



DATE: May 15, 2018

TO: Members, Senate Committee on Labor and Regulatory Reform
The Honorable Steve Nass, Chair

FROM: Nate Yahn, Legislative Advisor
Wisconsin Department of Safety and Professional Services

SUBJECT: Clearinghouse Rule 17-067 (fire department safety and health)

Chairman Nass and Committee Members:

The Wisconsin Department of Safety and Professional Services (DSPS) would like to provide some important background information to committee members regarding Clearinghouse Rule (CR) 17-067, the department's proposed final draft permanent rule under ch. SPS 330, relating to fire department safety and health.

NOTE: This proposed permanent rule was originally submitted to the Legislature for review on January 2, 2018. The rule was subsequently recalled on March 21, 2018, and then resubmitted to the Legislature the following day with germane modifications relating to the required minimum training and education standards for a fire department member prior to participating in certain firefighting activities.

Public safety is a top priority for DSPS. Prior to this rulemaking, the last time in which a comprehensive review was done of Wis. Admin. ch. SPS 330 in its entirety was back in 2001. The intent of this rulemaking is to ensure compliance with s. 101.055(3)(a), Stats., which states that *"the department shall adopt, by administrative rule, standards to protect the safety and health of public employees. The standards shall provide protection at least equal to that provided to private sector employees under standards promulgated by the federal occupational safety and health administration [OSHA]..."*

In accordance with existing state statute, CR 17-067 updates existing rules establishing minimum safety and health requirements for public sector fire department employees covered under Wis. Admin. ch. SPS 330. Specifically, this proposed permanent rule does the following:

- Updates existing national standards incorporated by reference.
 - Federal OSHA standards specify that: 1) Training and education shall be provided *before* the employee is permitted to perform emergency activities; and 2) Initial and continuing education shall be provided by the employer to an employee commensurate with and specific to the duties and functions that the employee is expected to perform.
- Incorporates certain Federal OSHA language for greater clarification.
- Utilizes current industry terminologies.
- Clarifies which fire department agencies are covered under ch. SPS 330.
- Codifies DSPS' administrative and regulatory practices regarding minimum training standards applicable to public sector fire fighters.
- Removes outdated or redundant language to improve clarity and consistency.

Additionally, of particular note, the proposed permanent rule also makes certain modifications to existing code provisions to be less burdensome for small, rural, or volunteer fire departments. For example, the proposed rule:

- Eliminates NFPA (National Fire Protection Association) certification requirements for a fire fighter, apparatus operator, and instructor.
- Changes the frequency of inspection requirements from having to be done on a weekly basis to monthly for fire apparatus and equipment, while retaining the requirement for inspection within 24 hours after use.
- Creates an exception from NFPA standards that require the automatic replacement of apparatus tires every 7 years.
- Creates exceptions to requirements of the NFPA standards relating to life safety rope, such as:
 - Eliminates a requirement to automatically destroy training rope after use and creates a provision that allows for the reuse of life safety rope under certain conditions.
 - Creates an exception from annual recertification requirements for unused life safety rope.
- Adds “quantitative” fit testing as an alternative method to “qualitative” fit testing for checking effectiveness of the seal of the SCBA (Self-Contained Breathing Apparatus) facepiece.

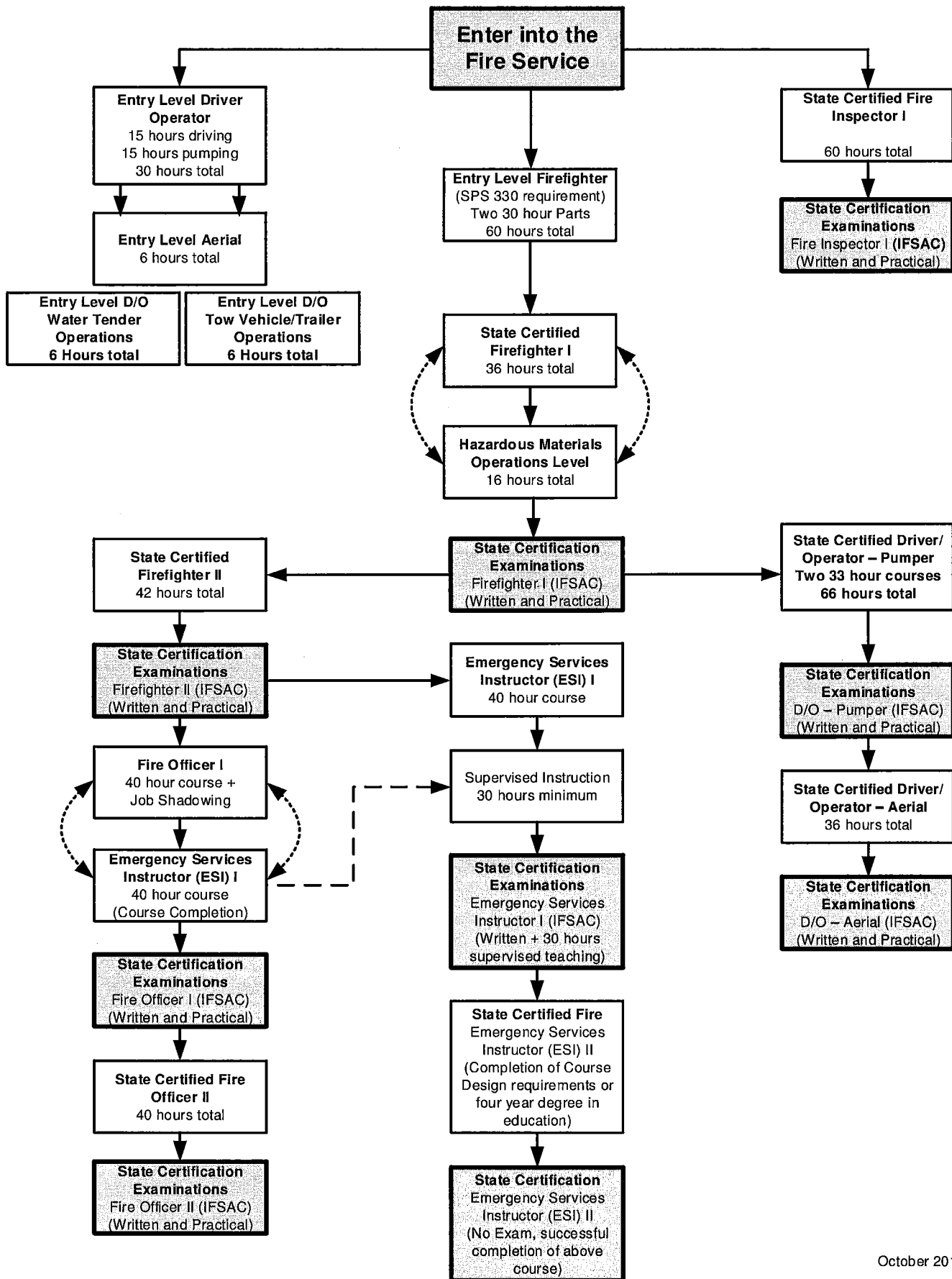
Assisting and advising the department on this particular rule promulgation was the Fire Department Safety and Health Code Advisory Committee. This six-member committee met numerous times between 2013 and 2015, and represented the interests of career, volunteer, and combination fire departments. The department also reviewed similar standards in surrounding states and had consulted with local volunteer fire departments and members of industry associations, in order to ensure that the proposed rule revisions would not impose an undue hardship on these agencies. In addition, three (3) public hearings were held by DSPS throughout the state in the following locations:

- Appleton – November 7, 2017
- Madison – November 8, 2017
- Eau Claire – November 16, 2017

The subject matter of the proposed permanent rule, CR 17-067, is clearly a matter of statewide importance. DSPS recognizes the vital services that Wisconsin’s fire departments provide to our local communities to protect the safety and welfare of the public. Completing this rule promulgation will help ensure that the safety and health of those providing such critical services are also protected.

If you have any questions, please contact me at (608) 267-9794.

Wisconsin Fire Training Flow Chart





Wisconsin State Fire Chiefs' Association

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DATE: May 15, 2018
TO: Senate Labor Committee
FROM: WI State Fire Chiefs' Association
RE: Support of Fire Department Safety and Health Standards (SPS 330)

The Wisconsin State Fire Chiefs Association asks that you support Fire Department Safety and Health Standards (SPS 330) for the health and safety of our states' fire service. The updated SPS 330 addresses the health and occupational safety issues that will reduce firefighter deaths and injuries in Wisconsin. Volunteer firefighters represent over 80% of the firefighters in Wisconsin and over 69% of the firefighters in the nation. The largest segment of firefighters in both the nation and the State of Wisconsin are volunteer but SPS 330 was revised with the entire Wisconsin fire service in mind when the committee members reviewed the document. The committee members updated SPS 330 with the hope that every firefighter will return home safe following each emergency incident. To ensure the health and safe return of all firefighters there must be a document to guide the health and safety of every firefighter, which is the work of the updated SPS 330.

Cultural change is difficult. Updated SPS 330 is a document that has been reviewed by our peers and creates many cultural changes with the best interests of our firefighter's health and safety in mind. There were cultural changes when we stopped many years ago riding on the tail boards of fire trucks, which caused many injuries and deaths over the years. I can remember being one of the very disappointed firefighters who could no longer hang from a strap on the running board putting my firefighting gear on while the fire truck traveled in excess of fifty miles an hour down the road. We have many fortunate firefighters that survived that nonsense and came home alive but we also lost many before we made that change. No more tail board riding was a big cultural change in how we traveled to the fire incidents. Today we look back and say how did we ever survive that practice?

I can go on pointing out examples of unsafe practices that occurred years ago and how we finally over the years have developed cultural changes in safety practices that has helped reduce the number of injuries and deaths that caused those unsafe practices. Please support the updated SPS 330.

If you have any questions or concerns please contact:
Dave Bloom, Legislative Liaison
WI State Fire Chiefs Association
bloomd@town.madison.wi.us
608-444-3324 cell



Wisconsin State Fire Chiefs' Association

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May 14, 2018

Chair Nass:

Wisconsin Chapter SPS 330 was created to establish Fire Department Safety and Health Standards. Much continues to change and evolve relating to training, responsibilities and dangers associated with firefighting activities especially in nearly 20 years since SPS 330 was last reviewed. Firefighter training and safety must be our top priorities. Only once our firefighters are properly trained can they protect the public and themselves.

The objective of this revision was to review and update the rules and standards establishing minimum safety and health requirements for public fire department employees covered under SPS 330. Under the statutory mandate of s.101.055, the rules and standards are to provide protection at least equal to that provided for private sector employees under standards promulgated by federal OSHA. The last comprehensive review of SPS 330 occurred in 2001. Consequently, many of the national standards listed in the current code are from the late 1990's and in need of updating.

Included within the "basis and purpose of the rule" it states (see attached):

The rule revision incorporates current OSHA standards pursuant to s. 101.055 (3) (a), Stats., and updates outdated standards incorporated by reference, clarifies that this chapter applies only to public fire departments, codifies the Department's administrative and regulatory practices, and updates provisions to reflect current industry terminology. The proposed rule modifies certain definitions to improve phrasing as well as creates definitions to define new terms or terms currently used in rule but not previously defined. The proposed rule amends or repeals certain provisions deemed to be burdensome for smaller, rural, or volunteer fire departments. Additional rule modifications were made to correct outdated references, and improve clarity, consistency, and format.

There are some strong items to note within the revision preamble (see attached).

- Again, the last comprehensive review of SPS330 occurred in 2001. Much continues to change and evolve as it relates to the dangers associated with firefighting activities especially in nearly 20 years.
- The rule revision is pursuant to Statute 101.055 (3)(a). This specific section of statute states:
 - The department shall adopt, by administrative rule, standards to protect the safety and health of public employees. The standards shall provide protection at least equal to that provided to private sector employees under standards promulgated by the federal occupational safety and health administration, but no rule may be adopted by the department which defines a substance as a "toxic substance" solely because it is listed in the latest printed edition of the national institute for occupational safety and health registry of toxic effects of chemical substances. The department shall revise the safety and health standards adopted for public employees as necessary to provide protection at least equal to that provided to private sector employees under federal occupational safety and health administration standards, except as otherwise provided in this paragraph. Notwithstanding ss. 35.93 and 227.21, if the standards adopted by the department are identical to regulations adopted by a federal agency, the standards need not be published in full in the Wisconsin administrative code and register as provided in ss. 35.93 and 227.21 if the identical federal regulations are made available to the public at a reasonable cost and promulgated in accordance with ch. 227, except s. 227.21. The department may provide to the legislative reference bureau one or more Web addresses to provide electronic access to any standards adopted under this paragraph for publication in conjunction with the publication of the Wisconsin administrative code and register under s. 35.93.

The work of the committee was absolutely necessary based on updating a nearly 20 year old code and to improve firefighter safety. The updated rules are not arbitrary but comply with State Statute ensuring language is at least equal to that of OSHA protected activities.

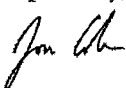
We also understand that some Chiefs and organizations dislike the SPS330 update. It should be of no surprise as no matter what, change is disliked. This update is also occasionally used as a reason, barrier to volunteer recruitment and retention. Training and safety are mutually exclusive to recruitment and retention issues. This is realized in Maslow's Hierarchy of needs where "safety" is a necessary, key component in human needs. Members may not join or leave organizations if there are training or safety inadequacies. What will a serious injury or death do to an organizations recruitment or retention if safety standards are at fault? The Wisconsin State Fire Chiefs Association is keenly aware of recruitment and retention issues and is focused on assisting organizations, but organizations cannot sacrifice training and safety.

The Wisconsin State Fire Chiefs Association (WSFCA) does strive to fairly represent all aspects of the Fire service. Although our board members serve as career, combination and volunteer Fire Chiefs they are truly focused on the Fire Service and the safety and training of all members. Three of our board members are Volunteer Fire Chiefs and they support the SPS330 update. The Wisconsin State Fire Chiefs Association Board unanimously supports the SPS330 update.

The fire service is unlike no other industry. Firefighting is a dangerous job period and we have to increase safety and accountability. Despite advancements the fire service is dangerous as homes/businesses are filled with non-organic furnishings and finishes causing fires to burn faster and hotter. New and remodel construction methods are using lightweight, manufactured building materials that catastrophically fail, quickly under fire conditions. Firefighting is unlike any other industry, with its dangers, increasing levels of responsibility, increasing variability of call types and yet much of the industry is based on volunteerism. WSFCA recently learned that Wisconsin is 48th in the number of training hours required for firefighters. We must strive for better training and safety.

Once implemented WSFCA will continue to work with Chiefs, organizations and the Wisconsin Technical College System to ensure compliance and transition. Please help us by supporting the SPS330 update as these updated and improvements in training and safety for Wisconsin Firefighters are essential for the services we are expected to provide.

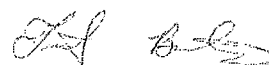
Respectfully,



Jon Cohn, Chief, Greenfield
President, WSFCA



Nate Melby, Chief, Town of Campbell
Vice President, WSFCA



Tim Bantes, Chief, Grand Chute
2nd Vice President, WSFCA

The Wisconsin State Fire Chief's Association (WSFCA) has over 1,100 members representing nearly 500 Fire Departments. The members of the Wisconsin State Fire Chief's Association represent a very diverse group of communities from heavy urban to suburban to rural. Likewise, service delivery models range from career personnel to paid-on-call to volunteer members. Many of the WSFCA organizations also deliver Emergency Medical Services

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Wisconsin State Fire Chiefs' Association

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October 25, 2017

The Wisconsin Department of Safety and Professional Standards Advisory Committee on SPS 330 (Fire Department Safety and Health) represented all areas of the fire service including volunteer, combination and career fire departments. The purpose of the Advisory Committee was to review SPS 330 and make suggestions to improve the document. The end result is that many hours were spent determining which items needed to be addressed and whether the recommendations were reasonable for all fire departments. The final recommendations were agreed to unanimously.

The recommendations that were made included the following;

- Clarification of Health and Safety Officer vs. Incident Safety Officer
- Update to current NFPA Codes
- Definition of what a qualified instructor is
- Specification that all new firefighters shall be trained prior to being allowed to perform hazardous duties
- Specification that officers and pump operators shall be trained prior to being allowed to function on the fireground

The draft document was then disseminated to all members of the WSFCA with a survey attached. The question was: "do you approve of the Advisory Committees recommendations?" Out of 101 responses we received the following results;

- Volunteer Fire Departments – 24 approve (70%) and 10 disapprove
- Combination Fire Departments – 27 approve (93%) and 2 disapprove
- Career Fire Departments – 31 approve (91%) and 3 disapprove
- Overall – 86 approve (85%) and 15 disapprove

The training recommendations were based on the Committees safety concerns, not only for the individual firefighter but also for the other firefighters who could potentially be impacted by a firefighter, officer or pump operator without adequate training. Additionally, with the increasing reliance on mutual aid companies there must be standardized assurances to ensure safety of all. It is the committee's hope that all Wisconsin firefighters will embrace the noted changes as being necessary and appropriate for the safety of our brothers and sisters.

The Wisconsin State Fire Chiefs Association (WSFCA) has over 1,100 members representing nearly 500 Fire Departments in Wisconsin. The members of the Wisconsin State Fire Chiefs Association represent a very diverse group of communities from heavy urban to suburban to rural. Likewise, service delivery models range from career personnel to paid-on-call to volunteer members. The Wisconsin State Fire Chiefs Association Board unanimously supports the draft document of SPS330 as recommended by the Advisory Committee.

The following WSFCA members served on the SPS330 Advisory Committee, support the recommendations and the draft document.

Handwritten signature of Robert Ugaste.

Fire Chief Robert Ugaste
Wauwatosa – career

Handwritten signature of Nate Melby.

Fire Chief Nate Melby
Town of Campbell – volunteer

Handwritten signature of Don Dominick.

Fire Chief Don Dominick
Onalaska – combination

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**STODDARD / BERGEN
VOLUNTEER FIRE DEPARTMENT**
188 NORTH MAIN STREET
STODDARD, WISCONSIN 54658



May 14, 2018

SPS 330 Committee:

I am happy to see the changes to SPS 330 Fire Department Safety and Health Standards, such changes are long awaited by the fire service. Since the last modification on for SPS330 January 2002, 16 years ago, many changes have taken place in the NFPA Codes that address advances in technology for fire suppression, how to protect our firefighters and the buildings that we are protecting. Fire chiefs across the state realize the dangers that are involved in the responsibilities we have to ensure our firefighters have the training, physical preparedness, and technology to keep them coming home and living a long, prosperous life.

Changes between the old SPS 330 and recommended are obtainable by all fire departments career or volunteer. The Stoddard Bergen Volunteer Fire Department is already doing many of the new proposals because it's the right thing to do for our members. I am proud to live in the state, Wisconsin, where our legislature realize the value of quality training from Wisconsin Technical College system. This allows our firefighters consistent training, so we can work side-by-side with neighboring departments knowing the all firefighters have adequate training to succeed in the tasks that are assigned, no matter if they are career, combination, or volunteer.

With updated Fire Department Safety and Health Standards and quality instructors providing current training, our communities will remain safe and healthy for years. Thank you for supporting SPS 330.

A handwritten signature in black ink that reads 'Joseph W. Pfaff'.

Joseph W. Pfaff

Fire Chief/NR AEMT



Stoddard-Bergen Fire Department
188 Main Street North
Stoddard, WI 54658



Fox Lake Community Fire Department
246 E State St/PO Box 65 Fox Lake, WI 53933
P. 920.928.6115 F. 920.928.3556
Email- flfd@foxfd.com FDID 14060

5/15/18

Dear Committee,

Wisconsin Chapter SPS 330 is an important document to the Wisconsin Fire Service. SPS 330 sets forth the Health and Safety standards that all fire departments shall follow. It is important that it gets up dated to current standards. Firefighter safety and health are of the utmost importance and should not be put aside.

As a full time fire instructor I use this document in teachings of new firefighters. This helps students understand all the laws, rules and regulations that their fire department shall follow. Students bring this important information back to their department and talk to their fire chief about it.

As a Volunteer Fire Chief and Full time fire instructor, I fully support the changes and updates to SPS330, as it will help Wisconsin Fire Departments move forward in becoming a better service. I understand people fear change, but this is a change that needs to be done.

Please support SPS 330 and the Wisconsin Fire Service.

Thank you

Aaron Paul

Aaron Paul
Fire Chief, Fox Lake Community Fire Department



TOWN OF CAMPBELL
FIRE DEPARTMENT

2219 Bainbridge Street • La Crosse, Wisconsin 54603

May 14, 2018

Dear Committee:

Wisconsin Chapter SPS 330 defines the Fire Department Safety and Health Standards in our State. It has been many years since this Administrative Code has been reviewed, and the proposed changes represent not only updates to make the standards current, but also updates to support the fire service's top priorities: firefighter training and safety. We must place safety above all other priorities to ensure that every firefighter goes home from every call.

Although this revision will require an incremental change in Wisconsin's Fire Service to ensure compliance across the entire state, as a Volunteer Fire Chief I feel that the changes are reasonable and workable for our department and departments like ours. By working together with the Wisconsin Technical College System, our departments can get the training they need to be safe on calls, and they will be our partners in this effort going forward.

Please support SPS 330, and help us to support safety in Wisconsin's Fire Service.

Regards,

A handwritten signature in black ink, appearing to read "N. J. Melby".

Nathaniel J. Melby
Fire Chief, Town of Campbell Fire Department



KEVIN PETERSEN

STATE REPRESENTATIVE

Chairman Nass, and honorable members of the Senate Committee on Labor and Regulatory Reform, thank you for the opportunity to testify on Clearinghouse Rule 17-067 specifically SPS 330 Fire Department Safety and Health Standards.

I fully understand the health, safety, and training of our firefighters is imperative, however the process outlined in SPS 330 is creating ambiguity and a confusing set of standards for training.

These changes will also create a challenge to the smaller departments struggling to recruit and retain volunteer personnel. Furthermore, they add a financial burden on the corresponding municipalities. Specific concerns of the proposed rule are as follows.

Section V Summary of Public Comments and the Department's Responses, Explanation of Modifications to Proposed Rules Prompted by Public Comments:

"A notification about the public hearings was sent to stakeholders through the Department's list serve".

My office has reached out to DSFS to get that list serve and have yet to get a copy to compare the list with all of the departments in the state that have a stake in the training changes.

Representatives from the Wisconsin State Fire Chiefs Association (WSFCA) testified that their organization surveyed their 1,100 members, which represent nearly 500 Wisconsin fire departments. Out of the 101 responses received, WSFCA relayed the following results:

We have also asked for that list and have been notified there has been a change in leadership of the WSFCA and the previous president does not have the records.

2. Ambiguity exists between the Code Refresher: SPS 330 Fire Department Health and Safety published under Secretary Dave Ross and the new training rules in SPS 330.08 (1), (2), and (3).

Specifically, NFPA 1001, 1002, and 1021 were not re-written into the proposed rule.

Additionally, under SPS 330.07 Training and Education Program: "Note: The intent of this rule is not to require an instructor to be certified. Fire departments should ensure that instructors are qualified in that particular area of expertise familiar with the fire department, its organization, and its operations."

Very gray area of interpretation of what is "qualified"? Who determines qualification, training officer, local fire chief or a different authority?

3. Under Summary of Public Comments and the Department's Responses, Explanation of Modifications to Proposed Rules Prompted by Public Comments #4, "Concerns relating to the items that fall under the authority of WTCS should be directed to that agency."

By statute, neither the Department of Safety and Professional Services (DSPS), nor the technical colleges, may require more than 60 hours of training for members of volunteer and paid fire departments maintained by a city, town, or village. {s. SPS 330.08 (1), Wis. Adm. Code; and ss. 38.04 (9) and 101.055 (3) (d), Stats.} Local departments reported in the comments section that not all WTCS offering courses and some reporting no longer can obtain "Entry Level" training therefore new members must take the entire FireFighter I Certification of approximately 120 hours.

4. Report to the Joint Legislative Council Study Committee on Volunteer Firefighter and Emergency Medical Technician Shortages dated January 20, 2017 outlines current problems and solutions in addressing volunteer shortages in the Firefighting field.

Following reading of proposed SPS 330 changes, it does not seem as if DSPS reviewed or took note of the Study Committee findings.

I would like to thank all firefighters for their dedication. Thank you for the countless lives you save. Thank you for being an important part of the community.



ADAM JARCHOW

STATE REPRESENTATIVE • 28TH ASSEMBLY DISTRICT

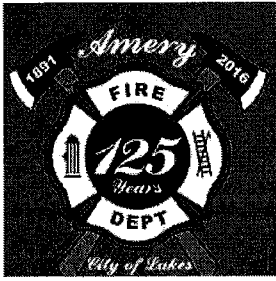
Testimony – Clearinghouse Rule CR 17-067
Senate Committee on Labor and Regulatory Reform
May 15, 2018

Firefighting in rural areas and the utilization of departments that rely on volunteers provides a unique situation that must be carefully evaluated. Many folks rely on these firefighting services, so any changes to training requirements or other aspects of firefighting must be balanced in order to provide proper recruitment and retention tools to such departments while still maintaining safety best practices.

Obviously, safety is a great concern on a fireground and guidelines are necessary to keep firefighters alive and healthy. The original clearinghouse rule being promulgated by the Department of Safety and Professional Services (DSPS) had language that I determined could be problematic to volunteer fire departments. Language was being put in place that could be read as restricting new volunteers from helping, in any capacity, at a fireground. When I started volunteering at the Apple River Fire Department, this may have been a deterrent to my continued membership with the ARFD. Volunteers are unlikely to be retained if they would have to wait months and months before being allowed to do anything at a fireground. The stifling of any volunteering at these rural departments would be devastating to those areas.

I am glad DSPS has taken these concerns to heart and are making germane modifications to CR 17-067. The language is now clear in granting discretion to incident safety officers on what aspects of a fireground are an “immediately dangerous to life or health” (IDLH) environment. This additional language, along with the removal of sub. 6 and the note to the modification, make the proposed rulemaking much more palatable in regard to recruitment and retention of volunteer firefighters. Some flexibility is necessary within the operations of volunteer fire departments in order to insure proper firefighting capabilities, and these germane modifications achieve the necessary flexibility by balancing safety concerns with recruitment and retention techniques of rural and volunteer fire departments.

Thank you Chairman Nass and members for hearing testimony on CR 17-067. I appreciate the germane modifications made by DSPS and look forward to the benefits these changes will have on firefighting across the state.



AMERY FIRE DEPARTMENT

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Amery, WI 54001

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Chief Dale Koehler

firechief@amerywi.gov

(715) 554-1833

May 13, 2018

Dear Representative Jarchow:

I am the half time fire chief for the City of Amery fire department in rural Polk County. I am very lucky to have a half time salaried position that allows me time to stay trained and up-to-date on issues like this legislation. Many of my counterparts in our small rural departments do not have the time to attend listening sessions like this one in Madison over 200 miles away from us on May 15th. This creates situations where you only have input from our professional organizations like the Wisconsin Fire Chief's Association (WFCA) or the Wisconsin State Firefighters Association. These organizations represent largely the paid or full-time departments and/or prefer to stay neutral on legislation issues. We, the rural fire chiefs, would like to see a system set up to get input directly from us.

Our concern in Polk County is that creating laws which identify minimum training standards or minimum staffing requirements negatively impacts volunteer fire departments or companies. Historically our volunteer staffed departments have trained our volunteer firefighters to meet the needs we have locally. Laws that require this are unnecessary. The law makes specific scenarios illegal and more importantly opens local fire chiefs up to liability. Mandating minimum requirements for an individual to even be on the fire ground limits our incident commander's ability to staff a scene. The incident command system is set up on the premise that the first responding firefighter is always in charge of an incident. According to this proposed law, without fully qualified people we would not even be able to attack a fire. An incident commander must have the ability to improvise when needed, using in house trained firefighters for the sake of our victims. In house training is a valid way to safely train firefighters, but it is not always preapproved by the technical college.

Secondly, this law would put undue burden on local department's budgets and the time of volunteers. Historically in other states, legislation like this has resulted in more fire districts with larger geographic areas and more full-time firefighters. The time and expense this legislation would require of small departments to qualify firefighters or command staff is something that small rural communities cannot afford. Rural fire departments depend on volunteerism to protect their communities. To keep volunteers engaged they must be able to assist on the fire scenes, the entry level requirement is part of the firefighter I class which takes over 100 hours to complete and is required for the sequence of leadership courses. My firefighters work full-time jobs and the local technical colleges schedule classes intermittently, this proposed legislation will make it difficult to gain new volunteers and we will lose some veteran officers because they don't have the required proposed qualifications.

Before writing any additional requirements into law a more in depth investigation with input from rural chiefs and volunteer fire departments is requested. As head of the Polk County Fire Chief's Group I want to keep our rural departments strong and full of local volunteers making a difference in their communities.

Thank you,

Dale Koehler
Amery Fire Chief
Polk County MABAS President

Mr. Jarchow,

I have several concerns in regards to the proposed SPS 330 changes and the affect it will have on my department. The areas of concern are focused on the minimum training requirements for driver/operator and officer positions, requiring a "qualified instructor" for in house training programs , and the WTCS needing to approve training curriculums.

I do not support these items in any way as they put a burden on our department to add unnecessary mandated training for my officers or operators, that belongs in my department SOG's. No fire department operates exactly the same whether comparing two rural volunteer departments, two full time municipal departments, or any variation in between. My department in northwest WI has been using a combination of in house training and technical college training for longer than my twenty year career with great success. Several of our training programs offered in house are a better fit for my department as they are more in depth in areas relating to hazards found in our response area. It appears to me that the WTCS will have a monopoly on the training standards in the state and that is more dangerous than our current training curriculum, some things cannot be rubber stamped!

Volunteer departments are in a struggle to retain members let alone recruit new members and additional mandatory training will not help the situation at all. I'm a firm believer in safety and a well trained department, our training standards prove it. The WTCS in our area doesn't have enough students to run classes often and I can't afford to send my firemen long distances for training to meet these proposed standards as its a financial burden but even more is the fact that I need them in the area to respond to calls.

I hope you can pass along my opinions on the changes at the upcoming hearing.

Keith Dahlstrom
Fire Chief, Shell Lake Fire Association

Hello I am Fire Chief Tom Cullen, Weyauwega Area Fire District.

I am a member of the Wisconsin State Chiefs Association and believe it is a good organization which I typically back in all of their proposals. But in this rewriting of SPS 330 I believe they did a very poor job of putting together the needs of all the population areas from across this great state. As I reflected on most of the changes I do see the thought process in which some of the suggestions that are made coming from a full time paid fire department view. Even though I think full time departments will face difficulties complying with some of the qualification requirements and financial burdens. And I did not think there was a true attempt to notify all fire departments of these changes, I received one email from the chiefs association and missed it in the many emails I receive from the mass distribution list. As volunteer fire chiefs we all have primary jobs that require the majority of our time and it is hard to find time to read every email from the distribution list.

I am also very disappointed the Department of Safety and Professional Services in regards to a subject so important to fire departments that they can't send out a written survey with all the changes and differences to get a true representation of the fire departments throughout the state. They can send numerous emails just you let you know your password is expiring you think something of this magnitude should require a legitimate attempt to contact all departments.

Our department is an example of a department who's past chief officers did not mandate certifications, but they did a great job on getting us the same training from experienced fire personnel, we have taken shorter classes that fit into our typical training schedule of two to three hours on our weekly training nights. The classes ranged from tactical firefighting to fire officer and fire cause and determination, though we didn't receive certifications our department is very well trained. In SPS 330.08 (1) (intro-) ~~Any new fire fighter engaged~~ No member may be permitted to participate in structural firefighting shall meet activities until that individual has completed the minimum training and education requirements as specified by any of the following: Why remove structural? I understand in a full time department, personnel are hired with these education and training requirements already achieved, but in a volunteer department it may take up to a year to achieve this minimum training and if that member cannot participate in any firefighting activities they are never going to stay motivated to remain a member of the department if all they can do is report to the station. There are many firefighting activities that can be completed without doing any interior structural firefighting or be placed in IDLH environments. I know there is a note in section 330.07 on page 18 that states: Note: The use of a structured on-the-job training program with close supervision can assist fire departments to utilize new members in non-IDLH environments during emergency operations. How many volunteer departments do you think have an on the job training program? In the current rule the new firefighter is given 24 months to complete this entry level course. Why change this?

I have been a big advocate for tech schools throughout my career all of my schooling both in the fire service and full time career has been through mostly FVTC in Appleton and I was a promoter in our area for their new public service training facility. But the past two years I have been very disappointed in the lack of understanding and lack of ability to change the procedures where it is proven they are not providing proper training to students so they can successfully pass the certification tests (Example: HazMat Operations). And when I asked the technical college if they were promoting this change to SPS 330 I was told they were not and I strongly disagree with their answer. I constantly hear that their enrollment is down and I see this as a way to increase their bottom line. Instead of making more

training for the fewer firefighters they should focus on ways to increase the numbers of firefighters especially in the rural areas.

Qualified who decides who is qualified? In the past training was to be overseen by the chief or designee who has completed 12-hour National Fire Academy field course for Instructional Techniques for company officers or an equivalent. In the new proposal it states to: Assure that the training and education required under this section and s. SPS 330.08 are provided by a qualified instructor. If the tech school decides who is qualified I believe you will need to complete FF 1, FF 2, Fire Officer 1, Emergency Services Instructor 1 and have an additional 30 hours of supervised training totaling 190 hours of training over and above FF 1 120 hours, that is a huge difference from a 12 hour course. It seems that the technical colleges has the ability to set the rules due to the references from the proposed SPS 330 rule where it states a course approved by the technical college system board. To this point how many classes outside the technical college system have been approved by the board? Another question I have is why are Tech schools not offering entry level classes? I know on their flow sheet it states that they offer them but I challenge you to find out how many entry level classes were offered in the state last year?

Our department recently sent 16 firefighters through firefighter 2 classes and certification and although the class fees were paid for by the state 2% fund there was still costs occurred by our local district as we pay firefighters \$12.50 per hour for training hours. Along with the testing fees that are not covered by state 2% fund at \$80 each we occurred a cost of \$6,880 and that was minus \$2400.00 of class time that we worked into our scheduled training nights so with a total cost of about \$9280.00 which works out to about \$580 per firefighter for this one class. And the dollar value is not the toughest obstacle to overcome it is the time commitment by the firefighter to commit to every class, which it is extremely hard to do in today's world and family life with both parents working and children in sports and other activities it is hard to keep the family happy when you commit to additional classes on top of your current training. And with recruitment and retention being the biggest challenges to the fire industry it will be hard as a fire chief to mandate additional training.

I have heard rumors that some of the changes to SPS 330 were due to when departments request mutual aid through the Mutual Aid Box Alarm System (MABAS) that they are worried that they will not receive personnel with the proper training. But I disagree with this because each division or county has the ability to set the level of training required for the different response positions. As an example our division has minimum training requirements or years of service for the different positions. And then when the call reaches an interdivisional request the minimum training for a firefighter is set at firefighter 1. Also every chief has the ability to select the departments he is requesting on his box card up to the interdivisional level. And if he feels a department doesn't have qualified trained personnel he has the ability to use them where their training is adequate.

In closing I am opposed to the changes in SPS 330 but I think with a sincere effort to reach out to the volunteer departments there can be realistic changes that will positively assist all departments. And since the majority of the fire departments in the state are volunteer then there should be more emphasis put on how these laws will affect the rural departments and there needs to be a plan on how local municipalities will be able to fund the added training costs that will coincide with the proposed training requirements. And also whenever there is changes to training requirements there needs to be affective set dates when requirements will go into effect and also considerations to grandfathering existing personnel.

Comments offered by the Spooner Fire District
To the Committee on Labor and Regulatory Reform
regarding Clearinghouse Rule 17-067
relating to fire department safety & health and
changes proposed for Wisconsin Administrative Code SPS 330.

Thank you for holding this public hearing and allow fire departments to offer our comments and concerns about the proposed changes to Administrative Code SPS 330. I am Mike Luedeke and I have served as a volunteer firefighter since 1984 with the Spooner Fire District. I am here representing the Spooner Fire District, our officers, and our firefighters.

Our comments are not intended to discount the importance of safety for Wisconsin's fire service. Firefighter training is vital to our safety as well as to the effectiveness of our fire suppression and rescue tactics. We don't oppose necessary training.

But we are concerned that some of the changes proposed to SPS330 will negatively affect our ability to successfully recruit and retain volunteer firefighters. Firefighter vacancies reduce our ability to effectively operate a structural fire department not only for our fire district but for other fire departments across much of rural Wisconsin.

Our concern is focused in four specific areas where SPS 330.08 has been modified. These changes affect:

- 1. Eligibility of existing, veteran firefighters previously trained 10, 20, 30 years ago to NFPA 1001 & 1002 requirements.**
- 2. The delivery, length, and accessibility of the current required training. (How, how much, & when)**
- 3. The required timeline to meet the new training requirements. Rural fire departments need a longer timeline for completion of the required training.**
- 4. Increased liability exposure for fire departments and firefighters if some of the proposed changes in this administrative rule are approved.**

As background, the Spooner Fire District serves 11 townships and the City of Spooner. We provide structural fire suppression, extrication & rescue services, fire prevention, mutual aid to WDNR for wildland fires, and other emergency services to the families, businesses, organizations, and property owners within 335 sq.mi. in northwestern Wisconsin. That's equivalent to providing emergency fire service to an area from Sun Prairie to McFarland to Verona to Waunakee.

We are a rural volunteer fire department with an authorized roster of 35 firefighters. Our volunteer firefighters are independent business owners, carpenters, mechanics, truck drivers, welders, foresters, and employees of local businesses, public agencies or other organizations that operate near Spooner.

We currently have 5 firefighter vacancies. Like many other rural fire departments in Wisconsin, our fire district struggles to recruit, train, and retain firefighters willing to take time away from their employment, businesses, families, and other personal activities to provide this vital public service. Vacancies have been a growing problem over the last 10-15 years.

Structural firefighting is a tough and dangerous public service. We seek out firefighters who are in their 20s & 30s, who are physically fit, savvy, willing and able to be trained as firefighters. But these young adults are also hard-working people trying to balance the daily & weekly time challenges of earning a livelihood and managing the many responsibilities of young families. Often, they have limited time available for anything else beyond earning a living and caring for their families.

Our firefighters don't come to "work each day" to be firefighters. Our firefighters "leave" their work, "leave" their businesses, and "leave" their families to respond as firefighters when paged to an emergency. And similarly, when our firefighters participate in training whether entry level or monthly, routine, they leave their families in the evenings and come to our station. This requires taking time away from work and family.

When we interview potential firefighters, almost every candidate asks **WHAT IS THE TIME COMMITMENT TO BECOME A VOLUNTEER FIREFIGHTER?** When we explain the time expected of them to complete the probationary training requirements as well as participate with regular monthly training, some great candidates withdraw their application due to the challenges presented by the amount of time required away from work and families to serve as a volunteer firefighter.

So we ask you to reconsider the following changes proposed for SPS 330:

1) The revised draft of SPS 330.08 (1) no longer includes minimum training to NFPA 1001 & NFPA 1002 requirements as an option. But our fire department, like many other department, has used and relied on the IFSTA manual, *Essentials of Fire Training*, to train our probationary firefighters to meet the requirements of NFPA 1001 & 1002. This appears to no longer be recognized. So that causes us to question whether our veteran firefighters will meet the new proposed minimum training standard. If the training these experienced firefighters previously received is no longer recognized or accepted as valid for the minimum training and education, will our veteran firefighters now be required to take the entry level fire fighter course approved by the technical college system board, or an approved state apprenticeship program or an in-house training program approved by the technical college system board in order to meet the minimum training standard?

We expect that a significant number of veteran volunteer firefighters will not agree to retake basic firefighting training and instead leave the fire service, further compounding the shortage of rural volunteer firefighters.

The proposed changes in SPS 330.08 states, "**no member can act as a pumper, aerial operator, or fire officer during an emergency until that individual meets the minimum training and education requirement...**". And again, only the 3 same choices meet this proposed training requirement. If this language remains in SPS 330, our rural fire department as well as many others in Wisconsin will face significant challenges to respond with to an incident with firefighters who meet this new standard. Our firefighters are already well trained and have proven themselves on many incidents. We routinely train and refresh our firefighters to safely and effectively operate our engines and pumps, but we have not used the training curriculum as specified in SPS 330. Therefore, we expect that if these changes remain as drafted, we will not be in compliance with this administrative rule.

The same issue applies to the requirement for completion of officer training before assuming command of an incident. We train and expect our firefighters to be able to assume command of an incident if they are the first firefighter on the scene. And depending on the incident and arrival of one of our appointed

officers, this first on-scene firefighter can then transfer command or may retain the assignment as the incident command. It is not unusual for the first firefighters on scene or at the station to be non-officers. But this new change in SPS330.08(3) isn't realistic and we will be challenged to comply on many incidents.

Therefore, we request that this requirement be eliminated or modified to allow veteran firefighters and officers who have received previous in-station training to meet the minimum training standards for pumper and aerial operator as well as fire officer to be covered by SPS 330.

2) We ask that you retain flexibility in SPS 330 for fire departments to design and deliver in-station training to their probationary and veteran firefighters. Allow fire departments the flexibility to choose to conduct the training of new firefighters in station. This can save time for firefighters by reducing the additional travel time often needed to reach distant training locations.

The revised SPS330 rule limits fire departments to either use the instructors from Wisconsin's technical colleges, send their firefighters to an approved fire apprenticeship program or academy, or to develop our own curriculum which has to be approved by the technical college system board. This is too restrictive and fire departments need additional flexibility on how we provide entry level as well as advanced training to our firefighters.

Here's another option we would like to recommend for SPS 330 to help fire departments meet the new training requirements:

Change SPS 330.08 to include the following 4th option: *A web-based fire service training program be provided to allow fire departments to conduct in-station training. The course curriculum will be approved by the technical college system board but developed through a rural fire department and technical college development team.* This web-based training includes the training resources that each fire department can use to design a training program that fits the time schedule and needs for their entry level or veteran firefighters. Set up the web-based fire training portal so that each fire department can access the training through their internet provider, stream it to a lap top or to a larger format digital display to present the technical training to firefighters in their station. This web-based instruction can be supplemented by a local in-station trainer.

Here's why we believe this makes a lot of sense:

- Not all technical college fire service instructors are capable or effective instructors. Some of these instructors have great "fire operations" stories that can dazzle new students but they lack the technical ability or skill to deliver the fundamental fire training. Instead encourage the technical colleges to use their best instructors to build and provide the fire training series on a digital library which is freely available at any time on the web-portal. Using creditable and capable instructors with knowledge of rural fire department operations is vital.
- The technical colleges do not have the needed or qualified instructors to provide this increased level of training statewide proposed by the revisions to SPS 330. And in fact, many technical colleges currently have to contract for qualified instructors from outside the technical colleges to meet on-going training requests. Require the technical colleges to develop a web-based fire service training series to provide the entry and advanced training

but allow local, in-station trainers to supplement and adapt the web-based training to familiar, in-house equipment, local needs or conditions.

- This web-based training system will reduce the need for instructors and reduce technical college expenses by digitally recording the web-based curriculum once instead of arranging for many instructors to repeat the same curriculum multiple times at different locations across Wisconsin every year.
- Technical college instructors are not familiar with all the equipment and cannot be expected to know how to operate the many different configurations of fire apparatus statewide. We want our new firefighters to know how to operate the equipment we have at our station. Allowing fire departments to hold the training at their station allows new firefighters to train on the equipment they will use.
- This web-based training doesn't require new firefighters to leave their home station to travel to get to a technical college training site. It would allow firefighters to take or review the training even from home as time allows. This reduces the time and travel commitments for new firefighters. And importantly allows new firefighters to train and become proficient with their own department's equipment under the guidance of a local, knowledgeable trainer.
- This web-based program allows local fire departments to design their training schedules to fit their department's needs, allows fire departments to conduct practical training exercises on their own equipment, eliminates the hurdle of minimum class size required by the technical colleges, reduces the training costs to fire departments, and provides a consistent statewide fire curriculum.
- Web-based training is happening all across the nation. Many universities have rapidly expanded the variety and quality of their web-based college curriculums. Wisconsin's technical college fire training program needs to join the digital age to provide timely, cost effective, web-based training and better serve Wisconsin's fire departments. Hopefully this can ease the training time demands that turn away potential new firefighters and help us recruit new firefighters.
- And we ask that the required training be reevaluated to shorten the length of the required training.

3) Requiring immediate compliance with SPS 330.8 minimum training standards is not realistic.

Most rural fire departments will be in non-compliance if this minimum training standard becomes effective without modification upon approval of the new SPS 330.

4) Liability Another associated concern for the proposed administrative rule change relates to the increased fire department liability exposure created by the changes to training standards and to the reduced roster of firefighters who leave since they no longer meet the minimum training requirements for pumper operator, aerial operator, and fire officer.

Codifying this requirement in SPS 330 increases the liability exposure for all fire departments who cannot immediately comply with the proposed changes to these training requirements. In our increasingly litigative culture, we worry that any legal discovery process after a large incident will find that most rural fire department do not meet the exact requirements as defined in SPS 330 for minimum firefighter training as well as other changes.

In summary, we ask for your consideration to modify several of the currently drafted changes to SPS 330 that would help rural volunteer fire departments:

- We request that SPS 330.08 (1) include recognition and approval of veteran firefighters who have been previously trained by fire departments using the IFSTA manual to meet NFPA 1001 & 1002. The training these experienced firefighters completed 10, 20, 30 years ago should be formally recognized in 330.08 (1) as meeting the minimum training standards and these firefighters be encouraged and allowed to participate in structural firefighting operations. Similarly, we ask that SPS 330.08 (2) and (3) be modified to include recognition and approval of previous engine operator and officer training received by existing veteran firefighters as meeting the minimum training and education requirements.

- Shorten the required minimum training standards. Currently the time requirement is:
 - Entry level Firefighter Parts A & B is 60 hours
 - Entry level Apparatus Driver/Operator-Pumper is 30 hours
 - Entry level Apparatus Driver/Operator-Aerial is 6 hours

This is in addition to other fire department monthly drills and meetings.

- We request that SPS 330.08 include the requirement that the technical college system board provide a 6 hour Entry Level Officer course available through a web-based system. Currently only an 80 hour Fire Officer I & II course is offered.
- We request that SPS 330.08 (1) and (2) and (3) be changed to instruct Wisconsin technical college system to develop a web-based, in station training curriculum to meet the training engine operators, aerial operators, and officers. This training should be designed to allow each fire department to easily access, tailor, schedule, and incorporate this training into their own in-station training schedule that best fits the needs of their firefighters. Local in-station fire department trainers would be used to supplement this web-based training to fit local fire department operations.
- Allow the technical college system 12 months or more to develop this web-based training curriculum using their best instructors and to assemble the training resources needed to support this web-based system. Development of this web-based system and curriculum requires collaboration with rural fire departments.
- Allow Wisconsin fire departments 36 months after deployment of the web-based fire department training to incorporate this training into their local fire department annual training schedule and to reach compliance with SPS 330. Allow 3 years to complete 3 different training courses through the winter in-house training.
- Allow fire departments the flexibility to either seek technical college system fire service instructors to provide the required training if that is their preference or to use the web-based training to access the required training without technical college instructors.
- Consider changes to SPS 330 that will help fire departments attract new and retain fire veteran firefighters, especially volunteer firefighters who already must meet the challenges of operating a business, holding a full time job, and supporting a family. Excessive and unrealistic

training requirements and timelines reduce the pool of young candidates interested in serving their communities as a firefighter. And we can't afford to lose our experienced firefighters.

Thank you.

Submitted by:
Michael Luedeke
Safety Officer
Spooner Fire District
1400 N. River St.
Spooner, WI 54801

715-635-9115

May 15, 2018

Michael A. Luedeke 5/15/2018



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Rep. Nick Milroy
Wisconsin Assembly District 73
P.O. Box 8953
Madison, WI 53708

April 17, 2018

Dear Rep. Nick Milroy:

On behalf of the Spooner Fire District, I am submitting the following comments on the proposed rule changes to Administrative Code SPS 330 as well as the related DSPS rulemaking report CR 17-067 recently prepared for the legislature. SPS 330 establishes minimum safety and health standards for public sector fire department employees and imposes requirements on all cities, villages, towns, and districts that provide structural fire protection across the State of Wisconsin.

The Spooner Fire District provides structural fire protection and other emergency services to the City of Spooner as well as 11 town governments in Burnett and Washburn Counties. This District operates a rural fire department that provides structural fire protection to the buildings, businesses, organizations, residences, and properties for more than 9000 permanent citizens across more than 330 sq. miles in northwest Wisconsin as well as many more absentee landowners. The Spooner Fire District relies on a roster of 34 volunteer firefighters (including 4 current vacancies) who have made a commitment to respond to a fire or other emergency when paged from their work, away from their families, or interrupts their personal activities. Like many other rural fire departments in Wisconsin, our fire district struggles to recruit, train, and retain firefighters willing to take time away from their employment, businesses, families, and other personal activities to provide this vital service.

While we support some of the changes proposed to SPS 330 by the Department of Safety and Professional Services and reviewed by the Legislative Report CR 17-067, there are several significant changes that will negatively impact Spooner Fire District's ability to successfully retain volunteer firefighters and effectively operate a structural fire department in rural Wisconsin.

Please give consideration to our comments on several of those changes that we believe need further modification before authorization through Wisconsin's Administrative Code rule making process:

1) Under the revised SPS 330.07 and SPS 330.08, the training requirements for firefighters, drivers of pumper or aerial apparatus, fire officers, and others has become more restrictive and most rural fire departments will be severely burdened to comply. **Specifically, the proposed change eliminates the opportunity to train firefighters according to the requirements of NFPA 1001 and NFPA 1002 which we relied on to train our new firefighters.** Instead, this new rule forces fire departments to use training either provided by or approved by Wisconsin's technical colleges at an increased cost to departments. It also allows firefighters to be trained by an approved state apprenticeship program which typically trains firefighters for full time positions with municipal, large city fire departments.

Loss of the ability to use training standards defined by NFPA 1001 & 1002 even when using the same IFSTA training resources as the technical colleges, eliminates in-house training opportunities for some rural fire departments that have been used successfully for many years.

If training to NFPA 1001 & 1002 can not be restored, we strongly recommend that this rule be modified to still allow rural fire departments to train their new firefighters, pumper drivers, aerial apparatus operators, and fire officer in-house with qualified instructors and using training materials provided by the technical college system board. Develop a web-based training package.

We believe this can be successfully accomplished by requiring in SPS 330.08 (1)(cm) that Wisconsin's technical college system board develop and approve the curriculum and training materials which can be used to train all firefighters whether done by technical college instructors or by qualified in-house fire department instructors. If the technical colleges already have developed an approved curriculum and training resources, why not require in SPS 330 that these technical colleges also provide this same curriculum at no cost to rural fire departments as a solution for not allowing in-house training to NFPA 1001 & 1002 requirements. Why place the burden to develop a curriculum on the rural fire departments when the technical colleges already have a curriculum developed. Give free access to the approved curriculum and training resources to rural fire departments. Why reinvent the wheel and pay twice for it?

Change SPS 330.08 to state as follows: An in-house training program approved and training materials provided to fire departments instructors by the technical college system board;

Here's a few reasons why this make sense:

- a) The technical colleges currently do not have the needed or qualified instructors to provide this increased training statewide need. And in fact, many technical colleges have to contract for qualified instructors from rural fire departments to meet on-going training requests. So, this change would allow interested local fire departments with qualified instructors to provide this training in-house without having to rely on the technical colleges. This increases the capacity to train firefighters.
- b) Currently, the technical college training requires a minimum number of students to hold sessions and often requires significant travel for students to reach training locations. The class size requirement, class scheduling, and travel is inconvenient for many rural fire departments, especially when we are already struggling to recruit new firefighters. Allow local fire departments to schedule as it fits their local needs and interest.
- c) Not all technical college fire instructors are capable instructors even though they are assigned to be instructors. Many local, rural firefighters and officers have more experience than these contracted or staff "instructors". A creditable instructor with knowledge of rural fire department operations is important.
- d) In-house instruction using the technical college curriculum and resources would allow qualified in-house instructors to tailor the training to their local fire department resources and

in-house fire equipment at a reduced total cost to these departments. Don't force rural firefighters to train on structures or operational procedures not present in their protection area. We want our firefighters to be ready to use the equipment we have at the station.

e) Our proposed modification does not compromise firefighter safety but it does restore some options for who provides the training. While Wisconsin's technical colleges can offer good educational opportunities, we don't believe they should be the only source of firefighting training nor should SPS 330 direct the technical college system to become the sole source of training for fire departments. Some competition for training will force the technical colleges to improve what they offer.

Give rural fire departments the option to train in house for entry-level firefighters, pumper drivers, aerial operators, as well as fire department officers and require the technical colleges to provide the curriculum and training resources they have already developed. Rural fire departments if they choose, will provide their in-house qualified instructors to the same standards as the technical college instructors. Give us the tools and we can get the training done.

2) Our next concern is for the proposed administrative rule change that relates to increased fire department liability and loss of firefighters who currently don't meet the minimum training requirements for pumper operator, aerial operator, and fire officer. **Under the proposed changes in SPS 330.08, "no member can act as a pumper, aerial operator, or fire officer during an emergency until that individual meets the minimum training and education requirement ...". So what happens when...**

Who will operate our fire apparatus or take command of an incident if we don't have firefighters who report for a call today who don't meet this requirement? We don't have designated pumper drivers or aerial operators because we don't know who will be available at the hour or day of a fire emergency. Every firefighter is expected to be ready to operate if an experienced firefighter is not available. Does the fire apparatus stay parked at the station waiting until a trained pumper driver shows up..... maybe? And similarly, do the firefighters on scene wait to attack a fire until a "trained officer" shows up. We prepare all firefighters with the understanding that our first firefighter on scene is expected to take command of the incident until relieved of that duty by an officer or more senior firefighter. Some incidents may never have an "officer" on scene. We obviously can't wait till next year or next time to start operations on a fire incident.

Or what happens if trained firefighters are not available on that day? Or while waiting for firefighters to meet these training standards?

Or who will replace those firefighters who choose to leave the fire service because they no longer have the interest in committing even more of their personal life and time to maintaining these training requirements. Our firefighters will not likely stand by and wait for a trained firefighter/operator/officer to show up for response to an incident and instead will respond at risk of exposure to a challenge for not meeting the training requirement specified in SPS 330.

Spoooner Fire District already has a significant monthly training and drill schedule. Adding additional training requirements will likely discourage retention of existing firefighters as well as recruitment of new firefighters.

It appears this rule change is indirectly targeting rural volunteer firefighters who besides being firefighters must also earn their living not as a full-time career, municipal firefighter, but as independent business owners or employees in rural Wisconsin. If we lose our "volunteer"

firefighters to staff our rural fire departments, can we rely on career municipal firefighters in Rice Lake or Superior to provide structural fire protection to the Spooner area?

Codifying this requirement in SPS330 clearly exposes all fire departments to increased liability to post-incident litigation when the legal discovery process finds that a firefighter does not meet the exact requirements as defined in administrative code SPS 330 for fire department training. In our increasingly litigative culture, it is likely most fire departments will not be able to meet this requirement.

We request that this requirement be eliminated or modified to a training recommendation. We support the need for training but requirement in SPS 330.08 will reduce our roster of available firefighters to a level we will no longer be able to provide firefighters to staff a response to an incident. As an option, reduce this training requirement to a training package that can be provided to and used locally by each rural fire department. Require that the technical college system board develop a basic 4-6 hour training program for each (power point presentations, written products, or web-based training) that will be provided to fire departments and allow each to incorporate this training into their own in-house training schedule that best accommodates their firefighters schedule. And includes a list of training items that can be tailored to the local fire department's equipment.

Allow the technical college system board 1 year to develop these training packages for delivery to fire departments and then allow fire departments 36 months to work these specific training packages into their annual training/drill schedule. These segments could become part of the winter training schedule for many fire departments. Allow 3 years to complete 3 different training courses. Each course should be 4-6 hours that could be worked into 2-hour long training sessions through the winter season. Don't require technical college instructors but build the program to allow local training delivery by in-house instructors. There are all kinds of new innovations with web-based training that can effectively deliver this training. The technical colleges should catch up to these new innovations.

Change SPS 330.08 (1) and (2) and (3) to include: *An in-house training program approved, developed, and provided at no cost by the technical college system board within 12 months for use by fire departments to provide basic entry level/operator-pumper, driver/operator-aerial training at the local level. Each course shall be no longer than 6 hours. Once available from the technical colleges, fire departments will have 36 months to incorporate these training sessions into their annual training schedule.*

We have other suggestions but these two changes would support the safety of our firefighters but also ease the burden for rural fire departments to meet these requirements.

Thanks for giving consideration of our comments to your review of the proposed SPS 330 administrative rule changes.

We would welcome any questions or requests for clarifications from you or your staff.

Thank you,
Sincerely,



Darren Vik
Chief
Spooner Fire District

Cumberland Fire District

P.O. Box 385
Cumberland, WI 54829

BARRY KUENKEL, Chief
RICK CHARTRAW, Assistant Chief
RICK SEBENS, Assistant Chief
JIM HULLEMAN, Secretary-Treasurer

Dear Committee Members;

First off, I want to sincerely thank you for the opportunity for us to address the concerns we have about the proposed changes to SPS 330.

I would like to begin by stating there are some changes that are very good and will be welcomed by all in the volunteer fire service.

Specifically, changing inspections to monthly and within 24 hours of use, and the exception from NFPA standards that require the automatic replacement of apparatus tires every 7 years, were very welcomed changes.

However, the proposed changes in wording in CR17-067 that pertain to training requirements has us very concerned and I will outline our thoughts in the following pages.

Specifically the items we have issue with are, SPS 330.08 par.(1), "No firefighter may be permitted to participate in hazardous operations or structural firefighting activities until that individual has completed the minimum training and education requirements as specified by any of the following:

- (a) An entry level firefighter course approved by the technical college system board;
- (b) An approved apprenticeship program;
- (c) An in house training program approved by the technical college system board;

We teach our people that we are in emergency operation mode as soon as the pager goes off, that every step from the page out until we are back in service is considered potentially hazardous and part of an emergency. After all, workers comp considers it as such. So, that would mean that a member could not even respond to a page until they have received "approved" training. This may sound extreme, but if something should happen, lawyers are going to want to know if the rules were followed to the letter.

We are asking for the paragraph to read: No member may be permitted to participate in interior structural firefighting activity or work within an IDLH environment as determined by the incident safety officer in accordance with SPS 330.14(1)(g). This would allow the member to respond to and provide assistance at an emergency event.

Don't get me wrong, I am not against training, 92.5% of my guys are trained to FFI and 70% are trained to FFII.

When we put someone on, it is because we need the help now, not 6 months to a year from now. Training is not available whenever we need it. There has to be at least 10 to hold a class, and then it could be 30 to 60 miles away. We do not have the luxury of having training immediately available.

We will not be able to keep new recruits interested if they can't do anything.

PLUS...Having the ability to put recruits to work immediately gives us the opportunity to observe and determine if the individual is suited for, and is able to handle some of the situations we often are called to mitigate BEFORE we invest the time and money to have them trained. Some people simply can't stomach some of the things we are exposed to.

PLUS...

A good share of entry level training has little or nothing to do with what we do anyway. Too much time is spent on subjects we rarely use and should not be included in an entry level program. Entry level should be entry level, not filled with historical and technical stuff that belongs in a more advanced level training.

For example;

Forcible entry, 70 pages in the book with over 150 slides. Use in the real world? NONE. Boots or axes are most often used up here.

Knots, 42 pages with over 80 slides. Practical use NONE. I have been in the fire service 37 years and have yet to tie a knot other than a clove hitch on the fire ground.

HAZ-Mat, 12 hours plus the yearly refreshers which use up valuable practice and training time. All we can do is evacuate and isolate, and we will probably sweep up a couple of small gas spills a year.

Alarms and sprinklers, 36 pages over 80 slides. Most of it worthless to us. Just the basics would be fine.

Pre-hospital emergency care, 55 pages, most of it, worthless. We don't do medical.

Meanwhile 20% to 25% of our calls are on the roadways and require some amount of traffic control. I could only find ONE paragraph and ONE slide on this subject in the book. This is where firefighters are being injured and killed.

What kind of sense does this make?

What we need is down and dirty training that applies to the majority of the types of calls we do in our area. Car crashes, barn fires, grass fires, garage and house fires. Teach us about fire flow paths, wind driven fires, use of our PPE and SCBA's, ventilation best practices, spray patterns etc., stuff we actually need and use.

We need to get our new folks to know how WE operate at a given emergency.

We also have an issue with 330.08 (2) which prohibits any member from acting as a pumper operator during an emergency until they meet the training requirements specified by the technical college system board. As we are volunteers, we never know who is going to show up at any given time, therefore, all of our people are expected to be able to operate our pumpers. Their training for this begins the first time they show up at a meeting or a call. They are taken into the control panel to

first watch the operator get and keep water flowing and then as things settle down they get their hands on the controls under the watchful eye of an experienced operator. We simply cannot afford to have people who cannot operate our equipment. This rule would severely handicap us if we cannot use our people to the fullest extent. We need to get them trained on operating our apparatus ASAP, not six months or a year from now.

SPS 330.08 (3) Again, as we are volunteer, we never know exactly who is going to respond or when. The first person to assume command at a scene may not be an officer. For this reason, our folks are taught early on what it means to ride in the right hand seat of the first arriving unit. They have charge of that scene until they are relieved or the emergency ends, whichever comes first. This does not happen often, but we want our folks to be prepared in the event it does

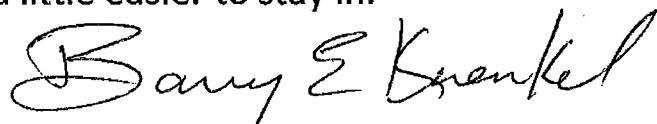
Again, tech college training is not available to us at the drop of a hat. It takes time before there are enough numbers in our area to fill the class requirement.

We have people with decades of experience we use as mentors who are able to train our new folks the way we need them trained and none of us want to put anyone in jeopardy or have a delay in operations because of operator error. We are proud of our efficiency.

These items, as proposed WILL HAVE a deleterious effect on recruiting and retention in our volunteer departments in northwest Wisconsin. This is not our livelihood. We have jobs, businesses and families to consider. We make ourselves available whenever the pager goes off, and we do our best to make things better for those who need our help. We work hard to train and practice, to be the best we can be and to fulfill as many requirements as we can. That being said, there are only

so many hours in a week. We can only ask so much of our people before they say enough is enough. We do not need more complications that waste our valuable time.

Please consider making a few changes in wording to help make our jobs a little easier to stay in.

A handwritten signature in black ink that reads "Barry E. Kuenkel". The signature is written in a cursive style with a large, stylized initial 'B'.

Barry Kuenkel, Chief, Cumberland Fire District



DURAND FIRE DEPARTMENT

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May 8, 2018

To the committee on rule 17-067:

Due to two other commitments on May 15, I'll be unable to attend the hearing on Clearinghouse Rule 17-067.

I've been a volunteer firefighter for over 52 years, past President of Wisconsin State Firefighter's Association of thirty four years, a member of Chippewa Valley Technical College board on fire training for over 20 years and have served on many state committee regarding fire safety issues.

I have studied this rule, and believe the first writing didn't help the volunteer firefighters.

1. In all my years a new recruit was never allowed in a burning building until they were properly trained.
2. By being at the fire scene he learned where tools were kept in the fire trucks, then was able to give them to the firefighters fighting the fire and observed the use of them. This allowed the trained firefighter to do his job fighting the fire.
3. At the fire scene they were still be under fire command. They were still safe while they were learning
4. While waiting to take the fire class they began learning about fighting fires and it helped them to decide if they wanted to make the commitment.
5. This also saved the fire department money and the 2% funds if they quit.
6. With all the training, it is a big commitment to become a firefighter or EMT.

7. A committee member of 330 said that it could be put into the fire department's protocol to allow them to be at fire scenes. Two insurance companies said that this rule would override protocol. If they were injured it would lead to a worker's compensation issue against the fire department.
8. The second set of rules that I read would be acceptable to most fire departments. It would be a help to the volunteer system. The recruit would be able to learn firefighter by observing. It would be cost saving to the vocational college and the fire department.

Thank you for your time,

A handwritten signature in cursive script that reads "Larry Plumer".

Larry Plumer
Durand City/Rural Fire Department