



Transportation Trades Department, AFL-CIO

July 22, 2024

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

**Re: Emergency Response Standard NPRM**  
**Docket No. OSHA-2007-0073-0118**

Assistant Secretary Parker:

On behalf of the Transportation Trades Department, AFL-CIO (TTD), I am pleased to respond to the Occupational Safety and Health Administration's (OSHA) notice of proposed rulemaking to issue a new safety and health standard, the Emergency Response Standard (ERS), to replace the existing Fire Brigades Standard. TTD consists of 37 affiliate unions who represent workers across all modes of transportation, first responders, and others.<sup>1</sup> We applaud OSHA for taking this important step toward bolstering protections for first responders and in turn promoting the safety of our communities. In addition, we strongly endorse the comments submitted to this docket by our affiliate, the International Association of Fire Fighters (IAFF).

Fire fighters are essential to a functional, safe transportation system. They play a critical role in not only protecting the public, but also the transportation workers who move passengers and cargo through our air transportation systems and who carry freight, including hazardous materials, through our national rail network. From responding to the derailment of freight trains carrying hazardous materials in residential communities to suppressing fires at airports, our transportation system could not safely function without fire fighters. Sadly, too often, the fire service is left ill-equipped, insufficiently trained, understaffed, and underfunded to safely respond to emergencies. We appreciate OSHA's efforts to remedy these unacceptable realities through this proposed rule.

Transportation-related emergencies in particular highlight the importance of comprehensive and well-practiced emergency response plans to effectively manage diverse and challenging situations. These incidents, though relatively infrequent in some areas, can have dangerous consequences for responding fire fighters and surrounding communities. Fire fighters are an indispensable component of the surface and air transportation systems and must be treated as such; the safety of

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<sup>1</sup> Attached is a complete list of the unions affiliated with TTD.

transportation workers, the traveling public, and residential communities through and over which the transportation system operates depend on the fire service. More than anyone, the fire fighters and paramedics represented by the IAFF understand the importance of preparing adequate emergency response plans.

The disastrous train derailment that occurred in East Palestine, Ohio last year is a primary illustration of the need for thorough emergency response plans, especially in terms of transportation-related emergencies. The emergency response to this type of situation requires evacuation of nearby residents, deployment of hazardous material response teams to contain and clean up the chemical spill, and restoration of rail service, which necessitates extensive coordination between local emergency services, rail operators, environmental agencies, and community leaders. These actions require thorough planning, training, and practice in order to ensure fire fighters are adequately prepared to respond to this type of incident as safely and efficiently as possible.

Similarly, if a significant fire breaks out at a container terminal within a marine port, possibly triggered by the ignition of flammable materials in one of the containers, the emergency response requires immediate evacuation of port personnel and nearby areas, deployment of multiple firefighting units to control and extinguish the fire, and activation of environmental protection measures to prevent contamination from runoff water. This scenario necessitates close coordination among port authorities, fire departments, environmental agencies, and logistics companies to manage the incident effectively and minimize disruption to port operations. The complex nature of such an emergency highlights the need for comprehensive and practiced response plans that address the unique challenges posed by the port environment, ensuring a swift and effective response to protect both people and property.

Finally, aviation related fires and incidents pose significant risks to plane and ground crew operations and passengers, as well as responding fire fighters and other emergency personnel. These types of emergencies, which can involve hazardous materials, require a coordinated and well-practiced response to protect aviation employees, the traveling public, the aircraft on which they travel, and the airport itself.

We applaud OSHA for its efforts to improve the lives and safety of fire fighters and other first responders. We are confident that the proposed ERS will also be an important step toward further securing the safety of the many facets of the transportation system, including rail, aviation, and port operations. We encourage OSHA to give due and serious consideration to the recommendations of the IAFF, which go into much greater detail on the matters raised here, as well as others. We believe that this rulemaking can result in real changes that improve the lives and safety of our first responders and many communities across the country.

We appreciate the opportunity to comment on this matter and look forward to working with OSHA in the future.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Regan", written over a circular stamp or mark.

Greg Regan  
President