DEPARTMENT OF LABOR AND ECONOMIC OPPORTUNITY

DIRECTOR'S OFFICE

GENERAL INDUSTRY SAFETY AND HEALTH STANDARD

(By authority conferred on the director of the department of labor and economic opportunity by sections 14r, 16, and 21 of the Michigan occupational safety and health act, 1974 PA 154, MCL 408.1014r, 408.1016, and 408.1021, and Executive Reorganization Order Nos. 1996-2, 2003-1, 2008-4, 2011-4, and 2019-3, MCL 445.2001, 445.2011, 445.2025, 445.2030, and 125.1998)

PART 73. FIRE BRIGADES

R 408.17301 Scope, adoption, and referenced standards.

Rule 7301. (1) This standard is applicable to fire brigades, industrial fire departments, and private or contractual-type fire departments when established by an employer, and provides for the organization, training, and personal protective equipment to be used. This standard does not apply to airport crash rescue operations or forest firefighting operations.

(2) The following National Fire Protection Association (NFPA) standards are adopted by reference in these rules and are available from the National Fire Protection Association, 1 Batterymarch Park, P.O. Box 9101, Quincy, Massachusetts, 02169-7471, or via the internet at the following website: www.nfpa.org, at a cost as of the time of adoption of these amendments, as stated in these rules:

(a) NFPA 1971: "Standard on Protective Ensembles for Structural Fire Fighting and Proximity Fire Fighting," 1997 edition. Cost: $79.50.

(b) NFPA 1971: "Standard on Protective Ensembles for Structural Fire Fighting and Proximity Fire Fighting," 2013 edition. Cost: $74.00.

(c) NFPA 1981: "Standard on Open-Circuit Self-Contained Breathing Apparatus (SCBA) for Emergency Services," 2007 edition. Cost: $63.50.

(d) NFPA 1982: "Standard on Personal Alert Safety Systems (PASS)," 2007 edition. Cost: $68.50.

(3) The standards adopted in these rules are also available for inspection at the Michigan Department of Labor and Economic Opportunity, MIOSHA Standards and FOIA Section, 530 W. Allegan Street, P.O. Box 30643, Lansing, Michigan, 48909-8143.

(4) Copies of the standards adopted in these rules may be obtained from the publisher or may be obtained from the Michigan Department of Labor and Economic Opportunity, MIOSHA Standards and FOIA Section, 530 W. Allegan Street, P.O. Box 30643, Lansing, Michigan, 48909-8143, at the cost charged in this rule, plus $20.00 for shipping and handling.

History: 1984 AACS; 2023 AACS.

R 408.17302 Rescinded.

History: 2015 AACS; 2023 AACS.

R 408.17303 Rescinded.

History: 1984 AACS; 1998-2000 AACS; 2013 AACS; 2023 AACS.

R 408.17305 Definitions; E to I.

Rule 7305. (1) "Education" means the process of imparting knowledge or skill through systemic instruction. Education does not require formal classroom instruction.

(2) "Fire brigade" means a private or industrial fire department consisting of an organized group of employees who are knowledgeable, trained, and skilled in at least basic firefighting operations.

(3) "Foam containing PFAS" means firefighting foam containing intentionally added perfluoroalkyl or polyfluoroalkyl substance.

(4) "Incipient stage fire" means a fire which is in the initial or beginning stage and which can be controlled or extinguished by portable fire extinguishers, class II standpipe, or small hose systems without the need for protective ensemble or breathing apparatus.

(5) "Interior structural firefighting" means the physical activity for fire suppression or rescue, or both, inside of buildings or structures involved in a fire situation beyond the incipient stage.

History: 1984 AACS; 2023 AACS.

R 408.17307 Definitions; P.

Rule 7307 (1) "PFAS" means a perfluoroalkyl or polyfluoroalkyl substance.

(2) "Protective ensemble" means multiple elements of clothing and equipment designed to provide a degree of protection for employees from adverse exposures to the inherent risks of structural firefighting.

History: 1984 AACS; 2023 AACS.

R 408.17309 Definitions; S to T.

Rule 7309. (1) "Small hose system" means a system of hose ranging in diameter from 5/8" (1.6 cm) up to 1 ½" (3.8 cm) which is for the use of employees and which provides a means for the control and extinguishment of incipient stage fires.

(2) "Structural firefighting" means activities of rescue, fire suppression, or property conservation inside or outside buildings, structures, equipment, vehicles, vessels, or like properties that are involved in a fire beyond the incipient stage.

(3) "Training" means the process of making proficient through instruction and hands-on practice in the operation of equipment that is expected to be used and in the performance of assigned duties.

History: 1984 AACS; 2023 AACS.

R 408.17310 Employer responsibilities.

Rule 7310. (1) The employer having a fire brigade shall prepare and maintain a statement or written policy that establishes the existence of a fire brigade; and 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 statement or written policy shall be available for inspection by the director of the department of labor and economic opportunity or his or her authorized representative and by employees or his or her authorized representatives.

(2) The employer shall ensure that employees who are expected to do structural firefighting are physically capable of performing duties that may be assigned to them during emergencies. 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.

(3) 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 instructors shall be provided with training and education that is more comprehensive than that provided to the general membership of the fire brigade. Training and education records must be maintained and be made available for inspection by the director of the department of labor and economic opportunity or his or her authorized representative and by an employee or his or her authorized representative.

(4) An employer shall ensure that training and education is conducted frequently enough to ensure 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 firefighting shall be provided with an education session or training at least quarterly.

(5) An employer shall inform fire brigade members about hazards, such as the storage and use of flammable liquids and gases, toxic chemicals, radioactive sources, and water reactive substances, to which they may be exposed during a fire and other emergencies. The fire brigade members shall also be advised of any changes that occur in relation to the hazards.

(6) An employer shall develop written procedures that describe the actions to be taken in situations involving hazards and shall include these written procedures in the training and education program. An employer shall make the procedures available for inspection by fire brigade members.

History: 1984 AACS; 1998-2000 AACS; 2013 AACS; 2015 AACS; 2023 AACS.

R 408.17312 Firefighting equipment.

Rule 7312. (1) The employer shall maintain and inspect, at least annually, firefighting equipment to ensure the safe operational condition of the equipment.

(2) Inspection records must be maintained for a minimum period of 24 months for firefighting equipment.

(3) The employer shall ensure that firefighting equipment that is in damaged or unserviceable condition is removed from service and replaced.

History: 1984 AACS; 2015 AACS; 2023 AACS.

R 408.17313 Proper use, handling, storage, and containment of firefighting foam concentrate.

Rule 17313. (1) An employer must follow the specific, manufacturer provided safety data sheets (SDSs) for all firefighting foam concentrate that employees may be exposed to and follow best practices regarding the proper use, handling, and storage information.

(2) An employer must prevent intentionally added PFAS containing foam concentrate or foam solution from entering ground water, surface water, or storm drains, as soon as possible. Manual containment strategies used for spills involving a hazardous liquid should be employed. These include blocking storm drains to prevent the contaminated foam/water solution from entering the wastewater system or the environment. Defensive tactics such as damming, diking, and diverting should be employed to get the foam/water solution to an area suitable for containment until it can be removed in accordance with local, state, and federal regulations. Immediately after the end of a fire or other incident at which an organized fire brigade uses firefighting foam containing intentionally added PFAS, the employer must report the incident to the Michigan pollution emergency alert system.

(3) An employer must dispose of materials contaminated by foam containing PFAS pursuant to the natural resources and environmental protection act, 1994 PA 451, MCL 324.101 to 324.90106.

(4) An employer must ensure the decontamination of an employee’s body and equipment as follows:

(a) Post fire response contaminated personal protective equipment (PPE) must be decontaminated as soon as practical. A mild detergent, with a pH of not less than 6 and not greater than 10.5, must be used. The use of chlorine bleach, chlorinated solvents, or other organic solvents is not permitted. Follow manufacturer’s recommended cleaning procedures.

(b) An employee’s exposed skin, including the neck, face, and hands, must be decontaminated, post fire response and whenever exposed to firefighting foam. Employees must wash exposed skin with a mild soap and rinse thoroughly with water.

(5) An employer must prohibit the use of firefighting foam concentrate containing intentionally added PFAS, by an employee for training purposes.

(6) An employer must prohibit the use of firefighting foam concentrate containing intentionally added PFAS, by an employee, for equipment calibration purposes, unless required by law or the facility where the calibration takes place has implemented appropriate measures.

History: 2023 AACS.

R 408.17314 Personal protective equipment for structural firefighting.

Rule 7314. (1) The protective ensemble requirements in these rules apply to those employees who perform structural firefighting. The protective ensemble requirements do not apply to employees who only control or extinguish incipient stage fires.

(2) An employer shall provide a protective ensemble that is in compliance with the requirements of this part without cost to an employee. An employer shall ensure that all fire brigade members wear the protective ensemble when performing structural firefighting.

(3) The employer shall ensure that the protective ensemble protects the head, body, and extremities, from hazards that are present or are likely to be present and consists of at least all of the following components:

(a) Foot and leg protection.

(b) Hand protection.

(c) Body protection.

(d) Face, eye, and head protection.

(4) When performing interior structural firefighting, the protective ensemble must meet or exceed the requirements of NFPA 1971: "Standard on Protective Ensembles for Structural Fire Fighting and Proximity Fire Fighting," 1997 edition, as adopted in R 408.17301. Effective January 1, 2025, when performing interior structural firefighting, the protective ensemble must meet or exceed the requirements of NFPA 1971: "Standard on Protective Ensembles for Structural Fire Fighting and Proximity Fire Fighting," 2013 edition, as adopted in R 408.17301.

(5) The protective ensemble must be inspected and cleaned after each use.

(6) An employer shall implement procedures for the inspecting and servicing of the protective ensemble according to the manufacturer's recommendations.

(7) An employer shall implement a procedure for determining whether the protective ensemble must be repaired or replaced. All repairs must be made in compliance with the manufacturer's recommendations.

History: 1984 AACS; 1998-2000 AACS; 2015 AACS; 2023 AACS.

R 408.17315 Rescinded.

History: 1984 AACS; 1998-2000 AACS; 2013 AACS; 2015 AACS; 2023 AACS.

R 408.17316 Rescinded.

History: 1984 AACS; 1998-2000 AACS; 2015 AACS; 2023 AACS.

R 408.17317 Rescinded.

History: 1984 AACS; 1998-2000 AACS; 2015 AACS; 2023 AACS.

R 408.17318 Rescinded.

History: 1984 AACS; 1998-2000 AACS; 2013 AACS; 2015 AACS; 2023 AACS.

R 408.17320 Respiratory protection devices.

Rule 7320. (1) Effective January 1, 2025, when performing interior structural firefighting an employer shall ensure any self-contained breathing apparatus currently in use must meet or exceed the requirements of NFPA 1981: “Standard on Open-Circuit Self-Contained Breathing Apparatus (SCBA) for Emergency Services,” 2007 edition, as adopted in R 408.17301.

(2) Effective January 1, 2025, an employer shall provide and enforce the use of a Personal Alert Safety Systems (PASS) device to each employee utilizing a self-contained breathing apparatus when performing interior structural firefighting. PASS devices shall meet or exceed the requirements of NFPA 1982: "Standard on Personal Alert Safety Systems (PASS)," 2007 edition, as adopted in R 408.17301.

History: 1984 AACS; 1998-2000 AACS; 2013 AACS; 2015 AACS; 2023 AACS.

R 408.17322 Rescinded.

History: 1984 AACS; 1998-2000 AACS.