

**STANDARDS PRESENTATION
TO
CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD**

TITLE 8, DIVISION 1, CHAPTER 4

Article 10.1. Personal Protective Clothing and Equipment for Fire Fighters

Amend Section 3401 to read:

§3401. Application.

(a) These Orders establish minimum requirements for personal protective clothing and equipment for fire fighters when exposed to the hazards of fire fighting activity, and take precedence over any other Safety Order with which they are inconsistent.

Sections 3402.1 and 3402.3 through 3409, inclusive, apply to structural and proximity fire fighting as defined in Section 3402. Sections 3402.2, 3410, and 3410.1 apply to wildland fire fighting.

EXCEPTION to section 3401(a): The requirements of these orders are not applicable to fire fighters from other states of the United States or another country rendering temporary fire suppression assistance during a wildfire event.

(b) General Requirements.

(1) Personal protective clothing and equipment specified in these Orders shall be provided and used whenever such employees are required to work in a hazardous environment that may be encountered during fire fighting activities or under similar conditions during training activities.

[Consistent with NFPA 1500-2021, section 7.1.1, 7.1.2, 7.1.3]

(2) Employers shall develop and require use of a written plan covering the selection, safe use, maintenance, utilization and replacement of the equipment required in these Orders, and all affected employees shall be trained in accordance with such plan. *[From subsection (b)(6), Consistent with NFPA 1500-2021, section 7.1.1.2, 7.1.4, 7.1.6]*

NOTE to subsection (b)(2): See section 3402.3. Selection, Inspection, and Maintenance of Protective Ensembles for Structural Fire Fighting and Proximity Fire Fighting and section 3410. Selection, Inspection, and Maintenance of Protective Ensembles for Wildland Fire Fighting.

(A) Protective ensembles shall be coordinated to ensure compatibility for full body protection. *[From 3407(b), but should apply to the entire ensemble]*

(B) Protective ensembles shall be properly sized and fitted to the user. *[NFPA 1500, section 7.2.1.1]*

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(C) Employers shall designate areas for cleaning protective ensembles. [NFPA 1500, section 7.1.6.2]

~~(2)~~ (3) The employer shall ensure the availability, maintenance, and use of all protective clothing and equipment in accordance with these Orders.

(A) Protective ensembles shall be maintained in a location of readiness for immediate response to fires and like emergencies. [From 3403(a), which should apply for the entire ensemble]

~~(3)~~ (4) Employees shall be instructed to wear or utilize appropriate personal protective clothing and equipment when directed to work in a hazardous environment until such time as the officer in charge determines that such protection is no longer required.

~~(4)~~ (5) Personal protective clothing and equipment that has become damaged or otherwise defective to the point of voiding its intended protection shall be removed from service.

~~(5)~~ (6) Fire fighters and other employees engaged in emergency activities requiring special protective techniques and equipment shall be trained in the appropriate techniques and provided with the necessary protective equipment. *[Consistent with NFPA 1500, Section 7.1.7]*

(A) Employers shall provide training on the donning and doffing of protective ensembles to minimize exposure to contaminants.

~~(6) Employers shall develop and require use of a written plan covering the safe use, maintenance, utilization and replacement of the equipment required in these Orders, and all affected employees shall be trained in accordance with such plan. [Moved to (b)(2)]~~

(7) Employers shall ensure that new protective clothing and equipment provided be furnished with a statement of performance declaring that the product has been tested and meets the requirements of these Orders.

(8) If the employer purchases personal protective equipment containing perfluoroalkyl and perfluoroalkyl substances (PFAS), the employer shall retain a copy of the written notice provided by the seller or manufacturer for three years from the date of the transaction. The written notice would indicate that the personal protective equipment contains PFAS chemicals and the reason PFAS chemicals were added to the equipment. [Health and Safety Code 13029]

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(A) The employer shall provide a copy of the written notice to the firefighter using the personal protective equipment upon initial issuance.

NOTE: Authority cited: Section 142.3, Labor Code. Reference: Sections 142.3 and 147.4, Labor Code and Section 13029, Health and Safety Code

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§3402.1. Purchase Quality Standards for Personal Protective Clothing and Equipment for Structural Fire Fighting and Proximity Fire Fighting.

~~(a) Helmets ordered or purchased on or after [OAL to insert — 6 months after effective date], for use in structural fire fighting or proximity fire fighting shall meet the certification, labeling, design, performance, and testing requirements of the National Fire Protection Association (NFPA) 1971, Standard on Protective Ensembles for Structural Fire Fighting and Proximity Fire Fighting, 2018 Edition, which is hereby incorporated by reference. In addition to any other applicability, the aforementioned purchase quality standards apply to discretionary equipment orders or purchases.~~

~~EXCEPTION: Protective ensemble or ensemble elements meeting the most current NFPA 1971 edition will be deemed as meeting the standard.~~

~~(b) Eye or face protection ordered or purchased on or after [OAL to insert — 6 months after effective date], for use in structural fire fighting or proximity fire fighting shall meet the certification, labeling, design, performance, and testing requirements of NFPA 1971, Standard on Protective Ensembles for Structural Fire Fighting and Proximity Fire Fighting, 2018 Edition, which is hereby incorporated by reference. In addition to any other applicability, the aforementioned purchase quality standards apply to discretionary equipment orders or purchases.~~

~~EXCEPTION: Protective ensemble or ensemble elements meeting the most current NFPA 1971 edition will be deemed as meeting the standard.~~

~~(c) Hoods ordered or purchased after on or after [OAL to insert — 6 months after effective date] for use in structural or proximity fire fighting shall meet the certification, labeling, design, performance, and testing requirements of NFPA 1971, Standard on Protective Ensembles for Structural Fire Fighting and Proximity Fire Fighting, 2018 Edition, which is hereby incorporated by reference. In addition to any other applicability, the aforementioned purchase quality standards apply to discretionary equipment orders or purchases.~~

~~EXCEPTION: Protective ensemble or ensemble elements meeting the most current NFPA 1971 edition will be deemed as meeting the standard.~~

~~(d) Protective garments or clothing ordered or purchased on or after [OAL to insert — 6 months after effective date], for use in structural or proximity fire fighting shall meet the certification, labeling, design, performance, and testing requirements of NFPA 1971, Standard on Protective~~

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~~Ensembles for Structural Fire Fighting and Proximity Fire Fighting, 2018 Edition, which is hereby incorporated as by reference. In addition to any other applicability, the aforementioned purchase quality standards apply to discretionary equipment orders or purchases.~~

~~EXCEPTION: Protective ensemble or ensemble elements meeting the most current NFPA 1971 edition will be deemed as meeting the standard.~~

~~(e) Hand protection ordered or purchased on or after **[OAL to insert – 6 months after effective date]**, for use in structural or proximity fire fighting shall meet the certification, labeling, design, performance, and testing requirements of NFPA 1971, Standard on Protective Ensembles for Structural Fire Fighting and Proximity Fire Fighting, 2018 Edition, which is hereby incorporated by reference. In addition to any other applicability, the aforementioned purchase quality standards apply to discretionary equipment orders or purchases.~~

~~EXCEPTION: Protective ensemble or ensemble elements meeting the most current NFPA 1971 edition will be deemed as meeting the standard.~~

~~(f) Protective footwear ordered or purchased on or after **[OAL to insert – 6 months after effective date]**, for use in structural or proximity fire fighting shall meet certification, labeling, design, performance, and testing requirements of NFPA 1971, Standard on Protective Ensembles for Structural Fire Fighting and Proximity Fire Fighting, 2018 Edition, which is hereby incorporated by reference. In addition to any other applicability, the aforementioned purchase quality standards apply to discretionary equipment orders or purchases.~~

~~EXCEPTION: Protective ensemble or ensemble elements meeting the most current NFPA 1971 edition will be deemed as meeting the standard.~~

(a) Personal protective clothing (ensemble elements) purchased on or after **[OAL to insert - 6 months after the effective date]**, for use in structural or proximity fire fighting shall meet certification, labeling, design, performance, and testing requirements of National Fire Protection Association (NFPA) 1971, Standard on Protective Ensembles for Structural Fire Fighting and Proximity Fire Fighting, 2018 Edition, which is hereby incorporated by reference. In addition to any other applicability, the aforementioned purchase quality standards apply to discretionary equipment orders or purchases.

EXCEPTION: Protective ensemble or ensemble elements meeting the most current NFPA 1971 edition will be deemed as meeting the standard.

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~~(e)~~ (b) Personal Alert Safety Systems purchased on or after [OAL to insert – 6 months after effective date] shall meet the certification, labeling, design, performance and testing requirements of NFPA 1982, Standard on Personal Alert Safety Systems (PASS), 2018 Edition, which is hereby incorporated by reference. In addition to any other applicability, the aforementioned purchase quality standards apply to discretionary equipment orders or purchases.

EXCEPTION: PASS meeting the most current NFPA 1982 edition will be deemed as meeting the standard. *[To be discussed at a later date by Cal/OSHA]*

~~(h)~~ (c) Open-circuit self-contained breathing apparatus (SCBA) purchased on or after [OAL to insert – 6 months after effective date] shall meet the certification, labeling, design, performance and testing requirements of NFPA 1981, Standard on Open-Circuit Self Contained Breathing Apparatus (SCBA) for Emergency Services, 2019 Edition, which is hereby incorporated by reference. In addition to any other applicability, the aforementioned purchase quality standards apply to discretionary equipment orders or purchases.

EXCEPTION: Open-circuit SCBA meeting the most current NFPA 1981 edition will be deemed as meeting the standard. *[To be discussed at a later date by Cal/OSHA]*

NOTE: Authority cited: Section 142.3, Labor Code. Reference: Sections 142.3 and 147.4, Labor Code.

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§3402.3. Selection, Inspection, and Maintenance of Protective Ensembles for Structural Fire Fighting and Proximity Fire Fighting.

(a) Structural and proximity fire fighting protective ensembles shall be selected, cared for, inspected, stored and maintained in accordance with the National Fire Protection Association (NFPA) 1851, Standard on Selection, Care, and Maintenance of Protective Ensembles for Structural Fire Fighting and Proximity Fire Fighting, ~~2014~~ 2020 Edition, which is hereby incorporated by reference without the Annex, except for A 5.1.5.

Note: All mentions of chapters and subchapters in this section are in reference to the NFPA 1851, 2020 edition document.

[There were comments regarding clarity during the November AC. A suggestion was made to include a list the corresponding chapters of the NFPA. For example, selection refers to Chapter 5. The Chair revised subsection (a) to be discussed in the April 2023 meeting.]

EXCEPTION: (b) In addition to the recordkeeping requirements of subchapter 4.3 of chapter 4, Program of the NFPA 1851, Standard on Selection, Care, and Maintenance of Protective Ensembles for Structural Fire Fighting and Proximity Fire Fighting, ~~2014-2020~~ 2020 Edition, the employer shall maintain records on its structural and proximity fire fighting protective ensemble and ensemble elements for three years from the date of retirement.

~~(b) Helmets that do not meet the requirements of NFPA 1971, Standard on Protective Ensembles for Structural Fire Fighting and Proximity Fire Fighting, 2007 Edition, which is hereby incorporated by reference, shall be retired 10 years from the date of manufacture.~~

~~(c) Effective Dates.~~

~~(1) Subchapter 4.1 (General), subchapter 4.2 (Program Organization for Structural Fire Fighting Ensembles and Ensemble Elements and Proximity Fire Fighting Ensembles and Ensemble Elements), and subchapter 4.3 (Records) of Chapter 4 (Program), Chapter 5 (Selection), Chapter 6 (Inspection), Chapter 7 (Cleaning and Decontamination), Chapter 8 (Repair), Chapter 9 (Storage), and Chapter 12 (Test Procedures) of NFPA 1851, Standard on Selection, Care, and Maintenance of Protective Ensembles for Structural Fire Fighting and Proximity Fire Fighting, 2014 Edition, which is hereby incorporated by reference, shall be effective [OAL will insert this date 1 year from OAL's effective date].~~

~~(2) Chapter 10 (Retirement, Disposition, and Special Incident Procedure) of NFPA~~

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~~1851, Standard on Selection, Care, and Maintenance of Protective Ensembles for Structural Fire Fighting and Proximity Fire Fighting, 2014 Edition, which is hereby incorporated by reference, and subsection (b) shall be effective [OAL will insert this date. 3 years from OAL's effective date].~~

(c) Training.

(1) The written standard operating procedures (SOPs) as required in chapter 4 Program, subchapter 4.2.2 shall include training requirements for users of protective ensembles, program administrators and selected personnel who are involved in the implementation of NFPA 1851, 2020 edition.

[Red Text-Unfinished Business]

(2) Program administrators and selected employees of manufacturer-trained organizations shall be trained according to the training requirements in subchapter 4.2.4.5 and employees shall be permitted to perform the activities identified in Table 4.2.4 for manufacturer-trained organizations.

(2) Employees permitted to perform the activities listed in NFPA 1851 Chapter 4 Program Table 4.2.4 shall be trained according to Chapter to 4.2.4.5. [Suggestion from Cal/Fire to rephrase and remove program administrator from (c)(2)]

(d) Manufacturer's Instruction.

(1) In addition to the requirements of subchapter 4.4.3, the employer shall provide the user of the protective ensemble a copy of the manufacturer's instruction within 10 business days, upon written request.

[AC member suggested to replace employer with organization. Chair will consult with legal]

(e) Reporting Personal Protective Equipment (PPE) Health and Safety Concerns.

(1) To implement subchapter 4.6.1, the organization shall notify the manufacturer and the certification organization in writing within 20 business days upon discovery of the PPE health and safety concern caused by a known or suspected element failure.

(f) Risk Assessment.

(1) The selection criteria for comparing elements as required in subchapter 5.1.5 shall include the criteria listed in A.5.1.5

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(g) Inspection.

(1) The guidelines established by the employer for soiling as required by chapter 6 Inspection, subchapter 6.1.3 shall include the following:

(A).....

(B).....

(C).....

(h) (g) Cleaning and Decontamination.

(1) Preliminary exposure reductions shall be carried out by the end user of the PPE as required by subchapter 7.2.2.1.

EXCEPTION to (h)(g)(1):

Where it is infeasible to perform preliminary exposure reductions immediately, preliminary exposure reduction shall be performed as soon as practically possible.

(2) Ensembles and ensemble elements that are soiled or contaminated shall receive advanced cleaning as required in subchapter 7.3.3 as soon as practically possible.

NOTE: Authority cited: Section 142.3, Labor Code. Reference: Sections 142.3 and 147.4, Labor Code.

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Amend Section 3403 to read:

§3403. ~~Head, Eye and Face Protection.~~ Protective Ensembles for Structural and Proximity Firefighters.

(a) General. In-service protective ensembles shall meet the requirements of National Fire Protection Association (NFPA) 1971, Standard on Protective Ensembles for Structural Fire Fighting and Proximity Fire Fighting, 2013 Edition, which is hereby incorporated by reference.

~~(a)~~ (b) Head Protection. Head protection shall be provided to each fire fighter, and shall be maintained in a location of readiness for immediate response to fires and like emergencies. Head protection shall be worn by fire fighters whenever they are exposed to head injury hazard. Head protection is normally provided for fire fighters through the use of helmets.

(1) In-Service Head Protection. Fire fighting helmets shall meet the NFPA 1971, Standard on Protective Ensembles for Structural Fire Fighting and Proximity Fire Fighting, 2013 Edition.

[Note: Need to discuss with NFPA Chair, might need exception for subsection (a). NFPA helmets cannot be sold without the other components, but components can be bought separately from the helmet]

~~(b)~~ (c) Eye and Face Protection.

(1) Eye protection and/or face protection shall be provided to and used by each fire fighter to protect from eye or face injuries such as punctures, abrasions, contusions, or burns as a result of contact with flying particles, hazardous substances, or projections which are inherent in the work or environment.

~~(2) In-service Eye and Face Protection. Eye and face protection shall meet the National Fire Protection Association (NFPA) 1971, Standard on Protective Ensembles for Structural Fire Fighting and Proximity Fire Fighting, 2007-2013 Edition or American National Standard Institute/International Safety Equipment Association, American National Standard for Occupational and Educational Personal Eye and Face Protection Devices, ANSI/ISEA Z87.1-2015, which are hereby incorporated by reference. In addition, it shall bear the mark "Z87+".~~

[Replaced by §3403(a)]

~~(3)~~ (2) Primary eye protection shall be required unless the self-contained breathing apparatus

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(SCBA) is being used. The full facepiece of SCBA shall be considered as face and eye protection when worn.

(A) If the facepiece has a face-mounted regulator that when disconnected provides a direct path for flying objects to strike the face or eye, the facepiece shall have the regulator attached in order to be considered as eye and face protection.

~~(4)~~ (3) When operating in a hazardous area at an emergency scene without a full-face respirator, fire fighters shall wear primary eye protection that is designed to protect the eyes from the hazard.

(d) Ear and Neck Protection and Protective Hood Interface. Protection against burns or injury to the ears and neck shall be provided by one or more of the following: [From §3404 (a)]

(1) Ear flap attachment to helmet;

(2) Hood or shroud.

(e) Body Protection. Body protection shall be provided to and used by each fire fighter when exposed to the hazards of structural and proximity fire fighting activity. Body protection shall consist of structural or proximity fire protective garments. [From §3405(a)]

(1) Body protection provided for other than structural fires shall be appropriate for the potential hazards. [From §3405(c)]

(f) Hand and Wrist Protection. Protective gloves shall be provided to and used by each fire fighter when exposed to the hazards of structural and proximity fire fighting activity. Such protective gloves shall be suitable to the hazards encountered in fires and fire related emergencies. [From §3406(a)]

(g) Foot Protection. Foot protection shall be provided to and worn by fire fighters while engaged in structural and proximity fire fighting activity. [From 3407(a)]

NOTE: Authority cited: Section 142.3, Labor Code. Reference: Sections 142.3 and 147.4, Labor Code.

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Amend Section 3404

~~§3404. Ear and Neck Protection and Protective Hood Interface.~~ *[Reserved]*

~~(a) Protection against burns or injury to the ears and neck shall be provided by one or more of the following: *[Moved to 3403(d)]*~~

~~(1) Ear flap attachment to helmet;~~

~~(2) Hood or shroud.~~

~~(b) In-service hood and coat collars shall be constructed and tested in accordance with the National Fire Protection Association (NFPA) 1971, Standard on Protective Ensembles for Structural Fire Fighting and Proximity Fire Fighting, 2007 Edition, which is hereby incorporated by reference. *[Replaced by §3403(a)]*~~

~~(c) Fabric and non-fabric materials of in-service protective ensembles shall meet the requirements of NFPA 1971, Standard on Protective Ensembles for Structural Fire Fighting and Proximity Fire Fighting, 2007 Edition, which is hereby incorporated by reference. *[Replaced by §3403(a)]*~~

~~NOTE: Authority cited: Section 142.3, Labor Code. Reference: Sections 142.3 and 147.4, Labor Code.~~

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§3405. ~~Body Protection.~~ *[Reserved]*

~~(a) Body protection shall be provided to and used by each fire fighter when exposed to the hazards of structural and proximity fire fighting activity. Body protection shall consist of structural or proximity fire protective garments. *[Moved to §3403(e)]*~~

~~(b) In-service fire fighting protective garments shall meet the certification, labeling, performance, design, and testing requirements of the National Fire Protection Association (NFPA) 1971, Standard on Protective Ensembles for Structural Fire Fighting and Proximity Fire Fighting, 2007 Edition, which is hereby incorporated by reference. *[Replaced by §3403(a)]*~~

~~(c) Body protection provided for other than structural fires shall be appropriate for the potential hazards. *[Moved to §3403(d)(1)]*~~

~~NOTE: Authority cited: Section 142.3, Labor Code. Reference: Sections 142.3 and 147.4, Labor Code.~~

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§3406. ~~Hand and Wrist Protection.~~ *[Reserved]*

~~(a) Protective gloves shall be provided to and used by each fire fighter when exposed to the hazards of structural and proximity fire fighting activity. Such protective gloves shall be properly sized and suitable to the hazards encountered in fires and fire related emergencies. [Requirement to provide moved to 3403(f), properly sized requirement moved to Section 3401 (b)(2)(B)]~~

~~(b) Protective gloves for fire fighters shall be made of durable outer material designed to withstand the effects of flame, heat, vapor, liquids, sharp objects and other hazards that are encountered in fire fighting. [Replaced by a general requirement in §3403(a) covered in NFPA 1971-2013 and 2018 edition]~~

~~(c) In Service Gloves. A durable label in accordance with the National Fire Protection Association (NFPA) 1971, Standard on Protective Ensembles for Structural Fire Fighting and Proximity Fire Fighting, 2007 Edition, which is hereby incorporated by reference, shall be permanently attached to each glove. Labeling may be accomplished by stamping, embossing, affixing, or other suitable method. [Replaced by a general requirement in §3403(a), covered in NFPA 1971-2013 and 2018 edition]~~

~~NOTE: Authority cited: Section 142.3, Labor Code. Reference: Sections 142.3 and 147.4, Labor Code.~~

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~~§3407. Foot Protection.~~ *[Reserved]*

~~(a) Foot protection shall be provided to and worn by fire fighters while engaged in structural and proximity fire fighting activity. *[Moved to 3403(g)]*~~

~~(b) The use of foot protection shall be coordinated with the wearing of the protective clothing system to ensure full body protection. *[Moved to 3401(b)(2)(A) to require that the entire ensemble be coordinated]*~~

~~(c) In-service foot protection shall meet the requirements of the National Fire Protection Association (NFPA) 1971, Standard on Protective Ensembles for Structural Fire Fighting and Proximity Fire Fighting, 2007 Edition, which is hereby incorporated by reference. *[Replaced by a general requirement in §3403(a)]*~~

~~NOTE: Authority cited: Section 142.3, Labor Code. Reference: Sections 142.3 and 147.4, Labor Code.~~

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