

# OSHA Emergency Preparedness and Response Standard

## Worker Health & Safety



### Issue Summary

---

OSHA is preparing to initiate a new rulemaking for an Emergency Response standard, which would replace in the existing Fire Brigades standard (29 CFR 1910.156) and would expand those covered beyond industrial fire brigades to include workplace emergency response teams, plant emergency organizations and others.

Some of the potential concerns with the new standard include:

- Extensive medical testing and fitness requirements,
- Behavioral and mental health screening mandates, and
- Equipment requirements.

Additionally, there is potential for duplicative or conflicting requirements with other standards like Process Safety Management of highly hazardous chemicals (PSM), and Hazardous Waste Operations and Emergency Response (HAZWOPR), which specialty chemical manufacturers already adhere to.



## SOCMA's Goal

SOCMA supports an Emergency Response standard that protects the health and safety of employees who participate in emergency response activities while ensuring that standard does not cause new regulatory burdens or operational uncertainty.

## Business Impact on the Chemical Industry

A more rigorous and onerous standard would add complexity and costs for facilities that have industrial fire brigades and plant emergency response teams. Additionally, requirements put in place by the new standard could conflict with existing OSHA and EPA accident prevention requirements.

## Current Status

In late 2022, OSHA moved the proposed Emergency Response standard to its short-term regulatory agenda, indicating that the final rule will likely be published before the end of 2023. OSHA may continue to hold informal listening sessions or conduct other stakeholder outreach, so SOCMA will monitor and engage as the rulemaking progresses.

## SOCMA Activity

- March 2019: SOCMA participated OSHA briefing on fire brigade standard, the precursor to Emergency Response Standard.
- September 2021: SOCMA member companies participated in the SBREFA small business advocacy panel.
- October 2021: SOCMA member companies submitted comments following small business advocacy panel.
- July 2022: SOCMA informs OSHA on the topic of emergency response.
- March 2023: Continued to educate OSHA on emergency response standards.
- April 2023: OSHA participated in SOCMA's "Town Hall Series," emergency response standards.