MEMORANDUM

To: NFPA Technical Committee on Vehicular Alternative Fuel Systems

From: Kimberly Shea, Project Administrator

Date: December 1, 2015

Subject: NFPA 52 Proposed Tentative Interim Amendment (TIA) No. 1205

The attached proposed Tentative Interim Amendment (TIA) is being submitted to you for letter ballot. This proposed TIA was submitted by Nancy Pehrson of CenterPoint Energy, Inc. and endorsed by Donna Denny of Westport Innovations, Inc.

This proposed TIA will be published for public comment in the December issue of NFPA News with a Public Comment Closing Date of January 15, 2016. Any public comments received will be circulated to the committee. The Standards Council will consider the issuance of this TIA at their April 2016 meeting.

In addition to being balloted on the technical merits of the proposed TIA, the Committee is also being balloted on whether or not this matter is of an emergency nature. Please see Section 5 (copy enclosed) regarding the processing of TIAs from the Regulations Governing the Development of NFPA Standards.

Please complete and return your ballot as soon as possible but no later than Wednesday December 16, 2105. Please return your ballot to kshea@nfpa.org or via fax to 617-984-7070. You may also mail your ballot to the attention of Kimberly Shea at NFPA, 1 Batterymarch Park, Quincy, MA 02169.

Note: Please remember that the return of ballots and attendance at committee meetings are required in accordance with the Regulations Governing the Development of NFPA Standards.

Attachments
1. Revise 11.3.2.13.9 to read as follows:

11.3.2.13.9*
During the transfer of CNG to or from cargo vehicles CNG bulk transport vehicles, the hand or emergency brake of the vehicle shall be set and chock blocks used to prevent rolling of the vehicle.

11.3.2.13.9.1
Personnel filling CNG bulk transport cylinders or vehicles shall be instructed and trained in accordance with DOT hazardous materials regulations.

2. Revise 13.3.2.19.2 (G) and (H) to read as follows:

(G)
For impounding areas serving one or more than one container with provisions made to prevent low temperature or fire exposure resulting from the leakage from any one container served from causing subsequent leakage from any other container served, the volume Where containers in the dike area are constructed or protected to prevent failure from spilled LNG and fire in the dike, the minimum holding of the dike shall be the total volume of liquid in the largest container served, assuming the container is full in the dike [59A: 13.8.3(1)].

(H)
For impounding areas serving more than one container without provisions made in accordance with 13.3.2.19.2(G), the volume Where containers in the dike area are not constructed or protected to prevent failure from spilled LNG and fire in the dike, the minimum holding of the dike shall be equal to the total volume of liquid in all containers served, assuming all containers are full the containers in the dike area. [59A: 13.8.2(3)].

Substantiation.

Item 1. This change is needed to clarify the intent of the clause. This requirement is only applicable to vehicles or cylinders used in the bulk transport of natural gas. Other types of cargo vehicles may utilize natural gas as a fuel source in their operation, and filling these types of vehicles does not require DOT Hazardous Materials Training.

Item 2. These changes are necessary to provide consistency with NFPA 59A regarding the requirements for the holding capacity of the dike. The language is extracted from NFPA 59A.

Emergency Nature. During the second draft stage, the reorganization of NFPA 52 resulted in errors in a number of second revisions. Some of the revisions that were voted on during the second draft meeting were not carried over during the editorial process, and therefore the revisions that were balloted were not the same as what the committee had actually voted on. The proposed text corrects this error by including the language the committee agreed upon as a second revision.
Please find attached a proposed TIA for NFPA 52 – 2016 Edition Vehicular Gaseous Fuel Systems Code. During the second draft stage, the reorganization of NFPA 52 resulted in errors in a number of second revisions. This proposed text corrects one of these errors by including the language the Technical Committee agreed upon as a second revision.

Donna Denny, a Principal Member of the NFPA 52 Technical Committee endorses the proposed TIA in the e-mail below.

Sincerely

Nancy Pehrson, Chair
NFPA 52 VAF-AAA Technical Committee

Hi Nancy,

TIA NFPA 52_SR31: I approve/endorse this TIA

Donna
Please find attached a proposed TIA for NFPA 52 – 2016 Edition Vehicular Gaseous Fuel Systems Code. During the second draft stage, the reorganization of NFPA 52 resulted in errors in a number of second revisions. This proposed text corrects one of these errors by including the language the Technical Committee agreed upon as a second revision.

Donna Denny, a Principal Member of the NFPA 52 Technical Committee endorses the proposed TIA in the e-mail below

Sincerely

Nancy Pehrson, Chair
NFPA 52 VAF-AAA Technical Committee

Hi Nancy,

TIA NFPA 52_SR58_59: I approve/endorse this TIA

Donna

Nancy Pehrson, PE
Engineering Manager
CenterPoint Energy

612.321.5452
Section 5 Tentative Interim Amendments (TIAs).

5.1 Who May Submit a Tentative Interim Amendment. Anyone may submit a TIA and the submitter need not be a member of the NFPA. All TIAs must be submitted in the name of an individual with the individual's relevant organizational affiliation or representation noted separately. The individual shall be considered the submitter for the purpose of these Regulations.

5.2 Content of a Proposed Tentative Interim Amendment. Each TIA shall be submitted to the Standards Council Secretary and shall include the following:

(a) Identification of the submitter and his or her affiliation (i.e., Technical Committee, organization, company), where appropriate

(b) Identification of the NFPA Standard, edition of the NFPA Standard, and paragraph of the NFPA Standard to which the TIA is directed

(c) Proposed text of the TIA, including the wording to be added, revised (and how revised), or deleted

(d) Statement of the problem and substantiation for the TIA

(e) The signature of the submitter or other means of authentication approved by the Standards Council Secretary

(f) Statement of the basis of conclusion that the TIA is of an emergency nature requiring prompt action

(g) The written agreement of at least two members of the involved Technical Committee or Correlating Committee to the processing of the TIA. The agreement to the processing of the TIA is for the sole purpose to allow the TIA to be processed and does not necessarily imply agreement with the merits or emergency nature of the TIA.

5.3 Preliminary Screening of Proposed Tentative Interim Amendment. The Standards Council Secretary shall review all Proposed TIAs and may return to the submitter, without processing, any submission that does not conform to Section 5.2. In addition, the Standards Council Secretary may reject for processing any proposed TIA that does not manifestly appear to be of an emergency nature requiring prompt action. In exercising his or her discretion to reject a proposed TIA for processing, the Standards Council Secretary may consult with the responsible Technical Committee/Correlating Committee chairs and may consider, without limitation, whether the TIA submitted, on its face, does not state any adequate basis on which to conclude that it is of an emergency, whether it is unduly repetitive of issues already considered and rejected by the Technical Committee/Correlating Committee, or whether it is plainly frivolous. Where, however, there exists any reasonable question about the emergency nature of the proposed TIA or where the Standards Council Secretary determines that it is otherwise advisable for the TIA to be processed, the Standards Council Secretary shall submit the TIA for processing, and the question of emergency nature shall be considered anew and determined by the responsible Technical Committee and Correlating Committee. The text of a proposed TIA may be processed as submitted or may be changed, but only with the approval of the submitter.

5.4 Evaluation of Emergency Nature. Determination of an emergency nature shall include but not be limited to one or more of the following factors:

(a) The NFPA Standard contains an error or an omission that was overlooked during a regular revision process.

(b) The NFPA Standard contains a conflict within the NFPA Standard or with another NFPA Standard.

(c) The proposed TIA intends to correct a previously unknown existing hazard.

(d) The proposed TIA intends to offer to the public a benefit that would lessen a recognized (known) hazard or ameliorate a continuing dangerous condition or situation.

(e) The proposed TIA intends to accomplish a recognition of an advance in the art of safeguarding property or life where an alternative method is not in current use or is unavailable to the public.

(f) The proposed TIA intends to correct a circumstance in which the revised NFPA Standard has resulted in an adverse impact on a product or method that was inadvertently overlooked in the total revision process or was without adequate technical (safety) justification for the action.

5.5 Publication of Proposed Tentative Interim Amendment. A proposed Tentative Interim Amendment that meets the provisions of Section 5.2 shall be published indicating that the proposed Tentative Interim Amendment has been forwarded to the responsible Technical Committee and Correlating Committee for processing and that anyone interested may comment on the proposed Tentative Interim Amendment within the time period established and published.

5.6 Technical Committee and Correlating Committee Action. (a) The proposed Tentative Interim Amendment shall be submitted for Ballot and comment of the Technical Committee in accordance with 3.3.4. The Technical Committee shall be separately Balloted on both the technical merits of the amendment and whether the amendment involves an issue of an emergency nature. Such Balloting shall be completed concurrently with the public review period. Any Public Comments inconsistent with the vote of any Technical Committee Member shall be circulated to the Technical Committee to allow votes to be changed. A recommendation for approval shall be established if three-fourths of the voting Members calculated in accordance with 3.3.4.3(c) have voted in favor of the Tentative Interim Amendment.

(b) The proposed Tentative Interim Amendment shall be submitted for Ballot and comment of the Correlating Committee, if any, which shall make a recommendation to the Standards Council with respect to the disposition of the Tentative Interim Amendment. The Correlating Committee shall be separately Balloted on both the merits of the amendment (as it relates to the Correlating Committee authority and responsibilities in accordance with 3.4.2 and 3.4.3) and whether the amendment involves an issue of an emergency nature. Any Public Comments inconsistent with the vote of any Technical Committee or Correlating Committee Member shall be circulated to the Correlating Committee to allow votes to be changed. A recommendation for approval shall be established if three-fourths of the voting Members calculated in accordance with 3.3.4.3(c) have voted in favor of the Tentative Interim Amendment.

(c) All Public Comments, Ballots, and comments on Ballots on the proposed Tentative Interim Amendment shall be summarized in a staff report and forwarded to the Standards Council for action in accordance with Section 5.7.

5.7 Action of the Standards Council. The Standards Council shall review the material submitted in accordance with 5.6(c), together with the record on any Appeals (see Section 1.6, 1.6.1), and shall take one of the following actions:

(a) Issue the proposed Tentative Interim Amendment.

(b) Issue the proposed Tentative Interim Amendment as amended by the Standards Council.

(c) Where acted on concurrently with the issuance of a new edition of the NFPA Standard to which it relates, issue the Tentative Interim Amendment as part of the new edition.

(d) Reject the proposed Tentative Interim Amendment.

(e) Return the proposed Tentative Interim Amendment to the Technical Committee with appropriate instruction

(f) Direct a different action.

5.8 Effective Date of a Tentative Interim Amendment. Tentative Interim Amendments shall become effective 20 days after Standards Council
issuance unless the President determines, within his or her discretion, that the effective date shall be delayed pending the consideration of a Petition to the Board of Directors (see Section 1.7). The President may also, within his or her discretion, refer the matter of a delay in the effective date of the TIA to the Executive Committee of the Board of Directors or to the Board of Directors.

5.9 Publication of Tentative Interim Amendments. The NFPA shall publish a notice of the issuance of each Tentative Interim Amendment and may, as appropriate, issue a news release to applicable and interested technical journals. The notice and any news release shall indicate the tentative character of the Tentative Interim Amendment. In any subsequent distribution of the NFPA Standard to which the Tentative Interim Amendment applies, the text of the Tentative Interim Amendment shall be included in a manner judged most feasible to accomplish the desired objectives.

5.10 Applicability. Tentative Interim Amendments shall apply to the NFPA Standard existing at the time of issuance. Tentative Interim Amendments issued after the Public Input closing date shall also apply, when the text of the existing NFPA Standard remains unchanged, to the next edition of the NFPA Standard. Tentative Interim Amendments issued concurrently with the issuance of a new edition shall apply to both the existing and the new editions, unless the Standards Council determines otherwise.

5.11 Subsequent Processing. The Technical Committee responsible for the NFPA Standard or the part of the NFPA Standard affected shall process the subject matter of any Tentative Interim Amendment as Public Input for the next edition of the NFPA Standard (see Section 3.3). Such Public Input shall be accompanied by a notice indicating its origin as a TIA, including all necessary information as required in 4.3.4, and originally submitted in the TIA.

5.12 Exception. When the Standards Council authorizes other procedures for the processing and/or issuance of Tentative Interim Amendments, the provisions of this section shall not apply.