA standards. The following standards of the National Fire Protection Association, One Batterymarch Park, P.O. Box 9101, Quincy, Massachusetts, 02269-9101 are hereby incorporated by reference into this chapter:		National Fire Protection Association, ~~One Batterymarch Park, P.O. Box 9101, Quincy, Massachusetts, 02269-9101~~ 1 Batterymarch Park, Quincy, Massachusetts 02169-7471	Most recent mailing address on NFPA website
SPS 330.02(1)(a) NFPA 1001-1997, Standard for Fire Fighter Professional Qualifications.		NFPA 1001-~~1997~~ 2013	Most recent edition on NFPA website
SPS 330.02(1)(b) NFPA 1002-1998, Standard for Fire Apparatus Driver/Operator Professional Qualifications.		NFPA 1002-~~1998~~ 2014	Most recent edition on NFPA website
SPS 330.02(1)(c) NFPA 1021-1997 Standard for Fire Officer Professional Qualifications.		NFPA 1021-~~1997~~ 2014	Most recent edition on NFPA website
SPS 330.02(1)(d) NFPA 1403-1997, Standard on Live Fire Training Evolutions in Structures.		NFPA 1403-~~1997~~ 2012	Most recent edition on NFPA website
SPS 330.02(1)(e) NFPA 1901-1999, Standard for Automotive Fire Apparatus.		NFPA 1901-~~1999~~ 2009	Most recent edition on NFPA website
SPS 330.02(1)(f) NFPA 1911-1997, Standard for Service Tests of Pump Systems on Fire Department Apparatus.		NFPA 1911-~~1997~~ 2012	Most recent edition on NFPA website
SPS 330.02(1)(g) NFPA 1914-1997, Standard for Testing Fire Department Aerial Devices.		NFPA 1914-~~1997~~ 2002	Most recent edition on NFPA website

SPS 330.02(1)(h) NFPA 1971-2000, Standard on Protective Ensemble for Structural Fire Fighting.		NFPA 1971-~~2000~~ 2013	Most recent edition on NFPA website
SPS 330.02(1)(i) NFPA 1981-1997, Standard on Open-Circuit Self-Contained Breathing Apparatus for the Fire Service.		NFPA 1981-~~1997~~ 2013	Most recent edition on NFPA website
SPS 330.02(1)(j) NFPA 1982-1998, Standard on Personal Alert Safety Systems (PASS).		NFPA 1982-~~1998~~ 2013	Most recent edition on NFPA website
SPS 330.02(1)(k) NFPA 1983-2001, Standard on Fire Service Life Safety Rope and System Components.		NFPA 1983-~~2001~~ 2012	Most recent edition on NFPA website
SPS 330.02(2) CGA standards. The following standard of the Compressed Gas Association, 1235 Jefferson Davis Highway, Arlington, Virginia 22202 is hereby incorporated by reference into this chapter:		Compressed Gas Association, ~~1235 Jefferson Davis Highway, Arlington, Virginia 22202~~ 14501 George Carter Way, Suite 103, Chantilly, VA 20151	Most recent mailing address on CGA website
SPS 330.02(2)(a) CGA Standard G-7.1, 1997, Commodity Specification for Air.		CGA Standard G-7.1, ~~1997~~ 2011	Most recent edition on CGA website
SPS 330.02 Note: Copies of the standards are on file in the offices of the department and the legislative reference bureau. Copies may be purchased through the organizations listed.			
Subchapter V - Organization			
330.03 Fire Department Safety Position			
SPS 330.03 Fire department safety position.			NFPA 1521- Standard for Fire Department Safety Officer Professional Qualifications.

SPS 330.03(1) Assignment.			
SPS 330.03(1)(a) Each fire department shall have a safety position.	No provision		
SPS 330.03(1) (b) The safety position shall assist the fire chief in his or her responsibility for the safety and health of the fire fighter.	No provision		
SPS 330.03(1) (c) The safety position shall report directly to the fire chief.	No provision		
SPS 330.03(1)(c) Note: The safety position may be filled by a single individual or by several individuals as determined….			
Note: The safety position may be filled by a single individual or by several individuals as determined by need and at the discretion of the fire chief. When several individuals are assigned to the position, at least one should be a member of the occupational safety and health committee. The intent of the rule is to staff the safety position with existing personnel, which may be filled by a fire department member who performs other duties in addition to those set forth in this section.	No provision		
SPS 330.03(2) Qualifications. The safety position shall:	No provision		
SPS 330.03(2) (a) Be a fire department member;	No provision		
SPS 330.03(2)(b) Have a knowledge of state and local laws regulating fire fighter safety and health;	No provision		

SPS 330.03(2)(c) Have a knowledge of the potential safety and health hazards involved in fire fighting; and	No provision		
SPS 330.03(2)(d) Have a knowledge of the principles and techniques of managing a safety and health program.	No provision		
SPS 330.03(3) Authority. The safety position shall:	No provision		
SPS 330.03(3)(a) Have the responsibility to identify and recommend corrections of violations of safety and health standards;	No provision		
SPS 330.03(3)(b) Have the authority to recommend immediate correction of situations that create an imminent hazard to personnel; and	No provision		
SPS 330.03(3) (c) Have the authority to alter, suspend or terminate activities at the emergency scene when he or she judges those activities to be unsafe or an imminent hazard.	No provision		
SPS 330.03(4) Functions. The safety position shall:	No provision		
SPS 330.03(4) (a) Be a member of the safety and health committee, and maintain a liaison with staff officers, fire fighters, equipment manufacturers, regulatory agencies, safety specialists and the fire department physician;	No provision		

SPS 330.03(4) (b) Develop and revise rules and regulations and suggested operating guidelines pertaining to safety and health, and report to the fire chief on the adequacy and effectiveness of the rules and regulations. The fire chief shall define the role of the safety position in the enforcement of the rules and regulations;	No provision		
SPS 330.03(4) (c) Identify and mitigate safety hazards at incidents, and be involved in post-incident critiques; and	No provision		
SPS 330.03(4) (d) Ensure that training in safety procedures is provided to all fire fighters. Training shall address corrective actions recommended by accident investigations.	No provision		
SPS 330.05 Occupational safety and health committee.	1912.5 - National Advisory Committee on Occupational Safety and Health.		Meets OSHA standards
SPS 330.05(1) Every fire department shall establish an occupational safety and health committee which shall advise the chief of the fire department on issues related to the program. The committee shall include representatives of fire department management and fire fighters or representatives of fire fighter organizations or other persons. Any representatives of a fire service organization shall be selected by the fire fighter organization. The chief of the fire department shall appoint the other members of the committee.	1912.5 - National Advisory Committee on Occupational Safety and Health. Section 7(a) of the Act established a National Advisory Committee on Occupational Safety and Health. The Committee is to advise, consult with, and make recommendations to the Secretary and the Secretary of Health, Education, and Welfare on matters relating to general administration of the Act.		Meets OSHA standards

SPS 330.05(2) The committee appointed under sub. (1) shall:			
SPS 330.05(2)(a) Conduct research, develop recommendations and study and review matters pertaining to the program; and			
SPS 330.05(2)(b) Hold regularly scheduled meetings at least biannually and may hold special meetings as it determines necessary. The committee shall make a written record of its meetings available to all fire fighters in the fire department.			
SPS 330.06 Records. Every fire department shall:			
SPS 330.06(1) Establish a data collection system and maintain permanent records of all reported accidents, injuries, illnesses and deaths that are or may be job related. The system shall include individual records of any occupational exposure to known or suspected toxic products or contagious diseases.	1904.4(a) Basic requirement. Each employer required by this Part to keep records of fatalities, injuries, and illnesses must record each fatality, injury and illness that: 1904.4(a)(1) Is work-related; and 1904.4(a)(2) Is a new case; and 1904.4(a)(3) Meets one or more of the general recording criteria of § 1904.7 or the application to specific cases of § 1904.8 through § 1904.12.		Meets OSHA standards
SPS 330.06(2) Maintain a training record for each fire fighter indicating dates, subjects covered and certifications achieved.	No record requirement.		Meets OSHA standards
Subchapter VI - Training and Education			
330.07 Training and Education (1) Every fire department shall:			

SPS 330.07(a) Establish and maintain a training and education program for fire fighters to prevent occupational accidents, deaths, injuries and illnesses.	1910.156(c)(1) The employer shall provide training and education for all fire brigade members commensurate with those duties and functions that fire brigade members are expected to perform. Such training and education shall be provided to fire brigade members before they perform fire brigade emergency activities. Fire brigade leaders and training instructors shall be provided with training and education which is more comprehensive than that provided to the general membership of the fire brigade.		Meets OSHA standards
	See 1910.156(c)(1) above		
SPS 330.07(b) Provide training and education that does all of the following:			Meets OSHA standards
7 SPS 330.07(b) 1. Prepares a fire fighter to safely perform his or her duties.	See 1910.156(c)(1) above		Meets OSHA standards
SPS 330.07(b) 2. Prepares a fire fighter for any change in a procedure or technology or for any new hazard identified in his or her work environment.	See 1910.156(c)(1) above		Meets OSHA standards
SPS 330.07(b) 3. Prepares a new fire fighter whose duties include emergency operations to perform emergency operations. The training under this subdivision shall include training in the incident command system under s. SPS 330.14 (1) (b).	See 1910.156(c)(1) above		Meets OSHA standards

SPS 330.07(b) 4. Gives a fire fighter whose duties include structural fire fighting training consistent with established fire ground operating procedures. The training under this subdivision shall be at least monthly, shall be based on each fire department's suggested operating guidelines which are maintained in written form and which address all emergency scene operations, and shall be supervised by qualified instructors.	See 1910.156(c)(1) above		Meets OSHA standards
SPS 330.07 Note: A qualified instructor can be anyone who is knowledgeable in the topic, and not necessarily an instructor from the Wisconsin technical college system.			
SPS 330.07(b) 5. Prepares a fire fighter for special hazards to which he or she may be exposed during fires and other emergencies. The procedures for actions to address special hazards shall be in writing.	See 1910.156(c)(1) above and 1910.156(c)(4) The employer shall inform fire brigade members about special hazards such as storage and use of flammable liquids and gases, toxic chemicals, radioactive sources, and water reactive substances, to which they may be exposed during fire and other emergencies. The fire brigade members shall also be advised of any changes that occur in relation to the special hazards. The employer shall develop and make available for inspection by fire brigade members, written procedures that describe the actions to be taken in situations involving the special hazards and shall include these in the training and education program.		Meets OSHA standards

SPS 330.07(2) (a) All training and education under sub. (1) shall be provided by individuals who are qualified to teach the subject they are teaching.	1910.156(c)(1) ... Fire brigade leaders and training instructors shall be provided with training and education which is more comprehensive than that provided to the general membership of the fire brigade.		Meets OSHA standards
SPS 330.07(2)(b) The training shall be overseen by the fire chief or a designee who has completed at least the 12-hour National Fire Academy Field Course for Instructional Techniques for Company Officers or equivalent.	1910.156(c)(1) ... Fire brigade leaders and training instructors shall be provided with training and education which is more comprehensive than that provided to the general membership of the fire brigade.		Meets OSHA standards
SPS 330.07(3) A fire department shall provide the training required under sub. (1) (b) 1. and 2. biannually or more often, if necessary.	1910.156(c)(2) The employer shall assure that training and education is conducted frequently enough to assure that each member of the fire brigade is able to perform the member's assigned duties and functions satisfactorily and in a safe manner so as not to endanger fire brigade members or other employees. All fire brigade members shall be provided with training at least annually. In addition, fire brigade members who are expected to perform interior structural fire fighting shall be provided with an education session or training at least quarterly.		Meets OSHA standards

SPS 330.07(4) Any training of fire fighters which includes live fire fighting exercises shall be conducted in compliance with NFPA 1403.	1910.156(c)(3) The quality of the training and education program for fire brigade members shall be similar to those conducted by such fire training schools as the Maryland Fire and Rescue Institute; Iowa Fire Service Extension; West Virginia Fire Service Extension; Georgia Fire Academy, New York State Department, Fire Prevention and Control; Louisiana State University Firemen Training Program, or Washington State's Fire Service Training Commission for Vocational Education. (For example, for the oil refinery industry, with its unique hazards, the training and education program for those fire brigade members shall be similar to those conducted by Texas A & M University, Lamar University, Reno Fire School, or the Delaware State Fire School.)		Meets OSHA standards
SPS 330.07(5) A training program for any fire fighter engaged in fire ground operations shall include procedures to effect his or her safe exit from a dangerous area if equipment fails or fire conditions change suddenly.	1910.156(c)(3)		Meets OSHA standards
SPS 330.08 Employment standards.			
SPS 330.08(1)(a) Any new fire fighter engaged in structural fire fighting shall meet the minimum requirements specified by:			
SPS 330.08(1)(a)1. The Wisconsin technical college system board;	1910.156(c)(3)		Meets OSHA standards
SPS 330.08(1)(a)2. An approved state apprenticeship program;	1910.156(c)(3)		Meets OSHA standards

SPS 330.08(1)(a)3. An in-house training program approved by the Wisconsin technical college system board; or	1910.156(c)(3)		Meets OSHA standards
SPS 330.08(1)(a)4. NFPA 1001.			Meets OSHA standards
SPS 330.08(1)(b) All new fire fighters shall be permitted the opportunity to obtain the training specified in this subsection within 24 months of the date of his or her appointment to the fire department.	1910.156(c)(1) The employer shall provide training and education for all fire brigade members commensurate with those duties and functions that fire brigade members are expected to perform. Such training and education shall be provided to fire brigade members before they perform fire brigade emergency activities....	SPS 330.08(1)(b) All new fire fighters shall be permitted the opportunity to obtain the training specified in this subsection within 24 months of the date of his or her appointment to the fire department. New fire fighters will not perform any fire fighting activity before receiving the specified training.	
SPS 330.08(1)(c) No new fire fighter may be permitted to participate in structural fire fighting activities which require the individual to enter or be in close proximity to the building, enclosed structure, vehicle or vessel until that individual has completed the training specified in this subsection.	1910.156(c)(1) The employer shall provide training and education for all fire brigade members commensurate with those duties and functions that fire brigade members are expected to perform. Such training and education shall be provided to fire brigade members before they perform fire brigade emergency activities....		Meets OSHA standards
SPS 330.08(2)(a) Every new pumper operator or new aerial operator shall meet the minimum requirements specified by:			
SPS 330.08(2)(a)1. The Wisconsin technical college system board;	1910.156(c)(1) The employer shall provide training and education for all fire brigade members commensurate with those duties and functions that fire brigade members are expected to perform.		Meets OSHA standards
SPS 330.08(2)(a)2. An approved state apprenticeship program;	1910.156(c)(1)		Meets OSHA standards

SPS 330.08(2)(a)3. An in-house training program approved by the Wisconsin technical college system board; or	1910.156(c)(1)		Meets OSHA standards
SPS 330.08(2)(a)4. NFPA 1002.	1910.156(c)(1)		Meets OSHA standards
SPS 330.08(2)(b) New pumper operators and new aerial operators shall obtain the training specified in this subsection within 12 months of the date of appointment.	1910.156(c)(1)		Meets OSHA standards
SPS 330.08(3) A new fire officer, after appointment, shall be provided with the opportunity to take the basic officer training program within 12 months of appointment. The training program shall meet the minimum requirements specified by:	1910.156(c)(1) The employer shall provide training and education for all fire brigade members commensurate with those duties and functions that fire brigade members are expected to perform. Such training and education shall be provided to fire brigade members <u>before they perform fire brigade emergency activities</u>....	SPS 330.08(3) A new fire officer, after appointment, shall be provided with the opportunity to take the basic officer training program within 12 months of appointment. <u>New fire officers will not perform fire officer activities before receiving the required basic officer training.</u> The training program shall meet the minimum requirements specified by:	
SPS 330.08(3)(a) The Wisconsin technical college system board;	1910.156(c)(1)		Meets OSHA standards
SPS 330.08(3)(b) An approved state apprenticeship program;	1910.156(c)(1)		Meets OSHA standards
SPS 330.08(3)(c) An in-house training program approved by the Wisconsin technical college system board; or	1910.156(c)(1)		Meets OSHA standards
SPS 330.08(3)(d) NFPA 1021.	1910.156(c)(1)		Meets OSHA standards

SPS 330.08(4) Any member of a fire department on March 31, 1991, shall have his or her level of ability and training specified in writing by the fire chief or shall have a current fire fighter certification from the Wisconsin technical college system board. The level of ability and training specified by the fire chief may not be transferred to any other fire department.	1910.156(c)(1) The employer shall provide training and education for all fire brigade members commensurate with those duties and functions that fire brigade members are expected to perform.		Meets OSHA standards
Subchapter VII - Vehicles and Equipment			
SPS 330.09 Vehicles.			
SPS 330.09(1) Every fire department shall:			
SPS 330.09(1) (a) Give substantial consideration to the health and safety of fire fighters in relation to the specification, design, construction, acquisition, operation, maintenance, inspection and repair of all vehicles and equipment.	No provision		NFPA 1901.
SPS 330.09(1) (b) Provide helmet and eye protection to any person riding in any part of a fire vehicle that is not enclosed and require that the person wear the protection while riding in that part.	1910.133(a)(1) The employer shall ensure that each affected employee uses appropriate eye or face protection when exposed to eye or face hazards from flying particles, molten metal, liquid chemicals, acids or caustic liquids, chemical gases or vapors, or potentially injurious light radiation. 1910.135(a)(1) The employer shall ensure that each affected employee wears a protective helmet when working in areas where there is a potential for injury to the head from falling objects.		Meets OSHA standards

SPS 330.09(1)(c)1. Except as provided in subd. 2., when specifying and ordering any fire apparatus after April 1, 1991, require a sufficient number of seats in an enclosed area for the maximum number of persons who may ride on the apparatus at any time, as specified by NFPA 1901.	No provision		
SPS 330.09(1)(c) 2. Fire apparatus manufactured prior to April 1, 1991, may be sold, traded or given to another fire department for use after April 1, 1991, provided the fire apparatus is maintained in accordance to the standards in effect at the time of its manufacture.	No provision		
SPS 330.09(1)(d) Inspect every fire vehicle at least weekly and within 24 hours after any use or repair to identify and correct unsafe conditions and establish a preventive maintenance program. All maintenance, inspections and repairs of fire vehicles shall follow the instructions of the manufacturer.	No provision		
SPS 330.09(1)(e) Take any fire vehicle found to be unsafe out of service until it is repaired and inspect that vehicle before placing it back in service.	No provision		
SPS 330.09(1)(f) Test fire pumps on apparatus as specified in NFPA 1911.	No provision		
SPS 330.09(1) (g) Inspect and service test all aerial devices as specified in NFPA 1914.	No provision		

SPS 330.09(2) A driver of a fire vehicle shall have a valid driver's license for the operation of the vehicle. The driver is directly responsible for the safe and prudent operation of the vehicle in all conditions. Any officer directly supervising the driver is responsible for the actions of the driver.	No provision		
SPS 330.09 (3) The driver of a fire vehicle may not move the vehicle until every person on the vehicle is seated and secured with a seat belt or safety harness in an approved riding position, except as allowed under sub. (4).	No provision		
SPS 330.09(4)(a) Except as provided in pars. (b) to (d), any person riding on a fire apparatus shall be seated and secured to the vehicle by a seat belt or safety harness at any time the vehicle is in motion. No person may ride on the tail steps or other exposed part of a fire apparatus. No person may stand while riding a fire apparatus.	No provision		
SPS 330.09(4)(b) Emergency medical specialists performing emergency medical duties are exempt from the requirements of par. (a).	No provision		
SPS 330.09(4)(c) Hose loading operations may be performed on moving fire apparatus only when all of the following conditions are met:	No provision		

SPS 330.09(4)(c)1. Hose loading procedures shall be specified in a written standard operating procedure that includes the conditions set forth in this paragraph. All members involved in the hose loading shall be trained in these procedures.	No provision		
SPS 330.09(4)(c)2. There shall be a member, other than those members loading hose, assigned as a safety observer. The safety observer shall have an unobstructed view of the hose loading operation and be in visual and voice contact with the apparatus operator.	No provision		
SPS 330.09(4)(c)3. Nonfire department vehicular traffic shall be excluded from the area or shall be under the control of authorized traffic control persons.	No provision		
SPS 330.09(4)(c)4. The fire apparatus shall be driven only in a forward direction at a speed of 5 mph or less.	No provision		
SPS 330.09(4)(c)5. Members shall not stand on the tailstep, sidesteps, running boards, or any other location on the apparatus while the apparatus is in motion.	No provision		
SPS 330.09(4)(c)6. Members may be in the hose bed, but shall not stand while the apparatus is in motion.	No provision		

SPS 330.09(4)(c)7. Before each hose loading operation, the situation shall be evaluated to ensure compliance with the standard operating procedure. If the standard operating procedure cannot be met, or if there is any question as to the safety of the operation for the specific situation, the hose shall not be loaded on moving fire apparatus.	No provision		
SPS 330.09(4)(d) Tiller training, where both the instructor and the trainee are at the tiller position, may be performed on tractor-drawn aerial apparatus only if all of the following conditions are met:	No provision		
SPS 330.09(4)(d)1. Tiller training procedures shall be specified in a written standard operating procedure that includes the conditions set forth in this paragraph. All members involved in tiller training shall be trained in these procedures.	No provision		
SPS 330.09(4)(d)2. The aerial apparatus shall be equipped with seating positions for both the tiller instructor and the tiller trainee. Both seating positions shall be equipped with seat belts for each individual. The tiller instructor may take a position alongside the tiller trainee.	No provision		

SPS 330.09(4)(d)3. The tiller instructor's seat may be detachable. If the instructor's seat is detachable, the detachable seat assembly shall be structurally sufficient to support and secure the instructor. The detachable seat assembly shall be attached and positioned in a safe manner immediately adjacent to the regular tiller seat. The detachable seat assembly shall be equipped with a seat belt or vehicle safety harness. The detachable seat assembly shall be attached and used only for training purposes.	No provision		
SPS 330.09(4)(d)4. Both the tiller instructor and the tiller trainee shall be seated and belted.	No provision		
SPS 330.09(4)(d)5. The instructor and trainee shall wear and use both helmet and eye protection if not seated in an enclosed area.	No provision		
SPS 330.09(4)(d)6. If the aerial apparatus is needed for an emergency response during a tiller training session, the training session shall be terminated, and all members shall be seated and belted in the approved riding positions. There shall be only one person at the tiller position. During the emergency response, the apparatus shall be operated by qualified operators.	No provision		
SPS 330.10 Portable equipment. Every fire department shall:			

SPS 330.10(1) Visually inspect at least weekly and within 24 hours after any use all equipment carried on fire apparatus or designated for training.	1910.156(d) Fire fighting equipment. The employer shall maintain and inspect, at least annually, fire fighting equipment to assure the safe operational condition of the equipment. Portable fire extinguishers and respirators shall be inspected at least monthly. Fire fighting equipment that is in damaged or unserviceable condition shall be removed from service and replaced.		Meets OSHA standards
SPS 330.10(2) Maintain inventory records for equipment carried on each fire vehicle and for equipment designated for training.	No provision		Meets OSHA standards
SPS 330.10(3) Test all equipment carried on fire apparatus or designated for training at least annually according to the instructions and applicable standards of the manufacturer.	1910.156(d) Fire fighting equipment. The employer shall maintain and inspect, at least annually, fire fighting equipment to assure the safe operational condition of the equipment. Portable fire extinguishers and respirators shall be inspected at least monthly. Fire fighting equipment that is in damaged or unserviceable condition shall be removed from service and replaced.		Meets OSHA standards
SPS 330.10(4) Remove from service and repair or replace any fire fighting equipment which is defective or unserviceable as specified in the applicable National Fire Protection Association standard.	1910.156(d) ... Fire fighting equipment that is in damaged or unserviceable condition shall be removed from service and replaced.		Meets OSHA standards

SPS 330.10(5) Inspect and service test all ground ladders.	1910.156(d) Fire fighting equipment. The employer shall maintain and inspect, at least annually, fire fighting equipment to assure the safe operational condition of the equipment….		Meets OSHA standards
SPS 330.10(6) Inspect and service test all fire hose.	1910.156(d) Fire fighting equipment. The employer shall maintain and inspect, at least annually, fire fighting equipment to assure the safe operational condition of the equipment….		Meets OSHA standards
SPS 330.10(7) Inspect and test all fire extinguishers.	1910.156(d) ...Portable fire extinguishers and respirators shall be inspected at least monthly.		Meets OSHA standards
SPS 330.10(7) Note: Under ch. SPS 314, fire extinguishers are to be maintained as specified in NFPA 10, Standard for Portable Fire Extinguishers.			
Subchapter VIII — Protective Clothing and Protective Equipment			
SPS 330.11 Protective clothing and equipment.			
SPS 330.11(1) Every fire department shall:			
SPS 330.11(1)(a) Provide each fire fighter with the required fire fighting protective clothing and the required fire fighting protective equipment to provide protection from hazards related to his or her job duties, at no cost to the fire fighter.	1910.156(e)(1)(i) The employer shall provide at no cost to the employee and assure the use of protective clothing which complies with the requirements of this paragraph….		Meets OSHA standards

SPS 330.11(1)(b) Require fire fighters to use protective clothing and protective equipment provided under par. (a) whenever they are exposed to hazards or potential hazards.	1910.156(e)(1)(i) - above		Meets OSHA standards
SPS 330.11(1) (c) Fully train every fire fighter in the care, use, inspection, maintenance and limitations of the protective clothing and protective equipment assigned to them or available for their use.	No provision.		Meets OSHA standards
SPS 330.11(1)(d) Use and maintain protective clothing and protective equipment according to the instructions of the manufacturer.	No provision		Meets OSHA standards
SPS 330.11(1)(e) Establish a maintenance and inspection program for protective clothing and protective equipment, assigning specific responsibilities for inspection and maintenance.	1910.156(d) Fire fighting equipment. The employer shall maintain and inspect, at least annually, fire fighting equipment to assure the safe operational condition of the equipment….		Meets OSHA standards
SPS 330.11(2) Every fire department shall provide any fire fighter engaged in or exposed to the hazards of structural fire fighting with a protective ensemble that meets the applicable standards specified in NFPA 1971.	1910.156(e)(1)(ii) The employer shall assure that protective clothing protects the head, body, and extremities, and consists of at least the following components: foot and leg protection; hand protection; body protection; eye, face and head protection.		Meets OSHA standards

SPS 330.11(3)(a) All new protective clothing and protective equipment provided under this subchapter shall meet the standards specified in s. SPS 330.02 as referenced in ss. SPS 330.11 to 330.13.	1910.156(e)(1)(i) The employer shall provide at no cost to the employee and assure the use of protective clothing which complies with the requirements of this paragraph. The employer shall assure that protective clothing ordered or purchased after July 1, 1981, meets the requirements contained in this paragraph. As the new equipment is provided, the employer shall assure that all fire brigade members wear the equipment when performing interior structural fire fighting. After July 1, 1985, the employer shall assure that all fire brigade members wear protective clothing meeting the requirements of this paragraph when performing interior structural fire fighting.		Meets OSHA standards
SPS 330.11(3)(b) Existing protective clothing and protective equipment shall meet the National Fire Protection Association standard that was current when the protective clothing or protective equipment was purchased or obtained by the fire department.	1910.156(e)(3)(ii) The performance, construction, and testing of fire-resistive coats and protective trousers shall be at least equivalent to the requirements of the National Fire Protection Association (NFPA) standard NFPA No. 1971-1975, "Protective Clothing for Structural Fire Fighting," which is incorporated by reference as specified in Sec. 1910.6, (See Appendix D to Subpart L) with the following permissible variations from those requirements:		Meets OSHA standards
SPS 330.12 Self-contained breathing apparatus.	1910.134 Respiratory Protection		
SPS 330.12(1) Every fire department shall:			

SPS 330.12(1)(a) Provide self-contained breathing apparatus and require fire fighters to use the apparatus in any area where the atmosphere is hazardous, is suspected of being hazardous or may become hazardous.	1910.156(f)(1)(i) The employer must ensure that respirators are provided to, and used by, each fire brigade member, and that the respirators meet the requirements of 29 CFR 1910.134 for each employee required by this section to use a respirator.		Meets OSHA standards
SPS 330.12(1)(b) Provide all fire fighters working below ground level or inside any confined space with self-contained breathing apparatus and require them to use that self-contained breathing apparatus unless the safety of the atmosphere can be established by testing and continuous monitoring.	1910.156(f)(1)(ii) Approved self-contained breathing apparatus with full-facepiece, or with approved helmet or hood configuration, shall be provided to and worn by fire brigade members while working inside buildings or confined spaces where toxic products of combustion or an oxygen deficiency may be present. Such apparatus shall also be worn during emergency situations involving toxic substances. 1910.134(g)(4)(iii) All employees engaged in interior structural firefighting use SCBAs.		Meets OSHA standards
SPS 330.12(1)(c) Adopt and maintain a respiratory protection program that satisfies the requirements of s. 29 CFR 1910.134 as adopted by reference in ch. SPS 332.			Meets OSHA standards
SPS 330.12(1)(d) Assure that all sources of compressed gaseous breathing air, such as compressors, used for filling self-contained breathing apparatus are tested to assure their compliance with sub. (4).	1910.156(f)(1)(iv) Approved self-contained compressed air breathing apparatus may be used with approved cylinders from other approved self-contained compressed air breathing apparatus provided that such cylinders are of the same capacity and pressure rating. All compressed air cylinders used with self-contained breathing apparatus shall meet DOT and NIOSH criteria.		Meets OSHA standards

SPS 330.12(1)(e) Hydrostatically test each self-contained breathing apparatus tank within the time limits specified by the manufacturer of the apparatus and by any federal, state or local agency with jurisdiction over the possession and use of the apparatus.	1910.156(f)(1)(iv) ... All compressed air cylinders used with self-contained breathing apparatus shall meet DOT and NIOSH criteria.		Meets OSHA standards
SPS 330.12(1)(f) Inspect, use and maintain all self-contained breathing apparatus as recommended by the manufacturer.	1910.134(h) Maintenance and care of respirators.		Meets OSHA standards
SPS 330.12(2)(a) The facepiece seal capability of each member qualified to use self-contained breathing apparatus shall be verified by qualitative fit testing on an annual basis and any time that new types of self-contained breathing apparatus are issued.	1910.134(g)(1)(i) The employer shall not permit respirators with tight-fitting facepieces to be worn by employees who have: 1910.134(g)(1)(i)(A) Facial hair that comes between the sealing surface of the facepiece and the face or that interferes with valve function; or 1910.134(g)(1)(i)(B) Any condition that interferes with the face-to-facepiece seal or valve function.		Meets OSHA standards

SPS 330.12(2)(b) Each new member shall be tested before being permitted to use self-contained breathing apparatus in a hazardous atmosphere.	1910.156(c)(1) The employer shall provide training and education for all fire brigade members commensurate with those duties and functions that fire brigade members are expected to perform. 1910.156(c)(2) The employer shall assure that training and education is conducted frequently enough to assure that each member of the fire brigade is able to perform the member's assigned duties and functions satisfactorily and in a safe manner so as not to endanger fire brigade members or other employees. 1910.134(k)(1) The employer shall ensure that each employee can demonstrate knowledge of at least the following:....		Meets OSHA standards
SPS 330.12(2)(c) Only members with a properly fitting facepiece shall be permitted to function in a hazardous atmosphere with self-contained breathing apparatus.	1910.134(f) Fit testing. This paragraph requires that, before an employee may be required to use any respirator with a negative or positive pressure tight-fitting facepiece, the employee must be fit tested with the same make, model, style, and size of respirator that will be used. This paragraph specifies the kinds of fit tests allowed, the procedures for conducting them, and how the results of the fit tests must be used.		Meets OSHA standards

SPS 330.12(2)(d) A fire fighter may not wear a beard or facial hair that comes in contact with a facepiece seal if the fire fighter's duties require him or her to use a self-contained breathing apparatus. If a fire fighter wears eyeglasses, the fire fighter shall use frames that do not pass through the seal area of the facepiece.	1910.134(g)(1)(i)(A) - facial hair 1910.134(g)(1)(ii) If an employee wears corrective glasses or goggles or other personal protective equipment, the employer shall ensure that such equipment is worn in a manner that does not interfere with the seal of the facepiece to the face of the user.		Meets OSHA standards
SPS 330.12(3)(a) A self-contained breathing apparatus of the open-circuit design shall be positive pressure. Any self-contained breathing apparatus placed into service after April 1, 1991, shall meet NFPA 1981 and shall be of the positive pressure type only.	1910.156(f)(2)(i) The employer shall assure that self-contained breathing apparatus ordered or purchased after July 1, 1981, for use by fire brigade members performing interior structural fire fighting operations, are of the pressure-demand or other positive-pressure type. Effective July 1, 1983, only pressure-demand or other positive-pressure self-contained breathing apparatus shall be worn by fire brigade members performing interior structural fire fighting. 1910.134(d)(2)(i) The employer shall provide the following respirators for employee use in IDLH atmospheres: 1910.134(d)(2)(i)(A) A full facepiece pressure demand SCBA certified by NIOSH for a minimum service life of thirty minutes, or…		Meets OSHA standards
SPS 330.12(3)(b) Paragraph (a) does not prohibit the use of a self-contained breathing apparatus if the apparatus can be switched from a demand to a positive-pressure mode.	1910.156(f)(2)(ii) This paragraph does not prohibit the use of a self-contained breathing apparatus where the apparatus can be switched from a demand to a positive-pressure mode. However, such apparatus shall be in the positive-pressure mode when fire brigade members are performing interior structural fire fighting operations.		Meets OSHA standards

SPS 330.12(3)(c) The apparatus shall be in the positive-pressure mode when fire department members are working in a hazardous atmosphere.	1910.156(f)(2)(ii)… such apparatus shall be in the positive-pressure mode when fire brigade members are performing interior structural fire fighting operations.		Meets OSHA standards
SPS 330.12(3)(d) A closed-circuit type self-contained breathing apparatus shall be approved by the National Institute of Occupation Safety and Health and shall operate in the positive pressure mode only. The supply air tank shall have a minimum service duration of 30 minutes.	1910.156(f)(1)(v) Self-contained breathing apparatuses must have a minimum service-life rating of 30 minutes in accordance with the methods and requirements specified by NIOSH under 42 CFR part 84, except for escape self-contained breathing apparatus (ESCBAs) used only for emergency escape purposes.		Meets OSHA standards
SPS 330.12(3)(d) Note: The intent of this subsection is to prohibit the use of on demand type breathing apparatus whenever self-contained breathing apparatus is required to be worn.			
SPS 330.12(4) Compressed gaseous breathing air in a self-contained breathing apparatus cylinder shall meet the requirements of CGA standard G-7.1, with a minimum air quality of Grade D and a water vapor level of less than 25 ppm.	1910.134(i)(1)(i) Compressed and liquid oxygen shall meet the United States Pharmacopoeia requirements for medical or breathing oxygen; and 1910.134(i)(1)(ii) Compressed breathing air shall meet at least the requirements for Grade D breathing air described in ANSI/Compressed Gas Association Commodity Specification for Air, G-7.1-1989, to include: 1910.134(i)(1)(ii)(A) Oxygen content (v/v) of 19.5-23.5%;		Meets OSHA standards

SPS 330.12(6) Fire fighters using self-contained breathing apparatus shall operate in teams of 2 or more members who are:	1910.134(g)(4) Procedures for interior structural firefighting. In addition to the requirements set forth under paragraph (g)(3), in interior structural fires, the employer shall ensure that: 1910.134(g)(4)(i) At least two employees enter the IDLH atmosphere and remain in visual or voice contact with one another at all times;		Meets OSHA standards
SPS 330.12(6)(a) In communication with each other through visual, audible, physical, safety guide rope, electronic or other means to coordinate their activities; and	1910.134(g)(4)(i) At least two employees enter the IDLH atmosphere and remain in visual or voice contact with one another at all times;		Meets OSHA standards "IDLH" - Immediately Dangerous to Life or Health
SPS 330.12(6)(b) In close enough proximity to each other to be able to provide assistance in case of an emergency.	1910.134(g)(4)(ii) At least two employees are located outside the IDLH atmosphere; and 1910.134(g)(4)(iii) All employees engaged in interior structural firefighting use SCBAs.		Meets OSHA standards
SPS 330.13 Personal alert safety system; life safety ropes, harnesses and hardware; eye, face and hearing protection.			
SPS 330.13(1) Personal alert safety systems. Every fire department shall:			
SPS 330.13(1)(a) Provide every fire fighter using self-contained breathing apparatus involved in rescue, fire fighting or other hazardous duties with a personal alert safety system and require the fire fighter to use the system.	1910.156(f)(1)(vi) Self-contained breathing apparatus shall be provided with an indicator which automatically sounds an audible alarm when the remaining service life of the apparatus is reduced to within a range of 20 to 25 percent of its rated service time.		Meets OSHA standards

SPS 330.13(1)(b) Test every personal alert safety system at least weekly and prior to each use.	No provision.		
SPS 330.13(1)(c) Maintain each personal alert safety system according to the instructions of the manufacturer of that system.	No provision		
SPS 330.13(1)(d) Use personal alert safety system devices which meet the standards specified in NFPA 1982.	No provision		
SPS 330.13(2) Life safety ropes, harnesses and hardware. Every fire department shall:	No provision		
SPS 330.13(2)(a) Use life safety ropes, harnesses and hardware which meet the standards specified in NFPA 1983.	No provision		
SPS 330.13(2)(b) Use Class I life safety harnesses for fire fighter attachment to aerial devices.	No provision		
SPS 330.13(2)(c) Use Class II and Class III life safety harnesses for fall arrest and rappelling operations.	No provision		
SPS 330.13(2)(d) Use unused life safety rope to support the weight of any person during rescue, fire fighting and other emergency operations.	No provision		
SPS 330.13(2)(e) Use for training evolutions, life safety rope which is designated training rope if the rope is inspected before and after each use according to the manufacturer's instructions.	No provision		

SPS 330.13(2)(f) Destroy any training rope subjected to impact loading or showing signs of weakness or wear and maintain a written record of the use of each rope.	No provision		
SPS 330.13(3) Eye, face and hearing protection. Every fire department shall:			
SPS 330.13(3)(a) Provide face and eye protection for any fire fighter engaged in fire suppression and other operations involving hazards to the eyes and face whenever the fire fighter's face is not protected by the full facepiece of a self-contained breathing apparatus. Eye and face protection shall comply with s. 29 CFR 1910.133 as adopted by reference in ch. SPS 332.	1910.156(e)(5)(ii) Protective eye and face devices which comply with 1910.133 shall be used by fire brigade members when performing operations where the hazards of flying or falling materials which may cause eye and face injuries are present. Protective eye and face devices provided as accessories to protective head devices (face shields) are permitted when such devices meet the requirements of 1910.133.		Meets OSHA standards
SPS 330.13(3)(b) Provide hearing protection for any fire fighter operating or riding in fire apparatus when subject to noise in excess of 90 dBA.	1910.95(b)(1) When employees are subjected to sound exceeding those listed in Table G-16, feasible administrative or engineering controls shall be utilized. If such controls fail to reduce sound levels within the levels of Table G-16, personal protective equipment shall be provided and used to reduce sound levels within the levels of the table. (Note: Table G-16 - Permissible Noise Exposures - provides for ear protection at 90 dBA for levels experienced over 8 hours per day.)		Meets OSHA standards

SPS 330.13(3)(c) Provide hearing protection for any fire fighter exposed to noise in excess of 90 dBA from power tools or equipment unless the use of the protective equipment would create an additional hazard to the fire fighter. Hearing protection shall comply with s. 29 CFR 1910.95 as adopted by reference in ch. SPS 332.	Table G-16 - Permissible Noise Exposures - provides for ear protection at 90 dBA for levels experienced over 8 hours per day.		Meets OSHA standards
Subchapter IX — Emergency Operations			
SPS 330.14 Emergency operations.			
SPS 330.14(1) Incident management. Every fire department shall:			
SPS 330.14(1)(a) Conduct emergency operations and other hazardous situations, including training exercises, in a manner to recognize hazards and to prevent accidents and injuries.	1910.156(c)(4) The employer shall inform fire brigade members about special hazards such as storage and use of flammable liquids and gases, toxic chemicals, radioactive sources, and water reactive substances, to which they may be exposed during fire and other emergencies. The fire brigade members shall also be advised of any changes that occur in relation to the special hazards. The employer shall develop and make available for inspection by fire brigade members, written procedures that describe the actions to be taken in situations involving the special hazards and shall include these in the training and education program.		Meets OSHA standards

SPS 330.14(1)(b) Establish an incident command system which has written guidelines applying to all fire fighters involved in emergency operations and which identifies fire fighter roles and responsibilities relating to the safety of operations.	1910.156(b)(1) Organizational statement. The employer shall prepare and maintain a statement or written policy which establishes the existence of a fire brigade; the basic organizational structure; the type, amount, and frequency of training to be provided to fire brigade members; the expected number of members in the fire brigade; and the functions that the fire brigade is to perform at the workplace. The organizational statement shall be available for inspection by the Assistant Secretary and by employees or their designated representatives.		Meets OSHA standards
SPS 330.14(1)(b) Note: Suggested Operating Guidelines have been developed and published by the Wisconsin technical college system board. Copies of the Suggested Operating Guidelines are available at all technical college district campuses.			
Note: Suggested Operating Guidelines have been developed and published by the Wisconsin technical college system board. Copies of the Suggested Operating Guidelines are available at all technical college district campuses.			

SPS 330.14(1)(c) Train fire fighters involved in emergency operations in the incident command system established under par. (b) and assign safety responsibilities to supervisory personnel at each level of operations.	1910.156(c)(1) The employer shall provide training and education for all fire brigade members commensurate with those duties and functions that fire brigade members are expected to perform. Such training and education shall be provided to fire brigade members before they perform fire brigade emergency activities. Fire brigade leaders and training instructors shall be provided with training and education which is more comprehensive than that provided to the general membership of the fire brigade.		Meets OSHA standards
SPS 330.14(1)(d) Require the officer in command of an emergency operation to be responsible for the overall safety of all fire fighters and activities occurring at the scene of the operation.	No provision		
SPS 330.14(1)(e) Require the officer in command of an emergency operation to establish an organization with sufficient supervisory personnel to control the position and function of all fire fighters operating at the scene of that emergency operation to ensure that safety requirements are satisfied.	No provision		
SPS 330.14(1)(f) Use a standard system to identify and account for the assignment of each fire fighter at the scene of an emergency operation.	No provision		

SPS 330.14(1)(g) At an emergency operation where special hazards exist, require the officer in command to assign qualified personnel with specific responsibility to identify and evaluate hazards and to provide direction with respect to fire fighter safety during the operation.	1910.156(c)(4) The employer shall inform fire brigade members about special hazards such as storage and use of flammable liquids and gases, toxic chemicals, radioactive sources, and water reactive substances, to which they may be exposed during fire and other emergencies. The fire brigade members shall also be advised of any changes that occur in relation to the special hazards. The employer shall develop and make available for inspection by fire brigade members, written procedures that describe the actions to be taken in situations involving the special hazards and shall include these in the training and education program.		Meets OSHA standards
SPS 330.14(2) Incident safety requirements.			
SPS 330.14(2)(a) Every fire department shall:			
SPS 330.14(2)(a)1. Provide sufficient personnel to safely conduct emergency scene operations and limit such operations to those that can be safely performed by the personnel available at the scene.	No provision		
SPS 330.14(2)(a)2. If inexperienced fire fighters are working at an emergency operation, provide direct supervision by more experienced officers or members.	No provision		

SPS 330.14(2)(b) If any fire fighter is operating at an emergency operation and his or her assignment places him or her in potential contact with motor vehicle traffic, that fire fighter shall wear:	No provision		
SPS 330.14(2)(b)1. The helmet specified under s. SPS 330.11 (2) or alternate protective headgear providing equivalent protection; and	No provision		
SPS 330.14(2)(b)2. A garment with fluorescent retroreflective material.	No provision		
SPS 330.14(3) Rescue of members.			

SPS 330.14(3)(a) A fire fighter using self-contained breathing apparatus and operating in an interior structural fire shall operate in a team of 2 or more fire fighters. Except in the case of a structural fire which is in the initial or beginning stage and which can be controlled or extinguished by portable fire extinguishers, a back-up team of at least 2 members wearing self-contained breathing apparatus shall be available at the scene for rescue if the need arises. One back-up team member with a charged line shall be committed to a safe non-affected area in or near the structure. The other back-up team member shall remain within voice contact and may be assigned to additional roles so long as this individual is able to perform assistance or rescue activities without jeopardizing the safety or health of any fire fighter working at the scene. In all structural fires in which fire fighters use self-contained breathing apparatus, at least one additional member shall be assigned to remain outside the structural fire and monitor the operations.	1910.134(g)(4) Procedures for interior structural firefighting. In addition to the requirements set forth under paragraph (g)(3), in interior structural fires, the employer shall ensure that: 1910.134(g)(4)(i) At least two employees enter the IDLH atmosphere and remain in visual or voice contact with one another at all times; 1910.134(g)(4)(ii) At least two employees are located outside the IDLH atmosphere; and 1910.134(g)(4)(iii) All employees engaged in interior structural firefighting use SCBAs. Note 1 to paragraph (g): One of the two individuals located outside the IDLH atmosphere may be assigned to an additional role, such as incident commander in charge of the emergency or safety officer, so long as this individual is able to perform assistance or rescue activities without jeopardizing the safety or health of any firefighter working at the incident.		Meets OSHA standards
SPS 330.14(3)(a) Note: It is not the intent of this rule to prevent any number of persons from responding to a fire call, setting up equipment and initiating exterior suppression at the fire scene. Also, it is not the intent of this rule to prohibit an individual fire fighter from taking an action to preserve the life or safety of another person.			

SPS 330.14 Note Note: It is not the intent of this rule to prevent any number of persons from responding to a fire call, setting up equipment and initiating exterior suppression at the fire scene. Also, it is not the intent of this rule to prohibit an individual fire fighter from taking an action to preserve the life or safety of another person.			
SPS 330.14(3)(b) At emergency operations, the officer in command shall evaluate the risk to fire fighters and, if necessary, request that at least basic life-support personnel and patient transportation be available.	1910.151(b) In the absence of an infirmary, clinic, or hospital in near proximity to the workplace which is used for the treatment of all injured employees, a person or persons shall be adequately trained to render first aid. Adequate first aid supplies shall be readily available.		Meets OSHA standards
Subchapter X — Facility Safety			
SPS 330.145 Facility safety. Fire department buildings and facilities shall comply with chs. SPS 332 and 361 to 366.			
Subchapter XI — Medical			
SPS 330.15 Physical and medical capabilities.			
SPS 330.15(1) The employer shall assure that fire fighters who are expected to do structural fire fighting are physically capable of performing duties which may be assigned to them during emergency operations.	1910.156(b)(2) Personnel. The employer shall assure that employees who are expected to do interior structural fire fighting are physically capable of performing duties which may be assigned to them during emergencies….		Meets OSHA standards

SPS 330.15 (2) The fire chief may not permit a fire fighter with known heart disease, epilepsy, or emphysema to participate in fire department emergency operations unless a physician's certificate of the fire fighter's fitness to participate in such operations is provided.	1910.156(b)(2) Personnel. ...The employer shall not permit employees with known heart disease, epilepsy, or emphysema, to participate in fire brigade emergency activities unless a physician's certificate of the employees' fitness to participate in such activities is provided....		Meets OSHA standards
Note: The intent of this subchapter is not to require an annual physical for each fire fighter.			
Subchapter XII — Member Assistance Referral Program			
SPS 330.16 Member assistance referral program.			
SPS 330.16(1) Every fire department shall establish and adopt a written policy statement for a fire fighters assistance referral program that identifies and assists fire fighters with alcohol or substance abuse, stress and personal problems adversely affecting their job performance. The assistance program shall refer fire fighters to health care services as appropriate for the recovery of their health and job performance abilities.	No provision		NFPA 1500-2013, Standard on Fire Department Occupational Safety and Health Program, ch. 11
SPS 330.16 (2) Through the program established under sub. (1), every fire department shall provide health promotion activities that identify a fire fighter's physical and mental health risk factors and provide education and counseling to fire fighters for the purpose of preventing health problems and enhancing overall well-being.	No provision		

SPS 330.16(3) The use of municipal or county programs shall meet the requirements of this section.	No provision		
Subchapter XIII — Miscellaneous Activities			
SPS 330.20 Hazardous materials. Fire departments engaged in emergency operations relating to hazardous materials shall comply with s. 29 CFR 1910.120 as adopted by reference in ch. SPS 332.	§ 1910.120 Hazardous waste operations and emergency response.		Meets OSHA standards
SPS 330.21 Confined spaces. Fire departments engaged in emergency operations relating to confined spaces shall comply with s. 29 CFR 1910.146 as adopted by reference in ch. SPS 332.			Meets OSHA standards
SPS 330.22 Diving operations. Fire departments engaged in emergency operations relating to diving operations shall comply with 29 CFR 1910 subpart T as adopted by reference in ch. SPS 332.	SUBPART T — Commercial Diving Operations (§§ 1910.401 - 1910.440)		Meets OSHA standards
SPS 330.23 Miscellaneous hazardous situations. Fire departments engaged in miscellaneous emergency operations and hazardous situations such as, but not limited to, structural collapse rescue, elevator rescue, trench rescue and terrorism responses shall comply with s. SPS 330.14, and with s. 29 CFR 1910.132 and any other applicable standard in 29 CFR 1910 and 29 CFR 1926, as adopted by reference in ch. SPS 332.	No provision		

SPS 330.23 Note: Requirements for fire departments providing emergency medical services are administered and enforced by the Department of Health Services under ch. DHS 110.			

Potential Revisions - SPS 330

SPS 330 - Current	29 CFR 1910 (OSHA) - Current Standards	Suggested Revisions	Comments
SPS 330.003(2) Not covered. This chapter does not apply to private sector employer fire companies and fire departments either of which are organized as non-stock, non-profit corporations under ch. 181, Stats., or under ch. 213, Stats., without the input of a municipality.	1910.155 Scope, application and definitions applicable to this subpart. (a) Scope. This subpart contains requirements for fire brigades, and all portable and fixed fire suppression equipment, fire detection systems, and fire or employee alarm systems installed to meet the fire protection requirements of 29 CFR part 1910. 29 CFR 1910.155 (18) Fire brigade (private fire department, industrial fire department) means an organized group of employees who are knowledgeable, trained, and skilled in at least basic fire fighting operations.	SPS 330.003(2) Not covered. This chapter does not apply to private sector employer fire companies and fire departments either of which are organized as non-stock, non-profit corporations under ch. 181, Stats., or under ch. 213, Stats.~~, without the input of a municipality~~.	NOTE: Caselaw and Wis. Atty Gen. opinions do not appear to support the conclusion that we can draw private fire departments under the purview of SPS 330. (See OAG 80-61; 265 Wis. 250; 265 Wis.2d 575) Conclusion: Consulted with DSPS chief legal counsel as to our authority to treat private fire companies/departments as public fire departments. He opined that fire departments created under ch. 181 or ch. 213, Stats., cannot be pulled into SPS 330.003(1). As such, the last clause of 330.003(2) is superfluous.

330.01(12) "Fire fighting" means any activity related to controlling and extinguishing an unwanted fire or a fire set for training fire fighters, including any activity that exposes a fire fighter to the danger of heat, flame, smoke or any other product of combustion, explosion or structural collapse, but does not include any activities pertaining to fighting wildland fires.	Not defined	(12) "Fire fighting" means any activity related to controlling and extinguishing an unwanted fire or a fire set for training fire fighters, including any activity that exposes a fire fighter to the danger of heat, flame, smoke or any other product of combustion, explosion or structural collapse , but does not include any activities pertaining to fighting wildland fires. Fire fighting includes miscellaneous emergency operations and hazardous situations such as, but not limited to, structural collapse rescue, elevator rescue, trench rescue and terrorism responses.	Definition does not include other firefighting functions such as rescue, extraction. Included language from 330.23 - miscellaneous emergency operations and hazardous situations. "Wildland fires" fall under the purview of the DNR.

SPS 330.02 Incorporation of standards by reference.			
SPS 330.02(1) NFPA standards. The following standards of the National Fire Protection Association, One Batterymarch Park, P.O. Box 9101, Quincy, Massachusetts, 02269-9101 are hereby incorporated by reference into this chapter:		National Fire Protection Association, ~~One Batterymarch Park, P.O. Box 9101, Quincy, Massachusetts, 02269-9101~~ 1 Batterymarch Park, Quincy, Massachusetts 02169-7471	Most recent mailing address on NFPA website
SPS 330.02(1)(a) NFPA 1001-1997, Standard for Fire Fighter Professional Qualifications.		NFPA 1001-~~1997~~ 2013	Most recent edition on NFPA website
SPS 330.02(1)(b) NFPA 1002-1998, Standard for Fire Apparatus Driver/Operator Professional Qualifications.		NFPA 1002-~~1998~~ 2014	Most recent edition on NFPA website
SPS 330.02(1)(c) NFPA 1021-1997 Standard for Fire Officer Professional Qualifications.		NFPA 1021-~~1997~~ 2014	Most recent edition on NFPA website
SPS 330.02(1)(d) NFPA 1403-1997, Standard on Live Fire Training Evolutions in Structures.		NFPA 1403-~~1997~~ 2012	Most recent edition on NFPA website
SPS 330.02(1)(e) NFPA 1901-1999, Standard for Automotive Fire Apparatus.		NFPA 1901-~~1999~~ 2009	Most recent edition on NFPA website
SPS 330.02(1)(f) NFPA 1911-1997, Standard for Service Tests of Pump Systems on Fire Department Apparatus.		NFPA 1911-~~1997~~ 2012	Most recent edition on NFPA website
SPS 330.02(1)(g) NFPA 1914-1997, Standard for Testing Fire Department Aerial Devices.		NFPA 1914-~~1997~~ 2002	Most recent edition on NFPA website

SPS 330.02(1)(h) NFPA 1971-2000, Standard on Protective Ensemble for Structural Fire Fighting.		NFPA 1971-~~2000~~ 2013	Most recent edition on NFPA website
SPS 330.02(1)(i) NFPA 1981-1997, Standard on Open-Circuit Self-Contained Breathing Apparatus for the Fire Service.		NFPA 1981-~~1997~~ 2013	Most recent edition on NFPA website
SPS 330.02(1)(j) NFPA 1982-1998, Standard on Personal Alert Safety Systems (PASS).		NFPA 1982-~~1998~~ 2013	Most recent edition on NFPA website
SPS 330.02(1)(k) NFPA 1983-2001, Standard on Fire Service Life Safety Rope and System Components.		NFPA 1983-~~2001~~ 2012	Most recent edition on NFPA website
SPS 330.02(2) CGA standards. The following standard of the Compressed Gas Association, 1235 Jefferson Davis Highway, Arlington, Virginia 22202 is hereby incorporated by reference into this chapter:		Compressed Gas Association, ~~1235 Jefferson Davis Highway, Arlington, Virginia 22202~~ 14501 George Carter Way, Suite 103, Chantilly, VA 20151	Most recent mailing address on CGA website
SPS 330.02(2)(a) CGA Standard G-7.1, 1997, Commodity Specification for Air.		CGA Standard G-7.1, ~~1997~~ 2011	Most recent edition on CGA website

SPS 330.08(1)(b) All new fire fighters shall be permitted the opportunity to obtain the training specified in this subsection within 24 months of the date of his or her appointment to the fire department.	1910.156(c)(1) The employer shall provide training and education for all fire brigade members commensurate with those duties and functions that fire brigade members are expected to perform. Such training and education shall be provided to fire brigade members before they perform fire brigade emergency activities....	SPS 330.08(1)(b) All new fire fighters shall be permitted the opportunity to obtain the training specified in this subsection within 24 months of the date of his or her appointment to the fire department. New fire fighters will not perform any fire fighting activity before receiving the specified training.	

SPS 330.08(3) A new fire officer, after appointment, shall be provided with the opportunity to take the basic officer training program within 12 months of appointment. The training program shall meet the minimum requirements specified by:	1910.156(c)(1) The employer shall provide training and education for all fire brigade members commensurate with those duties and functions that fire brigade members are expected to perform. Such training and education shall be provided to fire brigade members before they perform fire brigade emergency activities....	SPS 330.08(3) A new fire officer, after appointment, shall be provided with the opportunity to take the basic officer training program within 12 months of appointment. New fire officers will not perform fire officer activities before receiving the required basic officer training. The training program shall meet the minimum requirements specified by:	