

**MEMORANDUM OF UNDERSTANDING (MOU)**

**between the**

**NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND HEALTH  
(NIOSH)**

**including the**

**NATIONAL PERSONAL PROTECTIVE TECHNOLOGY LABORATORY  
(NPPTL)**

**FIRE FIGHTER FATALITY INVESTIGATION AND PREVENTION PROGRAM  
(FFFIPP)**

**and the**

**NATIONAL FIRE PROTECTION ASSOCIATION  
(NFPA)**

**FIRE PROTECTION RESEARCH FOUNDATION  
(FPRF)**

**I. PURPOSE**

The purpose of this MOU is to facilitate the partnering, cooperation, and coordination of activities between NIOSH, NFPA, and FPRF. Primary focus will be emergency responder protective clothing and equipment (PPE) including PPE for response to all emergency incidents including fire, technical rescue, hazardous materials, emergency medical, special operations, and terrorism incidents involving chemical, biological, radiological, nuclear, and explosive (CBRNE) hazards, as well as the development of standards for emergency responder organizations and personnel concerning the safety, deployment, operations, and protection of emergency responders.

This MOU is intended to define the general scope of the intended collaboration between the parties and does not create any rights or benefit, substantive or procedural, enforceable at law or equity, against the United States, the signatory federal agencies, the NFPA, or the FPRF.

**II. BACKGROUND**

In FY2001, NIOSH was charged by Congressional mandate to create a new protective technology program in Pittsburgh, PA called the National Personal Protective Technology Laboratory (NPPTL). The Laboratory provides world leadership for the prevention and reduction of occupational disease, injury, and death for workers relying on personal protective technologies. These workers include millions of the nation's emergency responders, miners, health care, agricultural, and industrial workers. A core component of the NPPTL mission is research, technology, and standards

development and the evaluation of advanced personal protective equipment such as respirators, clothing, gloves, footwear, hard hats, and eye and hearing protective devices. The terrorist attacks of September 11, 2001 and subsequent terrorist threats to the United States of America and its citizens have made the testing, evaluation, and certification of emergency responder CBRN PPE a national priority. NPPTL emphasis has been on the development of new performance criteria, testing methods, and certification standards for respiratory protective equipment and ensembles for response to terrorism incidents involving CBRNE.

The United States currently depends on approximately 1.1 million fire fighters to protect its citizens and property from losses caused by fire. Of these fire fighters, approximately 345,600 are career and 786,150 are volunteers. The NFPA and the U.S. Fire Administration estimate that on average, 100 fire fighters die in the line-of duty each year. In fiscal year 1998, Congress recognized the need for further efforts to address the continuing national problem of occupational fire fighter fatalities and funded NIOSH to implement a fire fighter safety initiative. The NIOSH Fire Fighter Fatality Investigation and Prevention Program (FFFIPP) conducts investigations of fire fighter line-of-duty deaths to formulate recommendations for preventing future deaths and injuries. The program does not seek to determine fault or place blame on fire departments or individual fire fighters, but to learn from these tragic events and prevent future similar events.

NFPA's mission is to reduce the worldwide burden of fire and other hazards on the quality of life by developing and advocating consensus codes and standards, research, training, and education. NFPA is an international nonprofit private sector membership association founded in 1896. Today, with more than 75,000 members representing nearly 100 nations around the world, NFPA serves as an authoritative source on public safety and is the world's leading advocate for fire protection, prevention, and safety. The volunteers who develop the codes and standards and the NFPA staff are dedicated to the mission of continually enhancing public safety. That dedication can be seen in the documents developed through NFPA's commitment to creating a true consensus process among those interested in safety. NFPA encourages the broadest possible participation in code and standard development. The process is driven by some 8000 volunteers from diverse professional backgrounds who serve on over 250 technical codes and standards development committees. Throughout the entire process, interested parties are encouraged to provide NFPA technical committees with input. All NFPA members then have the opportunity to vote on proposed and revised codes and standards.

The FPRF is an independent charitable organization established in 1982 with a mission to plan, manage, and communicate research in support of the NFPA mission. Now in its second quarter century of service, FPRF effectively operates as the research arm of NFPA and continues to identify, facilitate, and communicate research initiatives important to the fire protection community.

As part of the NFPA's codes and standards development process, the NFPA Project on Fire and Emergency Services Protective Clothing and Equipment has responsibility for standards on the design, performance, testing, and certification of protective clothing and equipment for emergency responder personnel to protect against hazard exposures during emergency incident operations, and for documents on selection, care, and maintenance for emergency responder protective clothing and equipment. This Project is comprised of a Correlating Committee (CC) that manages the Project, and eight (8) Technical Committees (TC) that have the responsibility for development and revision of the standards documents. The Project has the responsibility for the following areas:

- Electronic Safety Equipment
- Emergency Medical Services Protective Clothing and Equipment
- Hazardous Materials Protective Clothing and Equipment
- Respiratory Protection Equipment
- Tactical and Technical Operations Respiratory Protective Equipment
- Special Operations Protective Clothing and Equipment
- Structural and Proximity Fire Fighting Protective Clothing and Equipment
- Wildland Fire Fighting Protective Clothing and Equipment

NIOSH and NPPTL have an active role in the NFPA process to develop standards for emergency responder protective clothing and equipment that provide protection from physical, chemical, biological, thermal, inhalation, and dermal hazards encountered during emergency medical, hazardous materials, technical rescue, fire fighting, terrorism, and special operations.

In addition, other NFPA technical committees address emergency responder and emergency services organization incident management, safety and health, medical, infection control, incident response, deployment, operations, training, professional qualifications and competence requirements, and disaster/emergency management programs.

### **III. AREAS OF COOPERATION AND PARTNERSHIP**

#### **NIOSH will:**

- Closely collaborate with NFPA and FPRF on technical information and performance standards concerning performance, testing, validation, use, care and maintenance of emergency responder personal protective equipment.
- Closely collaborate with NFPA and FPRF on emergency responder and emergency responder organization issues concerning safety, deployment, and operations.
- Contribute technical support by providing information, testing data, research studies, or other contributions to NFPA and FPRF that enable the NFPA committees to advance development, adoption, and revision of standards for emergency responders and emergency responder organizations.
- Provide research data and findings to NFPA from NIOSH programs and projects investigating fire fighter exposure hazards and the relationships to acute and chronic injuries, illnesses and diseases such as cancers, respiratory disease, heart disease and musculoskeletal injuries.
- Provide information and recommendations learned during fire fighter fatality investigations to advance development, adoption, and revision of standards for emergency responders and emergency responder organizations.
- Develop recommendations for prevention of deaths and injuries and disseminate prevention strategies to the fire service in partnership with NFPA and FPRF.

- NIOSH–FFFIPP will utilize NFPA staff members to conduct external peer review on line-of-duty death and injury investigation reports as requested.
- Provide technical support with hazard analysis to achieve a “systems approach” to full body hazard protection by alignment of inhalation and dermal protection criteria for respirators and protective clothing and equipment.
- Participate on NFPA technical committees having responsibility for the development of consensus requirements and standards for emergency responder protective clothing and equipment.
- Participate on NFPA technical committees having responsibility for the development of consensus requirements and standards for emergency responder and emergency responder organization operations, deployment, training, and safety.
- Use the NFPA standards development system and process, when appropriate, for any standards for emergency responders or emergency responder organizations that would supplement NIOSH regulations.
- Use NFPA standards for PPE evaluations conducted by the NPPTL to determine compliance with the protective clothing and equipment performance criteria in NFPA standards.
- Inform and make presentations to NFPA management and technical committees on NIOSH-NPPTL on-going research and development programs, respirator standards development efforts, guidance documents, and other initiatives of interest to NFPA.
- In partnership with NFPA, support the adoption of NIOSH regulations and NFPA consensus standards for emergency responder organizations and emergency responders by the Department of Homeland Security (DHS), and the InterAgency Board for Equipment Standardization and Interoperability (IAB).
- Leverage NIOSH expertise and capabilities related to determination of the physiological affect of protective clothing and equipment on emergency responder performance.
- Provide information and presentations to NFPA and FPRF staff members on the NIOSH Disaster Science Research Initiative (DSRI) which has the objective of conducting timely, scalable, scientifically sound research focused on the safety and health of responders.
- Provide information and presentations to NFPA and FPRF staff members on the Emergency Responder Health Monitoring and Surveillance System (ERHMS) which is a health monitoring and surveillance framework that includes recommendations and tools specific to protect emergency responders during all phases of response, including pre-deployment, deployment, and post-deployment phases.
- Participate as a member on the FPRF Research Advisory Committee (RAC).

- If feasible, make presentations at NFPA and FPRF sponsored meetings, conferences, and symposium as requested.
- Facilitate NIOSH, NFPA, and FPRF alliance and interactions at the executive and senior management level.

**NFPA, with the support and collaboration of FPRF as appropriate, will:**

- Formally recognize NIOSH–NPPTL as the primary federal agency for emergency responder and emergency responder organization personal protective technology (PPT) issues.
- Recognize and use NIOSH regulations for emergency responder PPT as an integral baseline for NFPA codes and standards, and will work to avoid conflict with any NIOSH requirements.
- Participate in NIOSH–NPPTL Public Meetings in support of the continued development of respirator standards.
- Support NIOSH–NPPTL in the peer review process of PPE related guidance and use documents.
- In partnership with NIOSH, support the adoption of NIOSH regulations and NFPA (or other organization) consensus standards for emergency responder organizations and emergency responders by the Department of Homeland Security (DHS), and the InterAgency Board for Equipment Standardization and Interoperability (IAB).
- In partnership with NIOSH, identify research needs to advance the development, adoption, and revision of standards for emergency responder and emergency services organizations; and provide available information, test data, research studies, and other contributions to the NFPA committees to support their work.
- Provide technical expertise and guidance to NIOSH on its long term technology development programs related to emergency responder organizations and the emergency responders.
- Leverage NIOSH regulations, guidance, and use documents, and other publications in the revision of applicable NFPA training, professional qualifications and competence, safety, and operational standards for emergency responder organizations and emergency responders. There are numerous NIOSH regulations and publications that address these areas.
- Participate as a member on the National Occupational Research Agenda (NORA) – Public Safety Sector Council.
- In partnership with the NIOSH Emergency Preparedness and Response Office (EPRO), build awareness and participation in the Disaster Science Research Initiative (DSRI) and implementation or reference of the Emergency Responder Health Monitoring and Surveillance Program (EHRMS) in relevant NFPA standards.

- Facilitate NFPA, NIOSH, and FPRF alliance and interactions at the executive and senior management level.

#### **IV. FINANCIAL COMMITMENTS**

No financial commitment on the part of any party is required by this MOU.

#### **V. LEGAL AUTHORITY**

This Agreement is authorized under Section 20 of the Occupational Safety and Health Act (29 U.S.C. § 669).

#### **VI. OWNERSHIP OF DATA AND RECORDS**

All original notebooks, data sheets, record charts, graphs, or other records maintained by NIOSH which are kept during, or arise out of work done pursuant to this Agreement shall be the property of the NIOSH. Copies of such materials may be released outside of NIOSH.

It is not anticipated that NFPA and FPRF will provide information or data to NIOSH under this MOU. In the event that NFPA or FPRF does provide information or data to NIOSH, any requests from outside the Government for copies of such information or data will be handled in accordance with the Department of Health and Human Services regulations implementing the Freedom of Information Act, found at 45 CFR Part 5.

#### **VII. PUBLICATION**

It is understood that a major purpose of the work performed by the NIOSH is to obtain information that may be made available by NIOSH to industry and the public through publication or otherwise. NIOSH shall submit to NFPA or FPRF a copy of any proposed report or publication related to this MOU for review, including review for trade secret information, and comment prior to publication, but in no case shall NIOSH abandon its right to publish information resulting from the expenditures of public funds or the use of public facilities. Any disputes regarding NFPA's or FPRF's designation of trade secret information shall be governed by the regulations of NIOSH at 42 CFR Part 85a.

NFPA and FPRF shall not publicize, or otherwise circulate, promotional material (such as advertisements, sales brochures, press releases, speeches, still and motion pictures, articles, manuscripts, or other publications) which states or implies Governmental, Departmental, NIOSH, or Government employee endorsement of a commercial product, service, or position which the Cooperator represents. No release of information relating to this Agreement may state or imply that

the Government approves of NFPA's or FPRF's commercial work product, or considers NFPA's or FPRF's commercial work product to be superior to other products or services.

All information submitted for publication or other public releases of information by NFPA or FPRF regarding efforts related to this MOU shall carry the following disclaimer:

The views and conclusions contained in this document are those of the authors and should not be interpreted as representing the opinions or policies of the U.S. Government. Mention of trade names or commercial products does not constitute their endorsement by the U.S. Government.

NFPA or FPRF must obtain prior Government approval for any public information releases concerning this Agreement which refer to NIOSH or one of its employees (by name or title). The specific text, layout, photographs, etc., of the proposed release must be submitted with the request for approval.

## **VIII. POINTS OF CONTACT**

Each party shall notify the other party of its officials who will serve as contact points. The present contacts are listed in Attachment A to this MOU. When there is a change in Point of Contact the participating organization will notify all other Points of Contact of the change.

## **IX. EFFECTIVE DATE, AMENDMENT AND TERMINATION**

The MOU is effective upon the date of the last signature by the parties and shall remain effective for a five-year period from the effective date. Any party, however, may terminate its participation in this MOU upon 30 days prior written notice to the remaining parties. Thereafter, the parties shall meet at a mutually agreed time and place to discuss and, as necessary, to effect the orderly revision or termination of any activities related to the MOU. The MOU may be modified in writing by mutual consent of the parties.



**ATTACHMENT A**  
**POINTS OF CONTACT**

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