

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 1]

ANNUAL 2008 NFPA ASSOCIATION TECHNICAL MEETING

Held at the Mandalay Bay Hotel & Casino
Las Vegas, Nevada

On Wednesday, June 4, 2008
At 2:00 p.m.

Reported by: Deborah Ann Hines, CCR #473, RPR

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 2]

1 MR. JARDIN: Good afternoon, ladies and
2 gentlemen. I'm Joe Jardin and I have the distinct
3 pleasure and privilege of being a member of your
4 Standards Council. I now declare that a quorum
5 exists and convene the 2008 Annual Association
6 Technical Meeting. To assist me is Leona Attenasio
7 Nisbet of the NFPA staff who is serving as staff
8 coordinator. I'd also like to introduce Milosh
9 Puchovsky, secretary of the Standards Council; Jim
10 Pauley, Chair of the Council; and Maureen Brodoff,
11 NFPA General Counsel. This session will be recorded
12 by Debbie Hines of Laurie Webb & Associates.

13 First, let me address our safety issues.
14 Let's take a minute and note the exits from this
15 room. Now that you have noted the closest exit to
16 you, I'd like to inform you that the fire alarm
17 signal for the Mandalay Bay Convention Center is a
18 slow whoop along with a flashing strobe light
19 followed by a voice announcement.

20 As with any organization, we have certain
21 rules and protocols. First, use of video and/or
22 recording devices of any type are not allowed during
23 the Association Technical Meeting. I'd like to call
24 your attention to the Guide for the Conduct of
25 Participants in the NFPA Codes and Standards

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 3]

1 Development Process. As a participant in the
2 process, you should be familiar with this Guide. I'd
3 also like to call your attention to the NFPA
4 Convention Rules which set the process to be followed
5 today. Copies of both documents are contained in the
6 NFPA Directory which is posted on the NFPA web site
7 with copies also available at the NFPA registration
8 desk. The certified amending motions that comprise
9 the agenda for today's session will be taken in the
10 order printed in the yellow handout entitled Annual
11 2008 NFPA Association Technical Meeting Certified
12 Amending Motions.

13 The primary regulations governing the NFPA
14 codes and standards development process, including
15 processing of amending motions at the Association
16 Technical Meetings, are the Regulations Governing
17 Committee Projects. These regulations are also
18 posted on the NFPA web site and published in the NFPA
19 directory.

20 I'd like to say a few words about the
21 actions that can be taken today in the voting
22 procedures. At this session, you are being asked to
23 act on certain motions pertaining to Technical
24 Committee Reports. The Technical Committee Reports
25 on four of these documents (NFPA 17, 17A, 75 and 76)

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 4]

1 are contained in the 2007 NFPA Fall Revision Cycle
2 Report on Proposals and Report on Comments, the
3 yellow book. The other documents in the 2008 NFPA
4 Annual Revision Cycle will be found in the Report on
5 Proposals, volume one, the Report on Proposals for
6 NFPA 5000, NFPA 101 and NFPA 1, volume two, which is
7 the green book, and the Report on Comments, again a
8 blue book.

9 Under convention rules, before a motion can
10 be considered for action at this Association
11 Technical Meeting, the intended maker of the motion
12 must have filed a Notice of Intent to Make a Motion,
13 hereafter referred to as a NITMAM, prior to the
14 established deadline of April 4th, 2008. These
15 NITMAMs were reviewed by a Motions Committee
16 appointed by the Standards Council chair.

17 The Motions Committee certified those
18 NITMAMs in compliance with the NFPA rules as
19 Certified Amending Motions and published the report
20 on May 5th, 2008. Table A of this report, the yellow
21 handout, identified the Certified Amending Motions
22 for consideration today. Only Certified Amending
23 Motions, together with certain allowable Follow-Up
24 Motions, that is, motions that become necessary as a
25 result of successful Certified Amending Motions, will

**Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting**

[Page 5]

1 be allowed at this meeting.

2 There is a further requirement that a person
3 must sign in to indicate that they are, in fact, here
4 to pursue their motion. As part of these procedures,
5 statements for the record, that is, statements
6 concerning Technical Committee actions for which no
7 certified amending motion or allowable follow-up
8 motions is available are not permitted.

9 In accordance with 4.6.10 of the
10 Regulations, if a quorum is challenged and found to
11 be no longer present, a hundred members, the session
12 will be terminated without further action on the
13 Reports. Any Reports on Documents that have not been
14 acted on shall be forwarded directly to the Council
15 without the recommendation of this meeting for action
16 in accordance with 4.8 of the Regulations. If a
17 quorum is lost during the consideration of a Report,
18 any motions to amend or return the Report that have
19 passed prior to the loss of a quorum will be
20 processed and forwarded to the Council in accordance
21 with 4.6 and 4.7 of the Regulations.

22 Any appeal based on action by the
23 Association at this meeting must be filed with the
24 Standards Council within 20 days of this meeting,
25 that is, June 26th, 2008. Any amendment accepted at

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 6]

1 this meeting that fails to pass the subsequent
2 committee ballot will automatically be docketed as an
3 appeal on the Standards Council agenda in accordance
4 with 1.6.2(b) of the Regulations. Note, however,
5 that if an automatically docketed appeal is not
6 pursued by a party, the Council need not consider it.

7 The votes cast in this Association Technical
8 Meeting today and the discussions that lead to the
9 voting are an integral and important part of the NFPA
10 consensus process. The Association Technical Meeting
11 is the forum where the membership considers changes
12 to the Reports prepared by the NFPA Technical
13 Committees concerning proposed or revised NFPA codes
14 and standards when such changes are pursued via
15 Certified Amending Motions. Through the motions,
16 debate and voting at this meeting, the membership
17 makes recommendations to the Standards Council. The
18 Standards Council, under NFPA rules, is the official
19 issuer of all NFPA codes and standards.

20 The majority vote of the persons present
21 here today is for the sole purpose of making a
22 recommendation to the Standards Council on the
23 disposition of the report. The Standards Council
24 will meet on July 22nd through the 24th, 2008 to make
25 a judgment on whether or not to issue a document.

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 7]

1 The Council's decision on document issuance is based
2 on the entire record before it including the
3 discussion and vote taken at this meeting.

4 Limited review, following action by the
5 Standards Council, may also be available through a
6 petition to the Board of Directors. Any such
7 petition must be filed within 15 days of Council
8 action in accordance with the Regulations Governing
9 Petitions to the Board of Directors from Decisions of
10 the Standards Council. The deadline notice for such
11 petition is August 8, 2008.

12 With respect to voting procedures, the
13 Regulations state that voting at NFPA meetings shall
14 be limited to the following:

15 First, those present who are Voting Members
16 of the Association, that is, those with red badges
17 and Member written across the top.

18 If you are not a voting member of record of
19 the Association registered at this meeting, I ask
20 that you refrain from voting. You need not be a
21 member of an NFPA section in order to vote, you must,
22 however, be a Voting Member. Only Voting Members of
23 record should be seated in the front areas. Those
24 seated in the back areas will not be counted.

25 Voting will be undertaken in the following

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 8]

1 manner:

2 There will be no voice votes. The first
3 vote will be by raising of hands. If that is not
4 conclusive, we will proceed to the standing count of
5 regular voting members.

6 I want to say at the outset that I will not
7 cast a vote. Therefore, in the event of a tie, the
8 issue automatically fails.

9 Once a report and Certified Amending Motion
10 is presented, it is open for discussion, and anyone
11 in the room has the privilege of participating. The
12 Chair asks that you preface your remarks with your
13 name and company or organization affiliation. Let me
14 repeat that, your name and company or organization
15 affiliation should preface your remarks.

16 As you can see, we have red and green signs
17 on the mikes in the room. Red signs indicate
18 opposition to a position and green sides indicate
19 support of a position. I would also ask that you
20 stand at the mike, the appropriate mike, and state at
21 the beginning of your remarks whether you are in
22 support of or opposition to the motion being debated.

23 Please be aware that no one participating in
24 the floor motions and debate at this meeting is
25 authorized to act as an agent of or speak on behalf

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 9]

1 of the NFPA, and views expressed during motions and
2 debate, including those expressed on behalf of NFPA
3 Technical Committees or other entities operating
4 within the NFPA system, do not necessarily reflect
5 the views of the NFPA.

6 Now a couple of things to note during the
7 floor debate today. First, please be aware that no
8 one participating in the floor motions and debate at
9 this meeting is authorized to act as an agent of or
10 speak on behalf of the NFPA, and views expressed
11 during motions and debate, including those expressed
12 on behalf of NFPA Technical Committees or other
13 entities operating within the NFPA system, do not
14 necessarily reflect the views of the NFPA.

15 Second, a note about NFPA Sections. From
16 time to time the Chair or other representative of an
17 NFPA Section may rise during the debate to state the
18 position of an NFPA Section on a motion that is under
19 consideration. NFPA Sections are groups of NFPA
20 members organized around particular subjects, such as
21 the Electrical, Fire, or Health Care Sections.

22 Under the Regulations Governing NFPA
23 Sections, a Section may take a position on an issue
24 on the floor of an Association Technical Meeting.
25 The position of a Section does not necessarily

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 10]

1 reflect the views of all Section members. Rather, a
2 Section may state a position on a motion if the
3 majority of a Section members attending a Section
4 meeting have approved that position and there are at
5 least 25 votes cast at the Section meeting.

6 The position of a Section is accorded no
7 special status in the NFPA codes and standards
8 development process and, just as you would with any
9 other position expressed during the debates today,
10 you, as voting members of the Association, may weigh
11 and assess such positions as you deem appropriate.

12 Given the size of the agenda and the amount
13 of material we have to get through, we will start out
14 with five minutes per speaker, but it is my plan to
15 limit time as appropriate in the event that this
16 becomes necessary. We have a timer in the middle of
17 the front table to let you know when you are running
18 out of time. The timer will flash yellow at four
19 minutes and turn red at five minutes.

20 The Chair reserves the right to hear any new
21 speaker before yielding the floor to anyone wishing
22 to address the same issue a second time.

23 Motions that are in order, to Certified
24 Amending Motions, are contained in the yellow handout
25 entitled Annual 2008 NFPA Association Technical

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 11]

1 Meeting Certified Amending Motions which are
2 available at the registration desk and at the back of
3 the room today. The motions pertain to the documents
4 contained on page 66 of the Annual Meeting Program.
5 As previously stated, this meeting is conducted in
6 accordance with the NFPA Convention Rules that are
7 available on the NFPA web site and there are copies
8 at the NFPA registration desk.

9 Upon completion of action on all Certified
10 Amending Motions related to an NFPA document, the
11 Presiding Officer shall entertain any follow-up
12 motions. A follow-up motion is a motion that becomes
13 necessary as a result of a previous successful
14 Amending Motion. A motion to return a document or to
15 return a portion of a document, affected by a
16 previous successful amending motion, is always in
17 order as a follow-up motion as long as it is not
18 repetitious. The Presiding Officer shall make the
19 determination on whether a motion is a proper
20 follow-up motion. The maker of the motion shall be
21 required to explain why it is a proper follow-up
22 motion. A follow-up motion shall require two
23 seconds.

24 Finally, I would like to stress that the
25 rules that we are operating under today are designed

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 12]

1 to improve the efficiency and the quality of the
2 Association Technical Meeting by eliminating the need
3 to present uncontested documents, by giving you, the
4 NFPA membership, advanced notice of the amending
5 motions that are to be presented and by giving me, as
6 the Presiding Officer, greater discretion in managing
7 the debate to ensure that the issues are as fully
8 debated as possible in the available time. It is my
9 hope and expectation that together we will make this
10 Association Technical Meeting a success, and I thank
11 you in advance for your cooperation, patience, and
12 when we are done, your comments and suggestions for
13 the future.

14 At this point, before we begin with the
15 document, I would like to reintroduce Jim Pauley,
16 Chair of the Standards Council, who will present some
17 Special Achievement Awards and Committee Service
18 Awards. ^

19 MR. PAULEY: Thank you, Joe. The Special
20 Achievement Award is presented to recognize the
21 significant contribution of a committee member to a
22 single project that has enhanced the NFPA code and
23 standards making process. We have three Special
24 Achievement Awards that will be presented today. The
25 first one goes to William Conner. I would ask that

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 13]

1 William please join my here at the podium.

2 MILOSH PUCHOVSKY: William Conner of Bill
3 Conner Associates, LLC, Oak Park, Illinois, serves on
4 the Technical Committee on fire doors and windows and
5 has since 2003. This committee is responsible for
6 NFPA 80, standards for fire doors and other opening
7 protectives, and NFPA 105, standards for the
8 installation of smoke door assemblies and other
9 opening protections.

10 As a member of this Technical Committee,
11 Bill has been very active in helping the committee
12 develop a new chapter on fabric fire safety curtains
13 for NFPA 80. Bill put forth extra effort in
14 facilitating input from effective leadership so that
15 the committee had the necessary information available
16 to it. Bill also served on the Life Safety building
17 code and Technical Committee on assembly occupancies
18 and membrane structures and has since 1987.

19 MR. PAULEY: This award recognizes not only
20 Bill's leadership and personal contribution, but also
21 the efforts of all involved with the NFPA 80 fire
22 doors and windows project. Please join me in
23 congratulating Bill on this Special Achievement
24 Award.

25 (Applause.)

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 14]

1 MR. PAULEY: The next Special Achievement
2 Award today is presented to Wayne Moore. I would ask
3 that Wayne please join me here at the podium.

4 MILOSH PUCHOVSKY: In 2003, as chair of the
5 Technical Correlating Meeting on signaling systems
6 for the protection of life and property, Wayne Moore
7 of Hughes Associates in Warwick, Rhode Island
8 established a new task group on mass notification
9 systems.

10 Wayne played a key role as a member of this
11 task group which recommended new provisions and
12 guidelines for NFPA 72, national fire alarm code, on
13 mass notification systems, which are increasingly
14 being used to provide information and instructions in
15 response to a wide range of emergency situations.

16 In 2007 Wayne was appointed chair of the new
17 TC on emergency communication systems, which now has
18 responsibility for mass notification systems in NFPA
19 72.

20 Wayne also serves on the Technical Committee
21 on premises security. Since being appointed chair of
22 this committee in 2003, Wayne directed the
23 development of NFPA's first security related
24 documents, NFPA 730, guide for premises security, and
25 NFPA 731, standards for the installation of

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 15]

1 electronic premises security systems.

2 In addition to his tenure on these
3 committees, Wayne has served and continues to serve
4 on a number of other NFPA technical committees,
5 including the committee on protective premises fire
6 alarm systems, the committee for Uniform Fire Code,
7 the Technical Committee on cultural resources, the
8 life safety code correlating committee, the Technical
9 Committee on fire protection for nuclear facilities,
10 and code making panel 20 for the National Electrical
11 Code. Wayne also served as member on NFPA Standards
12 Council.

13 MR. PAULEY: This award recognizes not only
14 Wayne's leadership and personal contribution to NFPA
15 72 and NFPA 730 and 731, but also all the efforts of
16 all involved with the committee projects that Wayne
17 has participated in. Please join me in
18 congratulating Wayne on his Special Achievement
19 Award.

20 (Applause.)

21 MR. PAULEY: The last Special Achievement
22 Award today is presented to Vicky O'Neal. Vicky
23 could not be here today but will be receiving her
24 award in July at the Florida State Propane
25 Convention.

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 16]

1 On behalf of the Standards Council we thank
2 you for your continued dedication to NFPA 30
3 standards making process. This concludes the Special
4 Achievement Award part and now we will move on to the
5 Committee Service Awards.

6 The Committee Service Award is given to a
7 Technical Committee member for continuous and
8 exemplary service on one or more committees over a
9 substantial period of time, and his recognition and
10 appreciation of distinguished service to the NFPA in
11 the development of NFPA codes and standards.

12 I am pleased to present this award today to
13 the following and very deserving individuals. Our
14 first recipient of the Committee Service Award is
15 Lydia Butterworth.

16 Lydia is receiving this award posthumously
17 and Ken Isman will be accepting on her behalf. Ken
18 attended college with Lydia at the University of
19 Maryland and also served on the Standards Council and
20 NFPA scholarship committee with Lydia. Ken, could
21 you please join me at the podium.

22 MILOSH PUCHOVSKY: Lydia Butterworth,
23 formerly with the Smithsonian Institute, in
24 Frederick, Maryland, served on the following
25 committees: The committee on smoke management

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 17]

1 systems from 2001 to 2006, the Technical Committee on
2 fire safety symbols from 1998 to 1999 and served as
3 chair from 1988 to 1997. Lydia also served on the
4 NFPA Standards Council from 2005 to 2006.

5 MR. PAULEY: Please join me in recognizing
6 Lydia's service to NFPA and the codes and standards
7 making process.

8 (Applause.)

9 MR. PAULEY: The next recipient of the
10 Committee Service Award is Ralph Gerdes. Ralph,
11 would you please join me here at the podium.

12 MILOSH PUCHOVSKY: Ralph Gerdes of Ralph
13 Gerdes Consultants, LLC in Indianapolis, Indiana
14 proudly serves on the following committees: The
15 technical correlating committee on building codes
16 since 2005 to present, the technical correlating
17 committee on safety to life from 2000 to present, the
18 life safety code building code Technical Committee on
19 assembly occupancies and membrane structures from
20 1997 to present and has served as chair since 2000.
21 He's also on the residential occupancies committee
22 for NFPA 101 and has been since 1987, as well as the
23 committee on fire protection features and has been a
24 member since 1986.

25 Ralph also serves on the Technical Committee

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 18]

1 on sprinkler system installation criteria and has
2 since 1997. He has been on the Technical Committee
3 on materials from 2000 to 2006, and the Technical
4 Committee on automatic sprinklers from 1995 to 1997.
5 He's also served on the Technical Committee on
6 membrane structures from 1986 to 1996, and is a
7 member of a Standards Council and has been since
8 2005.

9 MR. PAULEY: Thank you, Ralph, for many
10 years of service to the NFPA codes and standards
11 making process.

12 (Applause.)

13 MR. PAULEY: The next recipient of the
14 Committee Service Award is Morgan Hurley. Morgan,
15 would you please join me here at the podium.

16 MILOSH PUCHOVSKY: Morgan Hurley of the
17 Society of Fire Protection engineers in Bethesda,
18 Maryland, currently serves on the Technical
19 Correlating Committee on building code and has since
20 2005 to present. He serves on the technical
21 correlating committee on the life safety code and has
22 since 2000 to present. He serves on the life safety
23 code building code Technical Committee on
24 fundamentals and he has since 1998, was appointed
25 chair in 2000 and is currently chair of that

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 19]

1 committee.

2 He's also on the Technical Committee on fire
3 assessment methods and has been since 2000. He has
4 served on the Technical Committee on sprinkler system
5 installation criteria from 1997 to 1998, the
6 committee on automatic sprinklers from '96 to '97,
7 the Technical Committee on carbon dioxide from 1994
8 to 1998, the committee on merchant vessels from '94
9 to 1998, the Technical Committee on ship building,
10 repair and layup from 1993 to 1998, and the Technical
11 Committee on water and fire suppression systems from
12 1993 to 1998.

13 MR. PAULEY: Pleas join me in congratulating
14 Morgan on his service to the NFPA codes and standards
15 making process.

16 (Applause.)

17 MR. PAULEY: The next recipient of the
18 Committee Service Award is Kenneth Isman. Ken, can
19 you please join me here at the podium once again.

20 MILOSH PUCHOVSKY: Kenneth Isman, of the
21 National Fire Sprinkler Association, in Patterson,
22 New York, currently serves on the following
23 committees. Bear with me, it's a rather lengthy
24 list. The technical correlating committee on life
25 safety codes since 2003, the technical correlating

**Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting**

[Page 20]

1 committee on building code from 2000 to 2003, the
2 technical correlating committee on automatic
3 sprinkler systems from 1997 to present, the life
4 safety code building code technical committees on
5 building and care facilities since 1996 to present,
6 detention and correctional occupancies from 1991 to
7 present, residential occupancies from 1987 to
8 present, building service and fire protection
9 equipment from 1987 to present.

10 Ken also served on the Technical Committee
11 on sprinkler system discharge criteria from 2007 to
12 present, the committee on water tanks from 1998 to
13 present, the Technical Committee on residential
14 sprinkler systems from 1997 to present, the committee
15 on sprinkler system installation criteria from 1997
16 to 2007, the Technical Committee on water cooling
17 towers from 1993 to present, the committee on general
18 storage from 1992 to 2003, the Technical Committee on
19 safety to life and means of egress from 1992 to 1999,
20 the Technical Committee on automatic sprinklers from
21 1992 to 1997, the Technical Committee on aerosol
22 products from '91 to present, the Technical Committee
23 on inspection, testing and maintenance of water based
24 systems from 1991 to 2000, the Technical Committee on
25 storage from 1991 to 1999, the Technical Committee on

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 21]

1 fire pumps from 1990 to present, and he served as a
2 member of the Standards Council from 2000 to 2006.
3 We would also like to mention that this is Ken's 25th
4 year as a member of the NFPA.

5 MR. PAULEY: Thank you, Ken, for your many
6 years of service to the NFPA and to the standards
7 making process.

8 (Applause.)

9 MR. PAULEY: The next recipient of the
10 Committee Service Award is Phillip Jost. Phillip,
11 could you please join me here at the podium.

12 MILOSH PUCHOVSKY: Phillip Jost of New York
13 currently serves on the technical correlating
14 committee on building codes from 2005 to present, the
15 technical correlating committee on life safety codes
16 from 2001 to present, the Technical Committee on
17 safety to life alternative approaches to life safety
18 from 2002 to 2004, the life safety code building code
19 technical committees on health care occupancies from
20 2001 to 2004, and the board and care facilities,
21 board and care occupancies from 1987 to present, and
22 he currently serves as chair and has since 2001.
23 Phil also serves on the Technical Committee on air
24 conditioning and has from 1990 to 2004.

25 MR. PAULEY: Please join me in

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 22]

1 congratulating Phil on his service to the NFPA and
2 the codes and standards making process.

3 (Applause.)

4 MR. PAULEY: The next recipient of the
5 Committee Service Award is Joshy Paul Callahan.
6 Joshy, could you please join me here at the podium.

7 MILOSH PUCHOVSKY: Joshy Paul Callahan of
8 Aurora, Canada was a committee member for 26 years
9 and served on the flammable and combustible liquids
10 technical committees on tank storage and piping
11 systems from 2002 to 2006, operations from 1980 to
12 2006, storage and warehousing of containers and
13 portable tanks from 1980 to 2006, and the Technical
14 Committee on public fire service organization and
15 operation from 1992 to 1995.

16 MR. PAULEY: Please join me in
17 congratulating Joshy in his outstanding service to
18 the NFPA in the codes and standards making process.

19 (Applause.)

20 MR. PAULEY: The next recipient of the
21 Committee Service Award is Daniel O'Connor. He could
22 not be here today but Carl Baldassarra is here to
23 accept on Daniel's behalf. So, Carl, could you
24 please join me here at the podium.

25 MILOSH PUCHOVSKY: Daniel O'Connor of

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 23]

1 Schirmer Engineering Corporation in Glenview,
2 Illinois, has been a committee member for more than
3 24 years and currently serves on the technical
4 correlating committee on life safety code from 2000
5 to present, the technical correlating committee on
6 building code from 2000 to present, the Technical
7 Committee on telecommunications from 1997 to present,
8 the Technical Committee on hazard and risk of
9 contents and furnishings from 1992 to present, the
10 life safety code building code Technical Committee on
11 health care occupancies from 1991 to present, and has
12 been chair since 2000, the Technical Committee on
13 initiating devices from the fire alarm systems 1990
14 to present, and the Technical Committee on emergency
15 power supplies, 1984 to present.

16 MR. PAULEY: Please join me in
17 congratulating Dan on his many years of service to
18 the NFPA and his contribution to the codes and
19 standards process.

20 (Applause.)

21 MR. PAULEY: The next recipient of the
22 Committee Service Award is Lawrence Perry. Larry,
23 could you please join me here at the podium.

24 MILOSH PUCHOVSKY: Larry Perry of Building
25 Owners and Managers Association International in

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 24]

1 Silver Spring, Maryland currently serves on the
2 technical correlating committee on safety to life
3 from 1993 to present, the life safety code building
4 code Technical Committee on mercantile and business
5 occupancies from 1993 to present, and the building
6 code Technical Committee on building system from 2000
7 to 2004 and he served as chair from 2000 to 2002.

8 MR. PAULEY: Please join me congratulating
9 Larry on his service to the NFPA codes and standards
10 making process.

11 (Applause.)

12 MR. PAULEY: The next recipient of the
13 Committee Service Award is Jerry Wolridge. Jerry,
14 could you please me here at the podium.

15 MILOSH PUCHOVSKY: Jerry Wolridge of Ready
16 Creek Improvement District in Lake Winavista, Florida
17 serves on the technical correlating committee for the
18 building code and he has since 2000 as chair, and he
19 was also the first chair of his correlating
20 committee.

21 MR. PAULEY: Please join me in
22 congratulating Jerry on his service to the NFPA codes
23 and standards.

24 (Applause.)

25 MR. PAULEY: I would like to now mention the

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 25]

1 names of additional Committee Service Award
2 recipients who could not be here with us today and
3 who we would like to acknowledge and thank them for
4 their outstanding service.

5 MILOSH PUCHOVSKY: The NFPA Technical
6 Committee members who are recipients of the 2008
7 Committee Service Award but who could not be with us
8 here today are: William Fitch of Fire Fitch
9 Enterprises Incorporated in Miami, Florida; Richard
10 L. Klinker of Klinker and Associates Incorporated in
11 Gambridge, Maryland; Anthony Ordilly of Loss Control
12 Associates Incorporated in Langhorn, Pennsylvania; Ed
13 Schultz of Code Consultants Incorporated in
14 St. Louis, Missouri; and Leslie Strow from the RJA
15 Group Incorporated in New York, New York.

16 MR. PAULEY: On behalf of the Standards
17 Council I would like to say thank you to all of these
18 award recipients.

19 (Applause.)

20 MR. PAULEY: Joe, I'll turn it back over to
21 you.

22 MR. JARDIN: Thank you, Jim. Before we
23 start I'd like to announce we will be taking comfort
24 breaks as necessary.

25 So with that let's get to business, down to

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 26]

1 business. One quick correction. When I mentioned
2 that the timer will flash yellow at four minutes and
3 turn red at five minutes, that was not correct. The
4 correction is that when the time gets down to one
5 minute, one minute would be reflected on the screen
6 in the middle and begin a countdown from that point.
7 So please note that correction on the timer.

8 So with that let's get to work. Our first
9 report, the first report under consideration this
10 afternoon is that of the Technical Committee on Dry
11 and Wet Chemical Extinguishing Systems. Here to
12 represent the Committee is Committee Chief Edward
13 Kaminski of the Clark County Fire Department, Las
14 Vegas, Nevada.

15 The Committee Report can be found in the
16 yellow 2007 Fall Revision Cycle ROP and ROC. The
17 Certified Amending Motions are contained in the
18 Motions Committee Report and behind me on the screen.
19 We will proceed in the order of the motion sequence
20 number presented. Mr. Kaminski.

21 MR. KAMINSKI: Mr. Chair, ladies and
22 gentlemen, the report of the Technical Committee on
23 Dry and Wet Chemical Extinguishing systems on NFPA 17
24 can be found in the Report on Proposals and the
25 Report on Comments for the 2007 Fall Meeting Revision

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 27]

1 Cycle. The Technical Committee's report proposing a
2 partial revision on NFPA 17, standard for dry
3 chemical extinguishing systems. The presiding
4 officer may now proceed with the Certified Amending
5 Motions.

6 MR. JARDIN: Thank you. Let's now proceed
7 with the discussion on the Certified Amending Motion
8 on NFPA 17. I see a gentleman at mike two.

9 ROBERT ARNOLD: Robert Arnold, Medical
10 Center of Louisiana, New Orleans.

11 MR. JARDIN: Sir, please restate your name.
12 There was a problem with the mike.

13 ROBERT ARNOLD: Robert Arnold, Medical
14 Center of Louisiana, New Orleans.

15 MR. JARDIN: All right. Thank you.
16 Mr. Arnold is the person authorized to make the
17 motion, so please proceed.

18 ROBERT ARNOLD: I move to return a portion
19 of the report in the form of proposal 17-4 and
20 related comment 17-3.

21 MR. JARDIN: Okay. There is a motion on the
22 floor to return a portion of the report in the form
23 of proposal 17-4 and related comment 17-3. Is there
24 a second?

25 UNIDENTIFIED MAN: Second.

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 28]

1 MR. JARDIN: Seeing a second, we'll proceed
2 to discussion on the motion.

3 ROBERT ARNOLD: The proposal is to train,
4 certify and testing which is not definitive and
5 subject to discretion under the authority having the
6 jurisdiction. This proposal will result in a very
7 broad interpretation which will cause confusion in
8 the field between the authority having jurisdiction,
9 the service organizations and the end users. A
10 number of standards have proposals to adopt various
11 definitions of what a trained, qualified service
12 certified technician is. I would support the concept
13 that the system should be maintained by someone
14 competent on the systems they are servicing.
15 Industry would be better served if NFPA adopt
16 standards definition of what constitutes a trained
17 technician, a quality technician, and a certified
18 technician in a level of service each is competent to
19 perform.

20 MR. JARDIN: Mr. Kaminski, would you like to
21 offer the committee's position?

22 MR. KAMINSKI: The committee's position, I
23 was honored to be a member or a chairman of this
24 committee of industry members as well as special
25 experts in the field servicing dry chemical fire

1 extinguishing systems.

2 What we have trained to do or what we are
3 doing with this proposal is tying the service of the
4 particular systems to the manufacturer's installation
5 and maintenance manual and to the installation, and
6 to the manufacturers of the equipment. In this way
7 we're certain that the equipment is being serviced
8 according to the various variables we have or various
9 different features we have in a dry chemical
10 extinguishing system.

11 What we found, and I had the opportunity of
12 visiting almost every fire equipment manufacturer
13 that makes dry chemicals extinguishing systems
14 through my work at Underwriters Laboratories and see
15 that are though very similar in concept, very
16 different. And when I was involved in fire
17 litigation, we've always found that many of the
18 faults discovered in dry chemical extinguishing
19 systems were to lack of knowledge of that particular
20 system and how to service that particular system.

21 With that, after very little deliberation
22 among the committee members, we put toward this
23 proposal to define what is a certified service
24 technician is or qualifications of a certified
25 service technician. It tracks very well with what we

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 30]

1 do in NFPA 10, the standard for hand portable
2 extinguishing, hand portable fire extinguishers, and
3 with that would like to hear any further rebuttals to
4 this report.

5 MR. JARDIN: Thank you, Mr. Kaminski. With
6 that we will open up debate on the motion and we'll
7 start with the gentleman at mike two.

8 CHAD MCGEE: I'm Chad McGee, secretary of
9 the codes and standards review committee of the
10 health care section and I'm representing the health
11 care section on this issue.

12 In our section meeting yesterday we voted as
13 a section in support of this motion. As an AHJ this
14 requirement should have service technicians go
15 through some sort of undefined testing and
16 certification which is near impossible to regulate.
17 As and AHJ if somebody came to me and said that they
18 were approved in another jurisdiction, they may not
19 meet the requirements of my jurisdiction, we we're
20 urging your support of this motion.

21 MR. JARDIN: Okay. Gentleman at mike one.

22 NORBERT MAKOWKA: Norbert Makowka, National
23 Association of Fire Equipment Distributors and a
24 member of the committee. Discussion during the
25 proposal and comment stages of the committee was

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 31]

1 brought up for several reasons. One was the fact
2 that there was nothing from AHJ to go through the
3 qualified technician or certification was designed
4 and presented to raise the level of competency and to
5 show cause of education. It also coordinated with
6 NFPA 96, which is fire protection of commercial
7 cooking operations, which recently changed from a
8 certified firm doing the work to a certified
9 individual doing the work. It was deliberately left
10 up to the approval of the authority having
11 jurisdiction because this is a discipline that is
12 licensed in many states, including that of the
13 submitter, the state of Louisiana, has their own
14 program and acceptability for testing and licensing
15 of technicians to work on unengineered dry chemical
16 systems or engineered dry chemical systems in
17 Louisiana. There was probably eight or ten other
18 states that have their own testing program. If the
19 standard went and set specific requirements on
20 certification and not allow the authority having
21 jurisdiction to have flexibility, we would have a
22 strong conflict between the standards and various
23 rules and regulations throughout the United States
24 and Canada. Thank you.

25 MR. JARDIN: Yes, sir, mike number one.

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 32]

1 Please remember to state your name, affiliation and
2 whether you're in support of or opposed to.

3 MICHAEL LEVERLY: Michael Leverly
4 representing Fire Prevention Manufacturer's
5 Association. We're in opposition to the motion.
6 What I believe the committee did was better design
7 what is actually taking place now. Manufacturers
8 have been training these people for many, many years.
9 Their AHJs are already throughout the country
10 requiring a copy of the certificate of manufacturer's
11 training before people work on these systems anyway,
12 and all the document is doing is better defining what
13 actually is occurring on a day-to-day basis in the
14 marketplace. We encourage you not to support this.

15 MR. JARDIN: Okay. Seeing no one else
16 indicating a desire to speak on the -- oh, I'm sorry,
17 mike number five.

18 MARK CONROY: Mark Conroy, Brooks Equipment
19 Company. I'm reading the ROC, I wish I had my
20 reading glasses, but it simply says that the person
21 that is assigned to this task must be trained and
22 must have passed a written or on line test. To me
23 this is nothing more than any other qualification for
24 a job that anybody else takes. If you're a
25 professional engineer that's what happens is you take

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 33]

1 an examination to prove your qualifications. So
2 reading the ROC it seems to be a very reasonable
3 minimum requirement in the NFPA standards.

4 MR. JARDIN: Okay. With that we'll move to
5 a vote. Before we vote let me simply restate the
6 motion. The motion is to return a portion of the
7 report in the form of proposal 17-4 and related
8 comment 17-3.

9 All in favor of the motion please indicate
10 by rising your hand. Okay. Thank you. All opposed
11 to the motion please indicate by raising your hand.

12 Okay. This is going to be too close. We're
13 going to go for a standing vote. Okay, will all
14 those in favor of the motion please stand.

15 Would all the standees please sit.

16 Would all those in opposition to the motion
17 please stand.

18 Okay everyone can sit. Thank you.

19 The motion fails 66 yes, 131 against.

20 With that we'll move on to our discussion of
21 NFPA 17A. Mr. Kaminski.

22 MR. KAMINSKI: The report on the Technical
23 Committee on dry and wet chemical extinguishing
24 systems on NFPA 17A can be found in the Report on
25 Proposals and Report on Comments for the 2007 Fall

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 34]

1 Meeting Revision Cycle. The Technical Committee's
2 report proposes a partial revision of NFPA 17A,
3 standards for wet chemical extinguishing systems.
4 The presiding officer may proceed with the Certified
5 Amending Motions.

6 MR. JARDIN: Thank you, Mr. Kaminski.
7 Mike number two.

8 ROBERT ARNOLD: Robert Arnold, Medical
9 Center of New Orleans, Louisiana. I move to return a
10 portion of the report in the form of proposal 17A-3
11 and related comment 17A-1.

12 MR. JARDIN: Mr. Arnold is the person
13 authorized to make this motion. Is there a second?

14 UNIDENTIFIED MAN: Second.

15 MR. JARDIN: There is a second. Please
16 proceed, Mr. Around.

17 ROBERT ARNOLD: Again the proposal is to
18 define trained, certified testing, which is subject
19 to discretion of the authority having jurisdiction.
20 The proposal would result in a very broad
21 interpretation and cause confusion in the field
22 between the authority having jurisdiction and the
23 service organization and the end users.

24 A number of standards have proposals to
25 adopt various definitions of what a trained,

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 35]

1 qualified, certified technician is. I support the
2 concept a system should be maintained by individuals
3 who are competent on the system. The industry would
4 be better served if the NFPA developed a standard
5 definition of what constitutes a trained technician,
6 qualified technician and/or certified technician.

7 MR. JARDIN: All right. Thank you.

8 Mr. Kaminski, would you like to speak on behalf of
9 the committee?

10 MR. KAMINSKI: Yes. Mr. Chairman, as though
11 we don't specifically state it, NFPA 17A systems are
12 primarily used for commercial cooking equipment. We
13 have not limited it only to commercial cooking
14 equipment; however, that is the predominant function
15 and use of NFPA 17A systems.

16 I would, without firm data, I would wager
17 that we have much more numerous, much more greater
18 number of NFPA 17A systems than we have dry chemical
19 systems. I would say that that's very similar in our
20 use and our previous comments that I made about the
21 dry chemical systems also apply to this very similar
22 comment.

23 MR. JARDIN: Okay. Thank you, Mr. Kaminski.
24 Gentleman at mike two.

25 CHAD MCGEE: Chad McGee, secretary of the

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 36]

1 health care section. I'm rising in support of this
2 motion on behalf of the health care section. In the
3 section meeting yesterday we voted to support this
4 action. I don't mean to sound like a broken record,
5 but I'm trying to say the same thing as I did last
6 time.

7 Essentially I could go back to my hotel room
8 tonight and put up a web site and make up an on line
9 test that doesn't have to have any criteria or
10 anything and start giving certificates tomorrow to
11 comply with this. That's what I was concerned about
12 with this. There's nothing that really says what
13 these terms are supposed to meet. So I urge your
14 support on this motion.

15 MR. JARDIN: Okay. Mike number one.

16 NORBERT MAKOWKA: Norbert Makowka, National
17 Associates of Fire Equipment Distributors, a member
18 of the committee in opposition the motion. Saying as
19 you stated for 17, these systems are throughout the
20 United States, through everywhere. Every commercial
21 cooking operation in last 11 years have been upgraded
22 because of the losses that were occurring. So we
23 have new laws for 300 listed systems. Many states
24 have stated that they cannot mandate manufacturers
25 specific service technicians only because of

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 37]

1 antitrust and right to work laws. So the problem was
2 to come up with something that would allow
3 technicians in these states to be able to service
4 this equipment but still have some level of
5 achievement but leave that final decision up to the
6 local authority having jurisdiction. You can start a
7 program on line and issue certificates, but if the
8 AHJ doesn't recognize it, it does no good. Thank
9 you.

10 MR. JARDIN: Okay. Seeing no one else
11 willing to or wishing to speak on the motion, we'll
12 move to vote on the motion. And again restating that
13 motion, the motion is to return a portion of the
14 report in the form of 17A-3, proposal 17A-3 and
15 related comment 17A-1.

16 All those in favor of the motion please
17 raise your hand.

18 Thank you.

19 All those opposed to the motion please raise
20 your hand.

21 The motion fails.

22 Okay. Mike number four.

23 JOSH ELVOVE: Josh Elvove with the U.S.
24 General Service Administration. I'm speaking on
25 NITMAM 17A, number three. I want you to accept

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 38]

1 comment 17A-5.

2 MR. JARDIN: Okay. Mr. Elvove is the person
3 authorized to make the motion. Is there a second?

4 UNIDENTIFIED MAN: Second.

5 MR. JARDIN: There is a second.

6 Mr. Elvove, are you speaking to motion
7 17A-2?

8 JOSH ELVOVE: Yes, I am.

9 MR. JARDIN: Okay. Please proceed.

10 JOSH ELVOVE: 17A-2 basically is a comment
11 that I wish to reject the proposal as 17A-33. 17A-33
12 made a change to the frequency of the placement of
13 fusible links that service the system. The current
14 requirement for dry chemical, I'm sorry, wet chemical
15 systems, excuse me, the current requirement for
16 replacing the link is annually and has been there for
17 as long as the standard has been in effect. That
18 change made in this cycle was to change it from
19 annually to semiannually. I believe the rationale for
20 the committee was to be in concert with NFPA 96.

21 MR. JARDIN: Can you hold on for one second,
22 Mr. Elvove. It seems like you're speaking to 17A-3.
23 We just want to clarify.

24 JOSH ELVOVE: No, 17A-2. I'll be on deck
25 for the 17A-3, the heat detector, in a moment.

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 39]

1 MR. KAMINSKI: He's correct, Mr. Chairman.

2 MR. JARDIN: Just that its relative to
3 proposal 17A-32.

4 JOSH ELVOVE: That is correct.

5 MR. JARDIN: You said 33. That's all I
6 wanted to clear up. I'm sorry, go ahead and proceed
7 please.

8 JOSH ELVOVE: Thank you. Backing on track
9 here. So the requirement for the proposal to change
10 the frequency for replacing the fusible link from
11 annual to semiannual. And I believe the Technical
12 Committee is using the justification to keep it in
13 concert with NFPA 96, which change their prospective
14 frequency of the link in the 2004 cycle right away.
15 I don't believe we need to necessarily have 17A in
16 concert with 96. Yes, you have the 17A system in 96
17 but they are really independent.

18 This change was made also because of the
19 primary link manufacturer recommends that the link be
20 replaced every six months. So I probably that's
21 probably some of the rational for the change.
22 However, a technical change such as this where you're
23 changing the testing and frequency should be based on
24 technical substantiation. No technical
25 substantiation of any kind has been provided. No

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 40]

1 fire data has been provided to say that if I replace
2 the link more frequently now I'll have a more safer
3 system.

4 Failure data is provided by any of the
5 distributors or manufacturer to say that there's a
6 problem with the existing cycle. So this change is
7 based on the technical. I recognize that grease
8 builds up on these kinds of links and gets a
9 significant amount of grease that there's a problem
10 potentially there, but there's also a number of these
11 wet chemical systems in place where you have very
12 light use, they're probably in a place where you
13 don't even need them and no grease builds up, yet
14 we'd still be requiring semiannual replacement of the
15 link with this proposal.

16 If you look at the committee's statement in
17 my comment and you checked it, they basically said
18 that field data in this area is difficult to obtain.
19 I dispute that. The first significant problem you
20 can find field data. They also say that this is
21 based on anecdotal evidence. I don't think it's
22 appropriate for a committee to base decision such as
23 this on anecdotal evidence.

24 NFPA standards should be minimum standards.
25 The minimum standard right now is annual. If there's

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 41]

1 any need of over use grease built up then you're
2 certainly welcome to increase the frequency more than
3 annually. I recognize that the cost impact may be
4 perceived as pretty minor but there are semiannual
5 inspection requirements anyway, but to me any
6 technical change needs to be based on sound technical
7 principles. Based on this I urge you to accept my
8 comment. Thank you.

9 MR. JARDIN: Okay. Mike number three.

10 JIM LATHROP: Jim Lathrop, Koffel Associates
11 speaking for myself. I speak against the motion
12 somewhat reluctantly because I agree with Josh's
13 point totally about the year versus the semiannually
14 and personally really don't care which way you go but
15 I disagree with his comment that that doesn't matter
16 if there's a conflict between 96 and 17A. I teach
17 the 17A and 96 documents for NFPA seminars and that's
18 constantly coming up. We have this conflict between
19 96 and 17A. I personally really don't care which way
20 you go, but it needs to be resolved since there's no
21 other motion that can be made.

22 MR. JARDIN: Okay. Mike number one.

23 MICHAEL LAVIN: Michael Lavin representing
24 Fire Manufacturers Association. We're in opposition
25 to the motion. A couple of things. There is a

1 requirement that the system be serviced on a
2 semiannual basis. The fusible link is the heart of
3 the system. If everything else in the system can go
4 wrong, and you could probably get away with it, but
5 the system, if the fusible link doesn't function as
6 intended, that system will not function. It won't
7 fire. It won't operate. That is significant.
8 That's the difference between semiannual requirement
9 anyway you might as well change the link and put the
10 system right back in the condition that it should be.
11 That's first.

12 These systems are also list, as part of the
13 listing it says that that system has to comply with
14 the requirements of 96, 17A and the manual. And for
15 that system to retain long-term its listing it has to
16 be serviced per the manufacturer's manual. The
17 requirement placement of the fusible element is
18 there.

19 And lastly if you go to the manufacturer of
20 the link web site, he does have a caution on his web
21 site that says when fusible elements are used in a
22 cooking environment, they should be replaced
23 semiannually. We ask you to not consider this
24 motion.

25 MR. JARDIN: Gentleman in the back to my

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 43]

1 right.

2 MIKE DANIELS: Thank you, Mr. Chair. My
3 name is Mike Daniels. I'm chair of the code and
4 standards review committee of the health care
5 section. I'm representing the section on this
6 particular issue. We just voted at our executive
7 board and business meeting to support the motion on
8 the floor to accept the comment.

9 This comment addresses the first in what
10 appears to be an alarming trend of potential new or
11 increased requirements being presented for adoption
12 at this meeting with essentially no substantive,
13 quantitative or technical data being provided to
14 substantiate the change.

15 In today's environment if we are going to
16 require facilities to expend critical resources to
17 implement new or increased requirements, then we have
18 an obligation as a body to ensure that the need for
19 these requirements is clearly applied and clearly
20 documented. That has not been done in this instance.
21 And again this is only the first. I can assure you
22 there are more to follow. As such I strongly urge
23 you to go ahead and send that message loud and clear
24 up front by supporting the motion on the floor to
25 avoid an unsubstantiated increase in the requirement.

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 44]

1 Thank you.

2 MR. JARDIN: Yes, sir.

3 NORBERT MAKOWKA: Norbert Makowka, National
4 Association of Fire Equipment Distributors, member of
5 the committee speaking against the motion.

6 Regardless of what happens with the
7 standards, you have to realize that the listing of
8 the system is required to keep it installed, saves
9 the cost to service and maintain in accordance with
10 the manual that is part of the listed system. Every
11 manufacturer of these systems requires these willing
12 to be changed on a six-month basis.

13 If a jurisdiction has adopted NFPA 96, again
14 it requires it. If it's an IMC jurisdiction, the IMC
15 code states these links for the system must be
16 serviced in accordance with the manufacturer's
17 manual. I will admit technical substantiation as far
18 as fire test reports were not presented to the
19 committee. What was presented to the committee is
20 that the listing of these systems requires a
21 six-month change-out of the links. Service
22 technicians are already there. This is not
23 additional service calls. These systems require
24 semiannual maintenance by a trained individual and
25 he's at the facility. He can change the link at that

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 45]

1 time. Thank you.

2 MR. JARDIN: Mr. Chair, would you like to
3 speak to this issue on behalf of the committee
4 please?

5 MR. KAMINSKI: I can only state that those
6 that have spoken in opposition to the motion
7 reflected the comments that we deliberated during our
8 committee meetings. I guess all I can add is that
9 the manufacturers of these fusible elements
10 themselves have come forth and recommended this
11 frequency, this replacement frequency.

12 I agree that sometimes the replacement
13 frequency is not really indicative of the duty that
14 that particular fusible link had to serve, in other
15 words the amount of cooking or the amount of heat it
16 may have been exposed to, but unfortunately an
17 inspection and replacement frequency based on a time
18 interval is what we have in the real world.

19 MR. JARDIN: Thank you. Mike number one.

20 JOSH ELVOVE: Josh Elvove, U.S. General
21 Service Administration. To Mr. Lathrop's point I
22 concur a hundred percent, but the question is which
23 is right. 96 changed the code their particular
24 standard, and correctly me, if 96 needs to come
25 around and join 17A now as it is.

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 46]

1 If I may I'd like to read something out of
2 the ROC in 1996 when this thing went through. It
3 says, Many substantiation said most, if not all,
4 kitchen fire suppression system manufacturers utilize
5 fusible links from the same link manufacturer who
6 recommend links utilized in quote, severe conditions
7 such as restaurant range hoods be replaced every six
8 months.

9 As I spoke earlier, there's some cases where
10 it's not used in severe conditions and the link need
11 not be changed. Just because someone is there every
12 six months doesn't mean I have to do all these
13 different things. We have plenty of maintenance,
14 plenty of requirements under NFPA like coming up in
15 six months or something, or I come in a year later or
16 six months and do something else, we can figure that
17 out. We're selling a lot of links, albeit not very
18 expensive, but needlessly. Thank you.

19 MR. JARDIN: Gentleman at the front mike.

20 DAVE SUBMEER: Mr. Chairman, my name is Dave
21 Submeer. I'm a fire protection engineer. I was
22 chairman of NFPA 96 when that provision was adopted
23 and I'm still a member of that committee. And I
24 investigate a lot of fires involving commercial
25 cooking equipment as part of my consulting business.

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 47]

1 Not only is it a replacement of the link, and I speak
2 against the motion, because part of the process is to
3 do a test link at the end to make sure that that
4 cable is free all the way through on the post.

5 So it's not just a matter of replacing the
6 link, and it's goes beyond that, and it's a check on
7 the entire system. So I think that for the cost of
8 the link, I see grease all the time. I see the
9 pulleys being jammed up all the time. And to do that
10 test link at the end, which is part of the process
11 that all the manufacturers represent in the
12 manufacturer's installation instructions is very
13 critical. So it's not just a matter of link, it's
14 also testing the integrity of that entire cable.

15 MR. JARDIN: Okay. With that we'll move to
16 a vote. Let me just restate the motion on the floor,
17 and that would be to accept comment 17A-5. All those
18 in favor of the motion please raise your hand.

19 Thank you.

20 All those opposed to the motion please raise
21 your hand.

22 We're going to have to take a standing vote.
23 All those in favor of the motion please stand.

24 Okay, you can sit.

25 Okay, all those opposed to the motion please

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 48]

1 stand.

2 Okay, thank you. You can sit.

3 The motion fails 94 yes, 133 no.

4 Mr. Elvove.

5 JOSH ELVOVE: I'll try again. This is Josh
6 Elvove of the U.S. General Service Administration
7 asking the body to accept 17A-6.

8 MR. JARDIN: Mr. Elvove is the person
9 authorized to make the motion. Is there a second?

10 UNIDENTIFIED MAN: Second.

11 MR. JARDIN: There is a second. Please
12 proceed.

13 JOSH ELVOVE: Thank you. I want to qualify
14 that this comment is only focused on rejecting the
15 new semiannual testing requirements for heat
16 detectors.

17 MR. JARDIN: Yes, you clarified that with
18 us.

19 JOSH ELVOVE: Okay. All right. If I may
20 proceed. Proposal 17A-33 revised 7.3.4 a number of
21 ways. It added 7.3.4 currently has inspection and
22 fee requirements for other than fusible links. What
23 this proposal did was change the term to heat
24 detectors and added some testing requirements.

25 All this was done without, once again,

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 49]

1 technical substantiation, without any failure data.
2 The requirement for testing heat detectors per the
3 proposal is semiannually. Some of the justification
4 for the change in the proposal was to coordinate with
5 NFPA 72. NFPA 72 requires heat detectors to be
6 tested on an annual basis. So what we have now is a
7 conflict between testing requirements from NFPA 72
8 and NFPA 17A. So in order now to do the actual test
9 of the heat detectors semiannually, we have to trip
10 the system, which specifically is connected to a
11 building fire alarm system.

12 So by adding the semiannual requirement now
13 you to have someone with the fire alarm system
14 available to basically reset the alarm and disconnect
15 the alarm for testing. So now you have that function
16 happening twice a year instead of once a year.

17 As in the case of the fusible link before,
18 there is some cost impact now, probably more so
19 because now you have the coordination effort for fire
20 alarm systems. The cost impact of this particular
21 requirement is more substantial than before, and the
22 fact that there's a conflict with NFPA 72 and again
23 there's no technical substantiation that says this
24 heat detector has to be tested semiannually. For all
25 those reasons I'm urging you to accept my comment

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 50]

1 17A-6. Thank you.

2 MR. JARDIN: Mr. Kaminski, would you like to
3 speak on behalf the committee?

4 MR. KAMINSKI: This is very similar because
5 we are talking about a detection device again because
6 of the fusible element, the heat detector. Somewhat
7 departing from my committee role and speaking from a
8 professional standpoint, I would think this would be
9 good news that we have a basis in code now to go
10 twice a year instead of once a year to make sure our
11 systems work with a cost that has to be borne by the
12 building owner and so forth; however, as far as fire
13 professionals we always think that's well worth it.

14 It was an interesting dynamic when we worked
15 on this, we worked on this over a telephone
16 conference, and I say that because I don't recall how
17 many fire equipment manufacturers were in this
18 particular meeting, but at the time there were very
19 few commercially available or there was no
20 commercially available heat detector that would
21 trigger a 17A system and what was going on was
22 product development.

23 I was in the middle of the conference call
24 when I say, well, how many of you guys even have
25 these and are we working on an imaginary device that

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 51]

1 doesn't exist yet. However, in my, you know, work
2 now I see there are heat detectors being used in 17A
3 systems that I've reviewed. And with that I can just
4 give you that background of how the committee came to
5 this. And we, of course, would like to stand on our
6 recommendation.

7 MR. JARDIN: Okay. Thank you, Mr. Kaminski.
8 Gentleman at mike two.

9 MIKE DANIEL: Thank you, Mr. Chair. Mike
10 Daniel again, chair of the codes and standards review
11 committee in the health care section. I am
12 representing this section. We did vote in support of
13 motion on the floor.

14 Here again, and this won't be the last time,
15 here again is another potential new or increased
16 requirement being presented for adoption with no
17 quantitative or technical data being provided to
18 substantiate the change. It also places the document
19 in conflict with another NFPA document. Again I urge
20 you to support the motion on the floor to avoid an
21 unsubstantiated increase in requirements. Thank you.

22 MR. JARDIN: Yes, sir.

23 MICHAEL LOTTERY: Michael Lottery, fire
24 Equipment Manufacturers Association. We're in
25 opposition to the motion.

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 52]

1 Again this goes back to the listing of the
2 product. If thermostats or electric detectors are
3 used, that is the initiating device. That device is
4 listed along with the system. That system requires a
5 semiannual inspect inspection. The inspection is per
6 the manufacturer's manual. The manufacturer says
7 that you must totally operate the system to make sure
8 the system will function, that includes tripping the
9 detector. And if indeed you happen to lock out the
10 fire alarm panel, it should already be done anyway
11 with the system being utilized. Thank you.

12 MR. JARDIN: Yes, sir.

13 NORBERT MAKOWKA: Norbert Makowka, National
14 Association of Fire Equipment Distributors and member
15 of the committee in opposition of the motion.

16 Again, one, this is a restorable heat
17 detector that have been used in an industrial fire
18 protection system for well better than 50 years. It
19 is not a replacement items, it's a requirement. A
20 service requirement was in force in the document
21 stating that if an electric type heat sensing device
22 was used instead of a fusible link, when you service
23 it every six months you have to make sure that it was
24 cleaned and that it functioned.

25 The heat detectors have been around for a

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 53]

1 long time, but having worked with them for over
2 30 years, as reliable as they are, any damage to the
3 outside of that probe throws the setting of that
4 detector off considerable, which either makes it
5 inoperable or operates at a temperature a lot lower
6 than the setting.

7 The other point is the representative of the
8 manufacturing association stated the standard
9 requires all maintenance and service work to be done
10 in accordance with the manual that's listed for that
11 system, maintain the listing. This has to be
12 performed at six months. If this heat detector is
13 not verified on a six-month basis, the listing of the
14 installed system could be in jeopardy. Thank you.

15 MR. JARDIN: Gentleman in the middle in the
16 rear.

17 MARCELO HIRSCHLER: Thank you. Marcelo
18 Hirschler, GBH International speaking for myself.

19 I want to point out that there is
20 significant difference between this motion and the
21 one before. The one before was made clear by Jim
22 Lathrop that if the motion had passed then there
23 would have been an inconsistency between 17A and 96.
24 Now we are the opposite. If this motion fails we
25 have an inconsistency between 17A and 72. So please

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 54]

1 make sure that you pass the motion. Thank you.

2 MR. JARDIN: Okay. Let's move to a vote on
3 the motion on the floor which is to accept comment
4 17A-6. All in favor of the motion please raise your
5 hand.

6 All opposed to the motion please raise your
7 hand.

8 The motion passes. Thank you, Mr. Kaminski.

9 MR. KAMINSKI: Thank you.

10 MR. JARDIN: The next report this afternoon
11 under consideration is that of the Technical
12 Committee on Electronic Computer Systems. Here to
13 represent the committee is committee member Mark
14 Rochholz of Schirmer Engineering, Glenview, Illinois.

15 The committee report can be found in the
16 yellow 2007 Fall Revision Cycle ROP and ROC. The
17 certified Amending Motions are contained in the
18 Motions Committee report and behind me on the screen.
19 We will proceed in the order of the motion sequence
20 number presented. Mr. Rochholz.

21 MR. ROCHHOLZ: Mr. Chair, ladies and
22 gentlemen, the report of the Technical Committee on
23 Electronic Computer Systems on NFPA 75 can be found
24 in the Report on Proposals and the Report on Comments
25 for the 2007 Fall Meeting Revision Cycle. The

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 55]

1 Technical Committee report proposes a partial
2 revision of NFPA 75 standard for the protection of
3 information technology equipment. The presiding
4 officer will now proceed with Certified Amending
5 Motions.

6 MR. JARDIN: Thank you. Let's now proceed
7 with the discussion for Certified Amending Motions on
8 NFPA 75. Gentleman in the back.

9 STANLEY KAUFMAN: I'm Dr. Stanley Kaufman
10 from CableSafe. I represent SPI of the NFPA 76
11 committee and I made this comment, so I'm the
12 submitter of the NITMAM.

13 MR. JARDIN: Yes, sir, you are authorized to
14 make the motion. Is there a second?

15 UNIDENTIFIED MAN: Second.

16 MR. JARDIN: There is a second. Please
17 proceed with your motion.

18 STANLEY KAUFMAN: I was on a path between
19 NFPA 75 and 76 that dealt with the issue of the
20 computer room standard, NFPA 75, also
21 telecommunication risk. That was handled. They made
22 a recommendation and that was handled by deferring to
23 76 for any telecommunications facility that was under
24 76.

25 Where it fell short was it didn't deal with

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 56]

1 the fact that NFPA 75 was fractured in the first
2 group article 645 of the National Electric Code only;
3 and therefore, that reference to article 645 ignores
4 the interpretive article or article 800, and that was
5 by comment rejected. I'm moving for acceptance of
6 the comment.

7 MR. JARDIN: Okay. Mr. Rochholz, would you
8 like to speak on behalf of the committee?

9 MR. ROCHHOLZ: Well, the committee feels
10 that if there's a conflict between article 645 and
11 article 800 that it should be addressed by the
12 National Electrical Code making panel for that and
13 that it's satisfactorily covered.

14 MR. JARDIN: Okay. Thank you.

15 Yes, sir.

16 RICHARD LLOYD: Richard Lloyd representing
17 the electrical section on this. We met this morning.
18 We were presented this NITMAM, and the electrical
19 section voted to oppose the NITMAM.

20 MR. JARDIN: Mr. Hirschler.

21 MARCELO HIRSCHLER: Marcelo Hirschler, GBH
22 International speaking for the American Fire Safety
23 Council. I made opposition to the motion. It's
24 simply an issue of correlation, which is what is
25 stated by Dr. Kaufman, then they should be addressed

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 57]

1 by the technical correlating committee of the
2 National Electrical Code and the Standards Council
3 and it shouldn't be discussed here on the floor.

4 If this is an issue of whether article 800
5 is more appropriate than article 645, again this is
6 not an issue that should be discussed here. Article
7 800, communications circuits, article 645 everything
8 to do with information technology issues.

9 Number three, this I think is more
10 relevantly an issue of which document was priority.
11 Just like Standards council decided many years ago
12 that for special occupancies, 98 is a document that
13 has priority for special occupancies like information
14 technology rooms. 75 is the document that has
15 priority. I urge you to disapprove this motion.
16 Thank you.

17 MR. JARDIN: Yes, sir.

18 RON MARTS: My name is Ron Marts from
19 Telecordia Technologies and I represent AT&T, SPC,
20 Ameritec, PacBell plus Bell South and the telephone.

21 I'm the principal member of the 75 committee
22 and I ask you to disapprove this NITMAM. Four quick
23 points. Number one, as you can see in the ROC, this
24 material is new material, it is therefore out of
25 order and shouldn't be considered.

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 58]

1 Number two, the added text, if it was used
2 it's in the wrong chapter. You chose to put this in
3 chapter four, which is risk consideration and not a
4 cross-referencing chapter.

5 Number three, it is very, very poorly
6 worded. It still would be very confusing I think to
7 an AHJ or a designer, it's confusing to me and I'm on
8 the committee.

9 Number four, and I think most importantly,
10 equipment complies with virtually every chapter in
11 the NEC except for chapter eight, which is
12 communication systems. Chapter eight addresses
13 communication systems, for example, in this building,
14 the hotel, the casino, so I'd ask you to deny it.

15 MR. JARDIN: Yes, sir.

16 JIM PETERKIN: Jim Peterkin and I represent
17 the health care section. And the health care section
18 met yesterday to stand in opposition to this motion
19 and concur with the actions of the Technical
20 Committee.

21 MR. JARDIN: Okay. With that we'll move to
22 a vote on the motion which is to accept comment 75-2.
23 All in favor of the motion please raise your hand.

24 All opposed to the motion please raise your
25 hand.

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 59]

1 The motion fails.

2 Okay. We'll move on to our next NITMAM.

3 Mr. Elvove.

4 JOHN ELVOVE: John Elvove of U.S. General
5 Service Administration. I'm here to ask you to
6 accept comment 75-4.

7 MR. JARDIN: Mr. Elvove is the authorized
8 individual to make this motion. Is there a second?

9 UNIDENTIFIED MAN: Second.

10 MR. JARDIN: There is a second. Please
11 proceed, Mr. Elvove.

12 JOSH ELVOVE: My comment is basically a
13 duplicate of the original proposal is to add a few
14 words to the end of 8112. 8112 requires
15 unconditionally under floor fire suppression, whether
16 it be sprinklers, CO2 or some other agent. I'm
17 proposing to put the words where risk warrants it.
18 In other words, it's no longer mandatory based on
19 risk.

20 Chapter four of NFPA 75 has risk
21 consideration. Standards change now NFPA 75 type of
22 facility you have to follow requirements for
23 suppression or under floor.

24 Some history on this particular requirement.
25 In 2002 the Technical Committee revised this

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 60]

1 particular section and created the inventory of
2 in-floor sprinkler, excuse me, fire suppression
3 requirement. If you go back to the ROP and the ROC
4 you'll see once again no technical substantiation.
5 Just a little bit more serious than a \$2.50 fusible
6 link. Now we're mandating for fire suppression.

7 When this came up in the 2007 ROP it was
8 rejected, and the ROP was balloted, a number of
9 committee members said that this was inappropriately
10 passed in the 2002, and by passing this offers no
11 flexibility.

12 I contend that there are situations where
13 you can have a computer room where you wish to
14 protect NFPA 75 where based on the risk assessment
15 you make an assessment that there's no need to
16 protect the under floor space. An option doesn't
17 exist, not present here. Whatever the conditions may
18 be, maybe the condition is operations 24/7 and
19 therefore I'm there all the time and I can service
20 the detector hidden in the floor space. That may be
21 an option somebody wants to take, it may not be, but
22 that's just one example of an option that someone can
23 take. No consideration. NFPA 75 wants once again
24 should be minimum standards. For these reasons I
25 urge you to accept my comment. Thank you.

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 61]

1 MR. JARDIN: Okay. Mr. Rochholz, would you
2 like to speak on behalf of the committee?

3 MR. ROCHHOLZ: Yeah, the committee doesn't
4 agree with that. The committee agreed that you need
5 to have under floor protection in computer rooms. We
6 did accept this comment in principal and added a part
7 to it that allows, if you had sprinklers in your, if
8 you had designed a sprinkler system per NFPA 13 and
9 you had a noncombustible under floor with nothing in
10 it or something, then you wouldn't have to put in
11 sprinklers in the under floor. You'd have to follow
12 the rules of the installation standards for NFPA 13
13 or clean agent or something. That's what we changed
14 it to, but we think that if you had a computer room
15 you need this.

16 MR. JARDIN: Okay. Thank you. Let me just
17 now remind the body when you speak to a motion,
18 please state your name and affiliation and your
19 position with respect to the motion.

20 Yes, sir.

21 RON MARTS: Ron Marts again, Telecordia
22 Technologies, phone company. Again I'm the principal
23 member on the 75 committee.

24 I like Josh's concept. Clearly we are
25 moving toward applications of computers and access

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 62]

1 floors where under floor suppression is not required.
2 The main problem I have with this word is the fact
3 that the wording is not enforceable. The committee
4 spent quite a bit of time in the task group, which
5 obviously I was a member, and basically taking the
6 same concept and putting in better words, more
7 enforceable language. And think as we move forward
8 in the next cycle we can enhance the wording to do
9 better. I would certainly invite Josh to come to a
10 committee meeting and sit down and help us work out
11 better wording. So I'd ask you to not support this
12 NITMAM. Thank you.

13 MR. JARDIN: Gentleman in the back of the
14 room to my right.

15 JIM PETERSON: Jim Peterson with the health
16 care section. We stand in support of this motion. I
17 understand where he's saying that it's not
18 enforceable because of the way it's worded, but that
19 would probably be true if we do not have a section in
20 chapter four that does give you direction to assess
21 the risk in that chapter. So I think the wording
22 that Josh has provided gives direction, so we support
23 this motion.

24 MR. JARDIN: Yes, sir.

25 STEVE FULLER: Steve Fuller, Schneider

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 63]

1 Electric. I'm speaking for myself. I'm on the
2 committee as well and I was chair of the task group
3 that was assigned to look into this. Our task group
4 met and took this very seriously. We spent many
5 hours going over this so we conferred with some of
6 the other standards and looked at what they had said
7 and we found out that we were the only ones that had
8 a mandatory 100 percent no exception requirement.
9 The other standards said that there could be
10 exceptions. And we toyed about whether to use their
11 wording or how to go about it. All told we said, you
12 know, we agreed in principle what the proponent had
13 put out there. We feel that he is correct.

14 I, myself, had put in proposals that said,
15 you know, there are applications where this is
16 inappropriate. What we wanted to do was come up with
17 better words. This may not be perfect but we think
18 it's better than what was proposed. We deferred back
19 to the other standards when they're doing chapter
20 four in you're looking at what needs to be considered
21 in application of this standard, the risk assess that
22 you do, you need to look at these other standards and
23 weigh that, and this gives you that opportunity.
24 It's a little bit more specific that what is provided
25 that originally put in there. We think it's a little

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 64]

1 bit better. We would recommend that we accept the
2 committee's action as amended and I oppose this
3 NITMAM.

4 MR. JARDIN: Yes, sir.

5 Marcelo HIRSCHLER: Marcelo Hirschler, GBH
6 International speaking for myself. I'm in favor of
7 the motion.

8 I find it very disconcerting that the
9 opponent of the motion say oh, well, the proponent is
10 right but he just didn't get the language quite right
11 so we just require additional sprinkler protection,
12 which we know is not always needed, but let's require
13 it just in case we didn't get the wording quite
14 right. That's what we have TIAs for. If the wording
15 isn't perfect, let the TIA system, let the process
16 work and get the wording right, but let's not just
17 impose requirements which there seems to be consensus
18 about with all the speakers that's they're
19 unnecessary. Please support the motion.

20 MR. JARDIN: Yes, sir.

21 JOSH ELVOVE: Joke Elvove, U.S. General
22 Service Administration. I'm glad to see there's some
23 consideration to what I'm trying to say. If we do
24 nothing, if we vote this down, mandatory fire
25 suppression as required, unless you can go to NFPA 13

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 65]

1 and get the exception, NFPA 13 talks about
2 non-accessible spaces. Raised floor is questionable.
3 Raised floor might be an exception based on sprinkler
4 systems for 13. Do we also want to refer to NFPA 13
5 in 2001 or 12A for our computer equipment? I think
6 the requirement for putting sprinklers in or fire
7 suppression really needs to remain in NFPA 75 and
8 that's why I proposed where the risk warrants it.
9 That leaves it there.

10 One more thing I'd like to point out in
11 response to Ron's comment, if you read 841, which is
12 the total flooding and distinguishing systems
13 provision, let me read a little bit for you. Where
14 there is a critical need to protect data processing
15 stuff, blah, blah, blah. Where there is a critical
16 need. Right now we have precedents already in NFPA
17 75 to put in a supplemental gas system into the
18 space. So the precedent is there. What's wrong with
19 putting it in the under floor space.

20 Lastly, our loss experience in computer
21 rooms is so nominal. I have data here that says they
22 have three incidents and they can't tell whether or
23 not having an under floor system was any helpful or
24 not. Again I urge you to accept this motion.

25 MR. JARDIN: Okay. With that we'll move to

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 66]

1 a vote on the motion on the floor, which is to accept
2 comment 75-4. All those in favor of the motion
3 please raise your hand.

4 All those opposed to the motion please raise
5 your hand.

6 The motion passes. Thank you Mr. Rochholz.

7 The next report this afternoon under
8 consideration is that of the Technical Committee on
9 Telecommunications. Here to represent the committee
10 is committee chair Ralph Transue of the RJA Group,
11 Incorporated, Chicago, Illinois.

12 The report can be found in the yellow 2007
13 Fall Revision Cycle ROP and ROC. The Certified
14 Amending Motions are contained in the Motions
15 Committee report and behind me on the screen. We
16 will proceed in the order of the motion sequence
17 number presented. I'd just like so say that
18 Mr. Transue will be stepping down as chair due to the
19 tenure policy and I'd like to express our thanks to
20 him for his leadership on the committee.

21 (Applause.)

22 MR. JARDIN: Mr. Transue.

23 MR. TRANSUE: Thank you, Mr. Chair.

24 Mr. Chair, ladies and gentlemen, the report of the
25 Technical Committee on telecommunication on NFPA 76

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 67]

1 can be found in the Report on Proposals and the
2 Report on Comments for the 2007 Fall Meeting Revision
3 Cycle. The Technical Committee's report proposes a
4 partial revision of NFPA 76 standards for the fire
5 protection of telecommunications facilities. The
6 presiding officer will now proceed with the Certified
7 Amending Motions.

8 MR. JARDIN: Thank you. Let's now proceed
9 with the discussion for Certified Amending Motions on
10 NFPA 76, and I would just like to note that we do
11 have multiple notices for a single motion as
12 reflected in Motions Committee report. Yes, sir.

13 RON MARTS: Ron Marts, Telecordia
14 Technologies representing AT&T, SPC, PacBell plus
15 Bell South. I'm one of the four submitters of this
16 NITMAM and I will be speaking for the other three
17 gentlemen, two of which are not here and one is. I
18 ask you to support this NITMAM.

19 MR. JARDIN: Okay. And your motion is to
20 reject comments 76-3, 76-1 and 76-4; is that correct?

21 RON MARTS: This is correct.

22 MR. JARDIN: Okay. Mr. Marts is indeed an
23 authorized submitter of NITMAM and thus is permitted
24 to make the motion. Is there a second?

25 UNIDENTIFIED MAN: Second.

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 68]

1 MR. JARDIN: There is a second. Please
2 proceed, Mr. Marts.

3 RON MARTS: I've spent enough time at the
4 microphone, I'm going to throw the ball into the
5 court of our chairman Mr. Transue.

6 MR. TRANSUE: Thank you, Mr. Marts. We had
7 a two hour discussion after the NITMAMs were
8 submitted at a committee meeting which has taken
9 place between cycles so we don't have a formal vote
10 of the committee but we do have an informal vote of
11 the Technical Committee, which is in favor of this
12 amendment. So the committee is urging the body to
13 support this amendment.

14 I would also like to point out that I was
15 the submitter, and I too agree that this amendment
16 should go forward. The issue here, just for the
17 general information, is an issue that the committee
18 has struggled with for a long time, which is
19 criticality, criticality of facilities that are to be
20 protected. And we've used square foot area as a
21 representation of criticality. One would assume that
22 the larger a facility is the more critical it is in
23 protecting it or in our need to protect the
24 telecommunications network.

25 However, after a two-hour discussion we

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 69]

1 realized that changing the square foot requirement,
2 which is what this would do, at this point in time
3 has too much impact on other sections. And so what
4 we've done instead is organized a task group to
5 address this issue for the subsequent edition.

6 MR. JARDIN: Thank you, Mr. Chair. Okay.
7 With that let's -- Mr. Marts.

8 RON MARTS: Can I come back a second time?
9 Ron Marts, Telecordia. This is to kind of show the
10 folks in the room what these buildings are. These
11 are buildings that are under 500 square feet. There
12 are about 200,000 in the country, maybe more. Most
13 of them are cell sites that allows you to use these
14 things all day long.

15 The buildings, I would say 99 percent of
16 them do not have plumbing. They're totally
17 unoccupied buildings, with the exception of the
18 installation of equipment and occasional maintenance,
19 replacement of batteries. Buildings this small
20 cannot be compartmented as is required in larger
21 telecommunication buildings. All these buildings do
22 have smoke detectors in them and these buildings also
23 comply with whatever local building fire code is in
24 force in the jurisdiction.

25 MR. JARDIN: Okay. Let's move to a vote on

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 70]

1 the motion on the floor. That motion is to reject
2 comments 76-3, 76-1 and 76-4. All in favor of the
3 motion please raise your hand.

4 All opposed to the motion please raise your
5 hand.

6 The motion passes. Thank you, Mr. Transue,
7 and again we thank you for your service to the NFPA
8 codes and standards development process.

9 MR. TRANSUE: Thank you, sir.

10 MR. JARDIN: The next report this afternoon
11 under consideration is that of the Technical
12 Committee on Cleanrooms. And here to represent the
13 committee is committee chair David Libby of IBM,
14 Essex Junction, Vermont. The report can be found in
15 the blue 2008 Annual Revision Cycle ROP and ROC. The
16 Certified Amending Motions are contained in the
17 Motions Committee report and behind me on the screen.
18 And we will proceed in the order of the motion
19 sequence number presented. Mr. Libby.

20 MR. LIBBY: Mr. Chair, ladies and gentlemen,
21 the report of the Technical Committee on cleanrooms
22 on NFPA 318 can be found in the Report on Proposals
23 and in the Report on Comments for the 2008 Annual
24 Meeting Revision Cycle. The Technical Committee's
25 report proposes a partial revision of NFPA 318,

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 71]

1 Standards for the protection of semiconductor
2 fabrication facilities. The presiding officer will
3 now proceed with the Certified Amending Motions.

4 MR. JARDIN: Thank are, Mr. Libby.

5 Now, let's proceed with the discussion for
6 Certified Amending Motions on NFPA 318.

7 Yes, sir.

8 RON FUHRHOP: My name is Ron Ruhrhop. I
9 submit a motion to accept 318-1.

10 MR. JARDIN: Okay. Mr. Fuhrhop is indeed
11 authorized to make the motion on the floor today. Is
12 there a second?

13 UNIDENTIFIED MAN: Second.

14 MR. JARDIN: I hear a second. Please
15 proceed.

16 RON FUHRHOP: My motion is to accept 318-1
17 which is found in the ROC found on page 318-2 of the
18 ROC. First I want to explain what a SAG is. It's a
19 special gas cylinder used for highly toxic gases.
20 It's used in the special semiconductor process,
21 specifically a small cylinder stored and used with a
22 tool on the gas. A conventional high pressure
23 cylinder stored and deliver gases at high pressure.

24 The purpose of the SAG is to store and to
25 supply a source under vacuum. A high pressure

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 72]

1 cylinder is different from a cylinder valve, high
2 pressure gas comes out. The SAG, you open the
3 cylinder valve, no gas comes out until you apply a
4 vacuum to the outside. That's the key safety feature
5 of the SAG system.

6 Now, there's several SAG technologies out
7 there that provide this vacuum delivery. In all the
8 SAG technologies have a minimized ability to leak and
9 they're safer than a conventional high pressure
10 cylinder.

11 The current definition in the 2006 edition
12 treats all SAGs -- the proposed change in the motion
13 made a few improvements in this single definition.
14 Focusing on the key feature of the SAG system is that
15 you have to vacuum to get the product out of the
16 container. The new definition that was approved by
17 Technical Committee is a dual definition which
18 specifies type 1 and type 2. This one particular
19 feature differentiates between two different
20 technologies. Each technology of SAG has hazardous
21 features and these features are all mitigated.
22 Providing the two definitions in place of comparison
23 which implies one is better than another. It can
24 also exist new technology that do not fit one of
25 these definitions resulting in a safer trade. These

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 73]

1 definitions are not the place to identify the
2 differences. The differences, if there are, required
3 in the safety control for the different technologies,
4 this should be in the code section, not the
5 definition. So I urge you to accept this motion.

6 MR. JARDIN: Mr. Libby, would you like to
7 speak on behalf of the committee?

8 MR. LIBBY: Mr. Chair, our committee wanted
9 to acknowledge that there were two different types of
10 technologies. As we went through the requirements,
11 we actually did not create any substantive
12 differences in our requirements at this time, but we
13 did acknowledge that there were two different
14 technologies that were available.

15 MR. JARDIN: Okay. Thank you.

16 And, again, let me just remind those
17 speaking to this motion please start by stating your
18 name and affiliation as well as your position on the
19 motion.

20 Gentleman up front.

21 CARL OLANDER: My name is Carl Olander. I'm
22 with Advanced Technology Materials. I'm speaking in
23 opposition to the motion.

24 Having participated with the Technical
25 Committee for the last year and a half, I want to

1 assure this audience that all of the points brought
2 up by the previous speaker have been addressed,
3 debated, reviewed and argued out at great length,
4 hundreds of man hours expended in this process to
5 come up with a dual definition based on the pressure,
6 the pressure in which the SAG system is storing gas.
7 We did that because of, the Technical Committee did
8 that because they believed pressure is the major
9 hazard element in this equation. It's pressure that
10 drives and releases the cylinder. That pressure
11 largely determines the rate of release. Pressure is
12 also the heart of many of the failures of a component
13 in a gas delivery system.

14 So the differentiate and decide based on
15 pressure is a very logical way to go. At the one
16 hand you have a type one system where the gas has
17 literally been, it's complex and it's basically
18 behaving like a solid with a low vapor pressure. The
19 type two system definition is basically a compressed
20 gas. It can be very high pressure, a thousand psi,
21 for example, where we've added an assortment of
22 regulators and check valves and full restrictors and
23 the like.

24 Yes, they both have in common that they
25 require a vacuum to operate or to discharge the gas.

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 75]

1 But we believe they pose very different risk
2 profiles, risk scenarios based on the attendant
3 storage pressure and that's why the Technical
4 Committee I believe acted the way they did. Thank
5 you.

6 MR. JARDIN: Yes, sir, in the back to my
7 right.

8 JOE YOUNG: Joe Young, Praxair Electronics.
9 I'm in favor of accepting the comments.

10 The primary objective as I see it, at least
11 one of the key features of providing good code is
12 having a maximizing impact for safety, minimizing the
13 potential for confusion, encouraging the use of a
14 superior product, being whatever technology or method
15 that falls under, whether it's to discuss type 1 type
16 2. A SAG, a subatmospheric gas delivery system, is
17 superior to the conventional high pressure system to
18 deliver processed gases at a high pressure. So we
19 all accept that. Now the objective is to make sure
20 that the industry is clear in that avoidance of
21 confusion by having two definitions for something
22 that's really one product or one type of product by
23 addressing the issues of pressure as brought up a
24 moment ago to codes where they should be properly
25 addressed. Again looking at the key component as I

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 76]

1 walk away from it is promoting safety, promoting
2 clarity and promoting the use of other safe products.

3 MR. JARDIN: Yes, sir.

4 UNIDENTIFIED MAN: I'm against this motion.
5 I'll hold the object for pretty much the same reasons
6 why the Technical Committee voted to reject it also.
7 Definitions does a much more better job helping the
8 end users decide and determine what type of SAGs they
9 have because when it's under a code we all know what
10 to do. And code and different regulations are being
11 written currently as now by different regulations.
12 DOT, Department of Transportation, to give you an
13 example, they've already written several different
14 regulation changes that are different and allow
15 different conditions for the SAG type 1 and the SAG
16 type 2. An example of that is during shipment.
17 Again during shipment no one is trying to open and
18 close the valve. There are many other ways for gas
19 to leak out of a cylinder rather than trying to open
20 the valve. And these high toxic gases are now
21 allowed to go by air. You don't want to have a leaky
22 cylinder 10,000 meters up in the sky; however, when
23 the pressure is removed from the cylinder, like the
24 type 1 SAG, basically a zero pressure, a can of Pepsi
25 has more pressure in it. The DOT determined that the

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 77]

1 risk has been greatly minimized, the storage
2 potential has been reduced and they have changed
3 their regulations and they won't allow a high toxic,
4 type 1 SAG definition, now be shipped by air.

5 Other high pressure gases cannot. Type 2
6 cannot. Several definitions don't clarify or
7 identify which one is which. DOT again made another
8 change. High pressure toxic gases do not require
9 high pressure rated cylinders, 1,800 psi rating or
10 higher. In the case of a type 1 SAG, you basically
11 have a cylinder with zero pressure or less. .the DOT
12 allows those packages to use a container that's rated
13 to 75. That's a 95 percent reduction. So DOT
14 recognizes there's a difference between the two types
15 of SAGs. They're starting to code change around it
16 based on safety performance and I support the changes
17 and reject this motion at the present time.

18 MR. JARDIN: Yes, sir.

19 DAVID SIMONS: Thank you. My name is David
20 Simons. I'm from Praxair Safety Environmental
21 Services Department speaking in support of the motion
22 to accept comment 318-1.

23 First of all, 318-1 provides changes which I
24 believe improve clarity and understanding --

25 MR. JARDIN: Excuse me, can we get you to

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 78]

1 speak up a little bit and restate your name for the
2 record?

3 DAVID SIMON: Sure. My name is David Simon.
4 I'm with Praxair Safety Environmental Services
5 Department speaking in support of the motion to
6 accept comment 318-1.

7 The single generic definition that's
8 proposed in 318-1 has the advantage of being
9 inclusive not only of existing technology today but
10 of technology that has yet to be developed.
11 Currently there are two systems, perhaps there will
12 be three more in the near future, we don't know that.

13 318-1 also includes comments and changes
14 that make it more generic and applicable by changing
15 the word cylinder to container recognizing that other
16 technologies exist. And we have proposed in 318-1 to
17 use normal operating conditions rather than a
18 reference. Now, one can argue that the operating
19 conditions are difficult to detect but, in fact,
20 they're very easy to detect with the work tools where
21 you know what the pressure and temperatures are.

22 Finally, the committee expressed some desire
23 to be able to differentiate considerations between
24 different systems for SAGs. And while the report of
25 the committee desires a differentiation this can be

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 79]

1 done, and in our upon should be done, in the controls
2 and not as a part of the definition. Thank you.

3 MR. JARDIN: Yes, sir.

4 JEFF: Jeff representing Praxair on this
5 specific issue. The issue of the definition on this
6 thing seems to be a trivial issue. It's not. In
7 essence we have a definition of a type of system,
8 SAGs. It should be a general definition. Other
9 systems are under development. Some of those systems
10 under development will not necessarily fall within
11 this differentiation in use of pressure that was done
12 to develop type 1 and type 2 possible.

13 The problem we're having is that there is a
14 definition. The existing definition in 318, which is
15 a broad definition for SAGs, and then each one of the
16 systems are addressed separately in the control
17 section where each one of the systems with their own
18 specific types of operations and hazards are
19 addressed and mitigated appropriately for each type
20 of system.

21 In the ROC states the definition is changed.
22 And is adds the type 1 type 2 designation in that
23 based only on pressure with some potential issues we
24 feel with respect to atmospheric conditions
25 referenced in specific pressures. So we strongly

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 80]

1 urge the body to accept our comment 318-1 to continue
2 the single definition of the SAG. It is well
3 understood in the industry and differentiates within
4 the control sections of 318 among the various types
5 of systems that are used to address this. Thank you.

6 MR. JARDIN: Yes, sir.

7 CARL OLANDER: Carl Olander, Advanced
8 Technologies Materials speaking in opposition to this
9 comment. In essence the single definition at the end
10 of the day allows a high pressure compressed gas to
11 be essentially called a subatmospheric pressure
12 delivery system, or whatever you want to call it in
13 that sense. I think that's misleading, potentially
14 dangerous. Compressed gas is always compressed gas.
15 And I think to label otherwise presents a real
16 problems.

17 Similarly with respect to the comment that
18 this could be excluding technologies yet to appear on
19 the planet or what might come in the future, I think
20 the Technical Committee will change whatever needs to
21 be to accept that at the appropriate time. And I
22 think the Technical Committee, and believe Libby
23 speaks to this, went out of its way to make certain
24 that things were not, no technology are necessarily
25 given any rank or order over anything else thank you.

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 81]

1 MR. JARDIN: Yes, sir.

2 DAVE SON: David Son on behalf of Praxair
3 speaking in response to comments on Department of
4 Transportation regulations in order to clarify those.

5 We have to remember that the regulations in
6 fire codes are workplace standards and not
7 transportation standards. The applicability of DOT
8 regulations in the workplace apply to the container.
9 I agree that DOT does, in fact, require different
10 standards for different pressures or different types
11 of materials. You wouldn't put hydrochloric acid in
12 an aluminum cylinder because it will corrode. Those
13 are the kinds of regulations that DOT writes. The
14 regulation applicable to use are the purview of
15 workplace standards such as OSHA, the fire codes and
16 the building codes.

17 With respect to the transportation of an SDS
18 cylinder, I think that needs to be clarified because
19 a single SDS cylinder by itself was not transported
20 in an aircraft, it was transported in an overpack.
21 If you go to the magazine Gas World, the article is
22 there and it shows an overpack. And you can put the
23 overpack, which contains pressure in case of a
24 release from an SDS as an additional safety
25 precaution. But the state has to be taken as

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 82]

1 allowing a single container by itself to be shipped
2 where it formerly was not. Thank you.

3 MR. JARDIN: Yes, sir.

4 Marcelo HIRSCHLER: Marcelo Hirschler, GBH
5 International, I call for the question.

6 MR. JARDIN: Okay. There is a motion on the
7 floor to end debate on this particular motion. It's
8 not debatable. Is there a second?

9 UNIDENTIFIED MAN: Second.

10 MR. JARDIN: All those in favor of the
11 motion to end debate on this motion please raise your
12 hand.

13 All opposed.

14 Okay. With that we'll go to a vote on the
15 motion, and the motion that we're voting on is
16 sequence 318-1, which is to accept comment 318-1.
17 All in favor of the motion on the floor please raise
18 your hand.

19 All opposed please raise your hand.

20 Motion fails.

21 Okay. The next in sequence, 318-2. Yes,
22 sir.

23 RON FUHRHOP: Ron Fuhrhop, Praxair. I
24 submitted the motion 318-2. I request that this
25 motion be disapproved since it was contingent on the

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 83]

1 passing of motion one.

2 MR. JARDIN: So you're withdrawing your
3 motion?

4 RON FUHRHOP: I withdraw my motion, yes.

5 MR. JARDIN: Okay. With that we'll go on to
6 motion sequence 318-3.

7 RON FUHRHOP: My name is Ron Fuhrhop with
8 Praxair. I submitted motion 318-3 and I would just
9 reject identifiable part which is 8.6.2.1.5. It's
10 found on page 318-3 of the ROC.

11 MR. JARDIN: Okay. Yes, sir, you are
12 authorized to make this motion. Is there a second?

13 UNIDENTIFIED MAN: Second.

14 MR. JARDIN: There is a second. Please
15 proceed.

16 RON FUHRHOP: Thank you. This item states
17 that a gas treatment system is not required. SAGs
18 uses highly toxic flammable or corrosive gases. It
19 only takes a small amount of highly toxic gases to
20 harm a person. All SAG technology has potential for
21 a release even though the release may be a small
22 amount.

23 Complying with the treatment system
24 requirement is not difficult because the releases are
25 small. Eliminating small long-standing requirement

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 84]

1 of the safety system which is a gas treatment would
2 go and compromise the health and safety of a
3 facility. There's no justification provided to
4 justify the elimination of the treatment system. We
5 feel it's not appropriate. Thank you.

6 MR. JARDIN: Mr. Libby, would you like to
7 speak on behalf of the committee?

8 MR. LIBBY: Mr. Chair, the committee felt
9 that the SAG technology, because of the
10 subatmospheric condition, that the risk of a leak
11 that would cause a safety issue was very, very low.
12 And with the other controls that are in place
13 regarding ventilation and gas detection, which would
14 have shutoff alarms associated with it and
15 ventilation, which is under emergency power, that
16 these treatment systems would not be required and
17 would provide an advantage to using the SAG system.

18 MR. JARDIN: Thank you. Yes, sir.

19 CARL OLANDER: My name is Carl Olander. I
20 represent Advanced Technology Material speaking
21 against this motion.

22 When you review the worst case scenarios for
23 these types of products, the amount of gas released
24 is minimal. The Section 862 requires that
25 ventilation be maintained to control the

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 85]

1 concentration of IDLH. The requirement for companies
2 to spend a lot of money for treatment systems really
3 seems redundant at this point. Thank you.

4 MR. JARDIN: Yes, sir, gentleman at the mike
5 to my right.

6 JOE YOUNG: Joe Young, Praxair. We're
7 pushing to reject this treatment system issue.
8 Safety is one of the primary concerns to the code.
9 We want to support the safety, not pear it back or
10 eliminate it further.

11 We also want to avoid the potential conflict
12 that may rise by the NFPA taking this position and
13 other codes, either federally or nationally, locally,
14 having different positions again with the intent of
15 avoiding confusion and keeping safety is the
16 paramount issue.

17 MR. JARDIN: Yes, sir.

18 UNIDENTIFIED MAN: I'm also against this
19 proposal. This Section 8.6.2.1.2 it states
20 requirement for ventilation such that any type of
21 condition should be 25 percent. Under those
22 conditions there is no need for this, period.

23 MR. JARDIN: Yes, sir.

24 DAVE SIMONS: Dave Simons, Praxair
25 Incorporated speaking in support of the motion to

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 86]

1 reject part of the comment.

2 As safety is the critical issue here, we
3 need to ask ourselves whether or not an exclusion
4 which is proposed to remove is really required for
5 toxic and for highly toxic materials. Better to
6 include highly toxic and toxic materials under the
7 fire code and then to address the differences in the
8 controls rather than to grant an exclusion.

9 It also seems preferable from a code writing
10 standpoint to be inclusive and to cover highly toxic
11 materials rather than to exclude them. The current
12 language does allow for different gases, one which is
13 pressurized, one which is not pressurized. And as
14 the committee had indicated in its comments earlier,
15 controls are the place where differentiation between
16 the hazards should be addressed. Thank you.

17 MR. JARDIN: You wish to speak again on the
18 topic?

19 RON FUHRHOP: Yes. Ron Fuhrhop. I'm making
20 one comment on the remark that was made. The
21 ventilation listed now is that the exhaust should be
22 ventilated through IDLH levels. Treatment systems
23 require half IDLH; therefore, even though it's in
24 small amounts, some different condition would be
25 required to comply with the attempt of the half IDLH

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 87]

1 out of the exhaust.

2 MR. JARDIN: Okay. With that we'll go to a
3 vote on the motion on the floor, which is motion
4 sequence number 318-3. The motion is to reject an
5 identifiable part of comment 318-3. The identifiable
6 part to be rejected is 8.6.2.1.5 as indicated in the
7 committee.

8 All in favor of the motion please raise your
9 hand.

10 All opposed to the motion please raise your
11 hand.

12 Motion fails.

13 Yes, sir.

14 RON FUHRHOP: Ron Fuhrhop, Praxair. I
15 submitted the motion for 318-3.

16 MR. JARDIN: 318-4?

17 RON FUHRHOP: 318-4, correct.

18 MR. JARDIN: Okay. That motion is?

19 RON FUHRHOP: The motion is to reject
20 identifiable part 8.6.2.1.6 of the ROC in 318-4.

21 MR. JARDIN: Okay. You are authorized to
22 make this motion. Is there a second?

23 UNIDENTIFIED MAN: Second.

24 MR. JARDIN: There is a second. Please
25 proceed.

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 88]

1 RON FUHRHOP: This item is in the annex of
2 the 318. It lists one method for over-pressure
3 protection. There are two or more methods to
4 complying with over-pressure protection. The listing
5 only implies that it should be used. This effects
6 the competition for other methods.

7 The code in Section 8.6.2.1.6 requires the
8 method to conducting systems components excessive
9 pressure. This is a performance based requirement.
10 There's no need to identify one particular method in
11 an annex when there are more than one method that are
12 separate and complied requirement.

13 MR. JARDIN: Mr. Chair, would you like to
14 speak on behalf of the Technical Committee?

15 MR. LIBBY: Mr. Chair, it is an annex item,
16 so I believe during the comment meeting that was
17 added as a suggested alternative, there are others
18 available to them. We certainly don't want to split
19 those, but since this is an annex item I don't think
20 it's an item that the committee feels strongly about.

21 MR. JARDIN: Yes, sir.

22 CARL OLANDER: Carl Olander, Advanced
23 Technology Materials speaking against the motion. I
24 really think that what the motion is trying to do is
25 provide a means to let operators know when their

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 89]

1 subatmospheric pressure cylinder is misbehaving.
2 That is whether it's a type 2, if something has gone
3 wrong and it's not behaving where you require a
4 vacuum to the remove the gas or indeed you have a
5 high pressure situation because the regulator or some
6 other part of that system has failed, this provides a
7 methodology to alert the operator that they don't
8 have a subatmospheric system anymore, they have
9 something else. And whether it's in a pressure sense
10 or an isolator, or however it's done, it needs to be
11 in there because mechanical systems will fail at some
12 point.

13 So my preference would be and my
14 recommendation is let the Technical Committee come
15 back to this one in the next cycle and figure out
16 what it ought to be, make it broader if necessary,
17 but put the proper controls in there to get it right.
18 Thank you.

19 MR. JARDIN: Thank you. Okay. With that
20 let's proceed to a vote on the motion on the floor,
21 and that motion is indicated motion sequence number
22 318-4 to reject an identifiable part of comment
23 318-3. The identifiable part to be rejected is
24 A.8.6.2.1.6 as indicated in the committee meeting
25 action.

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 90]

1 All those in favor of the motion please
2 raise your hand.

3 All those opposed to the motion please raise
4 your hand.

5 Motion fails.

6 That can you, Mr. Libby.

7 Next on our agenda is NFPA 403; however, no
8 one has signed in to make a Certified Amending Motion
9 on this document; therefore, in accordance with NFPA
10 rules regs, 4.536 in convention rules 2.7, the
11 document will not be considered at this meeting and
12 instead becomes a consent document that will be
13 forwarded directly to the Standards Council for
14 issuance or other action. We would like to thank the
15 committee for their work on this document and we will
16 now move on to next document, that being NFPA 720.

17 The next report this afternoon under
18 consideration is that of the Technical Committee on
19 Carbon Monoxide Detection. Here to represent the
20 committee is committee chair Thomas Norton of the
21 Norel Service Company, Incorporated, Concord,
22 Massachusetts.

23 The report can be found in the blue 2008
24 Annual Revision Cycle ROP and ROC. The Certified
25 Amending Motions are contained in the Motions

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 91]

1 Committee report and behind me on the screen. We
2 will proceed in the order of the motion sequences
3 number presented. Mr. Norton.

4 MR. NORTON: Mr. Chair, ladies and
5 gentlemen, the report of the Technical Committee on
6 Carbon Monoxide Detention, NFPA 720, can be found in
7 the Report on Proposals and the Report on Comments
8 for the 2008 Annual Meeting Revision Cycle. The
9 Technical Committee's report proposing a complete
10 revision of NFPA 720, Standards for the Installation
11 of Carbon Monoxide CO Warning Equipment in Dwelling
12 Units. NFPA 720 will be retitled Standards for the
13 Installation of Carbon Monoxide Detention and Warning
14 Equipment. The presiding officer will now proceed
15 with the Certified Amending Motion.

16 MR. JARDIN: Thank you, Mr. Norton. Let's
17 now proceed with the discussion for the Certified
18 Amending Motion of NFPA 720. Yes, sir.

19 VIC HUMM: My name is Vic Humm from Vic Humm
20 & Associates. I'm the submitter of 720-1.

21 MR. JARDIN: Yes, sir.

22 VIC HUMM: You can hear me now better?

23 MR. JARDIN: Can you restate that again for
24 the record please?

25 VIC HUMM: Yes. I'm the original submitter

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 92]

1 of 720-1.

2 MR. JARDIN: Okay. And your motion is?

3 VIC HUMM: To move for acceptance of the
4 comment 720-27.

5 MR. JARDIN: Okay. You indeed are
6 authorized to make this motion. Is there a second?

7 UNIDENTIFIED MAN: Second.

8 MR. JARDIN: There is a second. Please
9 proceed.

10 VIC HUMM: The purpose for this was at the
11 time Technical Committee rendered their decision
12 there was laboratories had been providing listing
13 marks for field testing units for well over a decade,
14 and with the recent failure of product is notified by
15 the consumer safety products of a manufacturer, this
16 reemphasizes the need to do the testing and the
17 functional testing.

18 MR. JARDIN: Okay. Mr. Chair, would you
19 like to speak on behalf of the Technical Committee?

20 MR. Norton: Yes. It was the opinion of the
21 majority of the committee that time was needed for
22 the numerous manufacturers of the equipment to have
23 an equal opportunity to have their equipment ready
24 for the testing and the requirements of the code.
25 This was debated numerous times and for quite a

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 93]

1 length, and the committee felt that it was the
2 prudent thing to do as far as providing enough time
3 for all the manufacturers to be able to have their
4 equipment ready.

5 MR. JARDIN: Thank you. Yes, sir.

6 UNIDENTIFIED MAN: I'm with Honeywell Life
7 Safety and I am speaking against the motion.

8 The motion that was being made would require
9 testing will involve considerable difficulty because
10 these devices operate on a time weighted scale. So
11 it isn't testing smoke detector, it is a matter of at
12 least 20 to 40 or 50 minutes or more to test each
13 device. And in order to require such extensive
14 testing, there has to be a substantiated reason that
15 these devices are actually going to go bad.

16 I'd like to refer the group to a report that
17 was issued by Underwriters Laboratories in 2005.
18 This report covered five years worth of testing to
19 specifically address the long-term reliability and
20 the long-term stability of these carbon monoxide
21 detectors. The test program involved the purchase of
22 detectors from the open market, and initially testing
23 these devices to benchmark their sensitivity in a
24 laboratory environment. These devices were
25 subsequently handed out and installed by individual

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 94]

1 employees of Underwriters Laboratories in their home,
2 which made for a test bed over a five-year period.

3 During this test period these detectors were
4 brought back into the laboratory on a six-month basis
5 and were subjected to extensive testing including
6 sensitivity trip point levels. Over the five-year
7 period, all of the detectors functioned as required.
8 One detector out of a large population of detectors
9 was slightly out of requirement. That slightly out
10 of requirement was very, very much within the
11 requirements of the UL product standard and CUL 2034.

12 In effect there was no safety problem that
13 was noted, and all of the sampled units were actually
14 within the minimum requirements for performance.

15 So in effect we have a situation where we
16 are seeing a proposal to add the testing that does
17 not specifically address a problem. Additionally, it
18 is going to add an unnecessary burden to the owners
19 and will in effect not address any safety issues that
20 has been found and documented in laboratory testing
21 over a five-year period.

22 MR. JARDIN: Yes, sir, with the mike in the
23 rear center.

24 PATRICK BURN: Patrick Burn from FM Global.
25 We are a nationally recognized testing laboratory

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 95]

1 certified gas detection equipment, as well as the
2 carbon monoxide as well as combustibles and other
3 toxics.

4 In all the standards that we deal with, all
5 gas detention equipment requires to have a
6 calibration in it for verification done with the gas
7 with these types of equipment. So in our case these
8 products are readily available on the market today
9 that do provide this function and can be easily
10 adapted for this types of testing in calibration
11 equipment that are available. So the hesitation to
12 allow for the masses to be able to create this is not
13 a new requirement as far as we're concerned, and it
14 shouldn't be such a long delay for their acceptance.

15 MR. JARDIN: Yes, sir.

16 BILL: My name is bill. I'm in favor of
17 this. We manufacture combustible types of gas
18 detectors. They all require periodic testing and
19 calibration in order to perform the functions that
20 are required. Thank you.

21 MR. JARDIN: Thank you. Yes, sir.

22 RICHARD ROBERTS: My name is Richard
23 Roberts. I'm with Honeywell Life Safety and a member
24 of the Technical Committee and I'm speaking against
25 the motion.

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 96]

1 This particular topic had considerable
2 deliberations throughout the whole process. And the
3 committee believes that the current technology does
4 not exist for a cost effective and a safe method for
5 functional testing. For example, for a safe method,
6 which would be 70 PTM it would take over one hour to
7 test. It would be a very costly way to perform the
8 testing.

9 In regards to a quicker method, a canister
10 would have to pump out 400 PTM of carbon monoxide,
11 and that is a very unsafe level, and many building
12 owners would not allow such a canister to be brought
13 into their facility.

14 So just to reiterate, the committee had many
15 deliberations on this and just felt that the
16 manufacturers needed time to develop a cost effective
17 and safe method for field functional testing.

18 MR. JARDIN: With that we'll move to a vote
19 on the motion on the floor. Excuse me, sir, do you
20 wish to speak to this motion? Okay. Please do.

21 BLAIR AMES: I'm on the 720 committee.

22 MR. JARDIN: Okay. Can you state your name?

23 BLAIR AMES: Blair Ames, Montgomery Ames.

24 I'm an independent manufacturer's rep. I'm not
25 supported by any manufacturer. I'm here on behalf of

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 97]

1 the NFPA to support the motion, so I'm coming here at
2 my own expense.

3 If you look at the Report on Comments, I
4 have reports number 720-26 and 720-28 on the 720-88
5 page. I have been marketing CO detectors for both
6 OSHA compliance and commercial compliance for ten
7 years. In the OSHA compliance and the FM standards
8 and the ANSI standard number 92-02 testing is
9 required. And I have recommended through the last
10 ten years that test detectors have test kits, and for
11 the benefit of all NFPA members had a demonstration
12 of CO detectors with a test kit at the Boston
13 exposition last year.

14 The comment that it's unsafe has no
15 numerical palpable justification because OSHA has
16 been doing this in the field for the last 20 years
17 for verification of CO industrial facilities. For
18 the benefit of my committee I did a standard
19 calculation and verified and eight by eight room with
20 400 parts per million cylinder in that room.
21 Completely exhausted would be 1/3000 of the fatal
22 amount of gas necessary to injure somebody. So
23 there's no substantiation to the unsafe testing.

24 As Patrick Burn indicated, FM has been
25 requiring it, and OSHA requires it in all field

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 98]

1 tests.

2 Because we have test kits that go in
3 commercial applications, I had a fatality and I had
4 to go and justify that the detector worked. Because
5 currently there's approximately 400,000 residential
6 detectors under recall and a hundred thousand
7 commercial detectors under recall due to defects in
8 the field.

9 The plaintiff for the deceased asked me to
10 if detectors worked, and I said although I've sold
11 thousands of residential type detectors for
12 commercial applications, I could not talk people into
13 doing field testing because it wasn't an NFPA
14 requirement. Twenty years before that on the Hilton
15 fire, was sued out of a \$100 million suit, and
16 because the people in the field followed NFPA
17 procedure, they used calibrated test kit and verified
18 it in writing. The company was able to be not held
19 liable on the lawsuit and the loss of life.

20 The CO issue was a simple type issue. There
21 are many manufacturers under the ANSI standards,
22 under the OSHA standards that are now complying to
23 this standard for testing. And if you want to look
24 at the text, you can see it on page 88, the Report
25 for Comments number 26 and 28. Thank you.

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 99]

1 MR. JARDIN: Yes, sir.

2 RICH: Rich with SPI, Technical Committee
3 member. Just speaking very briefly regarding ANSI
4 standards, which was ANSI slash ISA 92 0201. It's
5 part one of a two-part standard for the testing of
6 detection instruments and not detectors so it really
7 has no relevance here. Part two is a recommended
8 practice for the installation and operation and
9 maintenance of those systems.

10 MR. JARDIN: Okay. With that we'll move to
11 a vote on this motion. The motion on the floor is to
12 accept comment 720-27. All in favor please raise
13 your hand.

14 All opposed please raise your hand.

15 Motion fails.

16 Thank you Mr. Norton.

17 The next report this afternoon under
18 consideration is that of the Committee on National
19 Fuel Gas Code. Here to represent the committee is
20 Committee Chair Windell Peters of AGL Resources,
21 Incorporated, Atlanta, Georgia.

22 The report can be found in the blue 2008
23 Annual Revision Cycle ROP and ROC. The Certified
24 Amending Motions are contained in the Motions
25 Committee report and behind me on the screen. Again

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 100]

1 we will proceed in the order of the motion sequence
2 number presented. Mr. Peters.

3 MR. PETERS: Mr. Chair, ladies and
4 gentlemen, the report of the Technical Committee on
5 the National Fuel Gas Code, NFPA 54, can be found in
6 the Report on Proposals and the Report on Comments
7 for the 2008 Annual Meeting Revision Cycle.
8 Technical Committee's report proposes a partial
9 revision of NFPA 54, National Fuel Gas Code. The
10 presiding officer will now proceed with the Certified
11 Amending Motion.

12 MR. JARDIN: Thank you. Let's now proceed
13 with the discussion for Certified Amending Motions on
14 NFPA 54. Yes, sir.

15 ROBERT TORBIN: Robert Torbin of Cutting
16 Edge Solutions, the proponent. I'd like to make a
17 motion that we reject comment 54-11.

18 MR. JARDIN: Mr. Torbin is indeed authorized
19 to make that motion. Is there a second?

20 UNIDENTIFIED MAN: Second.

21 MR. JARDIN: There is a second. Please
22 proceed, Mr. Torbin.

23 ROBERT TORBIN: I've come before the
24 membership today to argue against this particular
25 coverage in the National Fuel Gas Code. This is

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 101]

1 coverage for automatic excess flow valves. Automatic
2 excess flow valves is designed to limit the flow
3 downstream after some time of catastrophic failure of
4 the downstream piping has occurred.

5 Excess flow valves are currently typically
6 found in service lines outdoors underground on the
7 main to the house that are subject to a wide variety
8 of physical hazard to damage from excavators or lawn
9 maintenance personnel. But these are operated at
10 high pressure and high pressure drive.

11 The excess flow valve that would be used
12 indoors basically has no precedent as the conditions
13 necessary for their activation are extremely unusual
14 in the residential application. It is basically a
15 solution looking for a problem. We do not have a
16 long list of examples of catastrophic failure of
17 house piping.

18 Excess flow valve are currently not covered
19 by a nationally recognized consensus standard as
20 well, and they are currently listed to various bench
21 standards that are available through other standard
22 development organizations; however, these standards
23 allow a feature called bytag swell. And this bytag
24 swell actually allows the flow to continue pass
25 through, a limited amount of flow is passed through

1 the device even though it's actually activated. So
2 with the bypass feature an excess flow valve actually
3 never shuts down the flow even though there's a
4 catastrophic failure of the downstream piping.

5 There are many common modes of failure of
6 piping, partial failure modes that we see around the
7 residential world, such as accidental nicks and
8 punctures of the tubing where the excess flow valve
9 will actually not activate. There are numerous
10 situations, therefore, where flow will continue to
11 escape out of the pipe if the excess flow valve will
12 be basically non-activated because the flow has the
13 key to restrict.

14 There were some studies done by the American
15 Gas Association where an activated excess flow valve
16 will continue to discharge its bypass flow into
17 confined spaces, which could lead to potential
18 hazardous conditions which may result in fire or
19 explosions, which is very similar to that which these
20 valves were developed to prevent.

21 So these secondary hazards are of equal
22 concern to first responders, homeowners and people
23 involved with dealing with fires in these homes that
24 they should be aware of.

25 Excess flow valves again do not have a

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 103]

1 requirement. The standards that currently use excess
2 flow valves do not have any requirements for a high
3 fire rating of the nonmetallic internal components.
4 So if we have a failure in piping, then the internal
5 components could melt and actually cause the excess
6 flow valve to open and continue now to feed that
7 thing and a fire which it's designed to prevent.

8 The lack of a national standard and the wide
9 variation of available products, which are primarily
10 designed for underground service line applications
11 and a variation in these products for various
12 installation practices, sizing and methods, pressure
13 drop calculations and basic operations, basically
14 render this type of device not ready for prime time
15 for the residential market.

16 By reversing the decision of the Technical
17 Committee to accept these devices, we will give the
18 industry some time to finish its development of a
19 nationally recognized consensus standard, develop
20 better code language, interpret for sizing and
21 installation practices and hope we address the cost
22 of benefit ratios of such devices as to whether or
23 not they provide an actual safety function to the
24 homeowner.

25 MR. JARDIN: Mr. Peters, would you like to

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 104]

1 offer the committee's view on this?

2 MR. PETERS: Yes, Mr. Chair. The committee
3 held a teleconference meeting on May the 29th to
4 further discuss the NITMAM here. The excess flow
5 valves can be installed without any indication of a
6 safety problem with these valves exist, including the
7 valves with designed bypass features.

8 The code should provide coverage to assist
9 the authority having jurisdiction on installations
10 that are occurring in the field today. While the
11 standard is not yet complete, the code has a long
12 history of allowing equipment to be listed to bench
13 standard, giving the local authority having
14 jurisdiction to accept and judge the problem. The
15 amount of bypass gas that would be released in an
16 incident is insignificant in relation to an open pipe
17 or connector break.

18 MR. JARDIN: Thank you. And now let's
19 proceed with the discussion for certified. The
20 gentleman at mike number one.

21 PAUL TAFFET: Good afternoon. My name is
22 Paul Taffet with the American Gas Association. I'm a
23 Technical Committee member, actually the secretary.
24 And I just want to let the membership know this is
25 not actually being required in the code, it's when

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 105]

1 you have or someone is going to install excess flow
2 valves, then the committee felt that they needed some
3 minimum coverage in the code saying that -- and that
4 basically it should be sized in accordance with the
5 manufacturer's installation instructions.

6 So this is part -- the code is not requiring
7 the installation of excess flow valves. Someone
8 chooses to install it, then the committee felt it was
9 necessary to provide a minimum coverage for those
10 devices.

11 Whether you love them or hate them, they're
12 being installed today, so the committee felt after
13 months of discussion going back and forth we just
14 approved it in the beginning and then they came back
15 with comments during the comment period. The
16 committee felt that they're out there, they're being
17 installed. Some minimum requirements are required to
18 be put in the code, and the minimum coverage the
19 committee felt necessary was to have them listed.
20 And if you're going to install them, make sure that
21 they're sized properly and installed properly
22 according to the manufacturer's installation
23 instructions. I'm against the motion on the floor.
24 Thank you.

25 MR. JARDIN: Gentleman at the mike in the

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 106]

1 back on my right.

2 BRIAN POP: My name is Brian Pop,
3 Manufacturing Company. I don't know if there's a
4 problem with the mike here. I'm speaking in favor of
5 the motion.

6 Other concern again is with the coverage of
7 excess flow valves in these codes as proposed will
8 lead to a misrepresentation or misguidance that
9 excess flow valves are approved or in some way known
10 to be safe in piping systems, and that's the concern
11 with the coverage.

12 If a jurisdiction requires excess flow
13 valves, then typically that jurisdiction already has
14 guidance with AHJ concerning the coverage of excess
15 flow valves. If the code remains silent concerning
16 the excess flow valves, then it still has the
17 appropriate and guidance in the AHJ regarding
18 unlisted components, accessories or equipment and it
19 also has the appropriate coverage throughout this
20 code concerning things that are not mentioned, such
21 as excess flow valves.

22 The bench standards versus the consensus
23 standards, the coverage that is being accepted seems
24 to allude to the consensus standard that's still
25 being developed. Well, that's still covering

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 107]

1 recognition based on a future wish as opposed to the
2 standards that do occur today, which are bench
3 standards.

4 The bypass flow is significant and it's very
5 important to the fire community and the service and
6 the assembly here to understand that the current
7 bypass can be as much as ten per hour, which is the
8 size of a burner on a range being left open. If it's
9 a slow bypass flow rate, there are examples of
10 pressure available excess flow valves with bypass
11 feature that still sustain a flame and, therefore,
12 are potentially hazardous and do not provide any
13 level of safety as might be expected by the people
14 safer excess flow valves. The other concerns
15 include, as was already mentioned, fire rating. The
16 components can melt away. Thank you.

17 MR. JARDIN: Yes, sir, up front.

18 SID CAVANAUGH: Thank you, Mr. Chairman.
19 Sid Cavanaugh, Cavanaugh Consulting and member of the
20 54 committee, and representing the committee, United
21 Association of Plumbers and Pipe Fitters and
22 Sprinkler Fitters of the United States and Canada.

23 We strongly oppose this motion and strongly
24 support the committee's considerations and findings
25 to, in fact, approve the wording that's been added to

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 108]

1 NFPA 54.

2 This is something that, as mentioned
3 earlier, we have discussed this over and over
4 backwards and forwards, and I think if you look to
5 the Report on Comments all of you recognize that
6 there are ten very solid reasons why the committee
7 ultimately made this decision. One of those was to
8 address the issue brought up about the amount of
9 consensus standards. The standard has been used for
10 over 15 years in the industry. There are also two
11 ASTM standards that have been used for testing and
12 material requirements, even though those are for high
13 pressure type valves, they are consensus standards.
14 And the NFPA 54 is well as other NFPA standards
15 reference non-consensus standards. That was not an
16 issue for us.

17 Secondly, Mr. Gordon has brought up these
18 issues at our Technical Committee. And as you can
19 see by our issue number ten, the technical evidence
20 questions presented against proposals at the prior
21 hearing was speculating and unsubstantiated by real
22 research and testing. There was, in fact, a white
23 paper presented to us contradicting all the
24 information that was brought by Mr. Gordon to the
25 committee.

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 109]

1 There is work going on with the consensus
2 standard. The bypass feature are being addressed.
3 And, in fact, it's good to know that they're not just
4 bypass type valves that are covered under the
5 benchmark or consensus standard, but there are many
6 non-bypass type valves that excess flow valves. So
7 this has been used throughout the industry. Fire
8 marshals and fire departments have endorsed it.
9 We're talking about an alternative here of having no
10 protection in a catastrophic leak versus a miniscule
11 bypass feature on the valve.

12 And the majority of the manufacturers are
13 making bypass features much less than is supposed ten
14 PSI that's been mentioned. It's somewhere much less
15 than that, between three and five. And ultimately
16 there's been no evidence to prove that that is
17 unsafe.

18 So we hope that you will support the
19 committee, recognize how difficult it is to bring new
20 technology to be recognized in the code or your
21 standards and you would stand behind our committee.
22 Thank you very much.

23 MR. JARDIN: Yes, sir. I want to give
24 somebody who hasn't had a chance to speak.

25 STEVE TOCAR: Steve Tocar, manufacturing,

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 110]

1 speaking against the motion on the floor and support
2 the Technical Committee's decision.

3 One thing to note, excess flow valves have
4 been supported by the International Association of
5 Fire Chiefs, the Association of Firefighters, HUD,
6 Department of Transportation, the National
7 Transportation, Safety Board. As a matter of fact,
8 Steve Hull, one fire chief, wrote a paper that lauded
9 and asked for the endorsement of excess flow valves
10 in service lines as well as the inclusion of resident
11 houses. The title of the paper was Don't Settle For
12 Less.

13 HUD's paper urged that the excess flow
14 valves that are being used in service lines naturally
15 transition and provide the safe protection for
16 residents.

17 NFPA piping panel recommended this to the
18 NFPA and ANSI C223 committee. The committee has
19 looked at this twice. The committee has accepted it.
20 The ANSI 223.1 committee rejected these appeals and
21 it's endorsed the language. As stated previously,
22 it's good language because it requires manufacturers
23 to given installation guidelines and sizing
24 guidelines, which is silent today for jurisdictions
25 that have and jurisdictions that are requiring this

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 111]

1 that are looking to the code now to provide some
2 level of guidance which will provide instruction on
3 how to devices shall be used.

4 The devices have been used for many years.
5 They're safe, they're reliable and there are no
6 recorded instances of them causing piping instances
7 or not responding to the excess leak that they're
8 trying to protect. And let's describe that. Excess
9 flow valves work by protecting against a pipe
10 disconnect or rupture. They don't provide protection
11 against every possible leak. That's not their
12 intent, but their intended use is to provide
13 something that will help excess flow.

14 And so when we talk about an excess flow
15 valve, it doesn't leak. It's no different than any
16 other form of a piping system. But when there is a
17 fault downstream of it, it stops hundreds of flow and
18 reduces it three to five. GAMA, the Gas Appliance
19 Manufacturers Association, contracted a company
20 called exponent, which is a world leader in safety
21 and investigation and mismanagement, a paper was
22 published and showed that the bypass is safe, excess
23 flow valves are reliable and excess work as intended.

24 In closing the Uniform Plumbing Code, the
25 Uniform Mechanical Code have already recognized

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 112]

1 excess flow valves in their codes. The consensus
2 standards that have been talked about here have been
3 under development for five years. All manufacturers
4 sell excess flow valves for residents offer them with
5 bypasses. It has real benefits. Those benefits
6 include alerting the consumer, offering tamper
7 resistance, providing less components that can leak.
8 The devices are safe, reliable and we speak strongly
9 against the motion and support the Technical
10 Committee. Thank you.

11 MR. JARDIN: Yes, sir.

12 BRYAN POPP: Bryan Popp, Dormont
13 Manufacturing. I want to speak in rebuttal to some
14 of the statements that were made against the motion.

15 A couple of things that need to be brought
16 to the assembly's attention are if you run out and
17 buy a commercially available excess flow valve off
18 the shelf today and take it home, install it, trip it
19 and light a match at the end, you will have a flame.

20 The perception that these protect against
21 common occurrences as was mentioned in the White
22 paper that was presented to the Technical Committee,
23 there's a flaw. The White paper assumes that all gas
24 piping failures will be protected by excess flow
25 valves. That is simply not true. Only complete and

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 113]

1 total downstream breaks or full flow malfunctions of
2 appliances downstream will lead to tripping of an
3 excess flow valve.

4 This code already has language in it with
5 the similar device known as an event limiter that
6 regulates it. So an excess flow valve is to
7 downstream piping what an event limiter is to
8 regulators. So an event limiter has much more
9 stringent and defined requirements in its standards
10 regarding the flow of fugitive gas where the excess
11 flow valve does not.

12 Again, many people voted in favor of this
13 coverage that it will protect against opening up of
14 valves. That is not true.

15 The other rebuttal against the motion, the
16 speaker mentioned GAMA. I'm also a member of now
17 what is called HRI. GAMA does not have an official
18 position regarding excess flow valves and the safety
19 of excess flow valves.

20 And then also there was a mention of
21 alerting your customer. Alerting your customer of a
22 gas leak is not necessarily a safe way of alerting
23 the customer, especially when there's associated with
24 olfactory fatigue and common noticing of the same gas
25 leak over and over and over again. Thank you.

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 114]

1 MR. JARDIN: Gentleman at the rear
2 microphone to my left.

3 PAUL: I call the question.

4 UNIDENTIFIED MAN: Second.

5 MR. JARDIN: Okay. There's been a motion on
6 the floor and seconded to end debate on this motion.
7 All in favor raise your hand.

8 All opposed raise your hand.

9 Motion passes, which will bring us to a vote
10 on the motion of the floor. That motion is motion
11 sequences 54-1 to reject 54-11. All in favor of the
12 motion on the floor please raise your hand.

13 All opposed to the motion on the floor
14 please raise your hand.

15 The motion fails.

16 Okay. We'll move to motion sequence number
17 54-2. Yes, sir.

18 WILLIAM RICH: My name is William Rich. I
19 represent OmegaFlex. I move to accept proposal
20 54-38.

21 MR. JARDIN: Mr. Rich is indeed the
22 authorized representative or submitter of this
23 motion. Is there a second?

24 UNIDENTIFIED MAN: Second.

25 MR. JARDIN: There is a second. Please

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 115]

1 proceed.

2 WILLIAM RICH: This proposal would provide
3 for a single point direct bonding for all gas piping
4 systems. All gas piping systems have demonstrated a
5 propensity to be energized by nearby lightning
6 strikes. Bonding to the equipment bonding conductor
7 has proven inadequate to prevent arcing between gas
8 piping and other nearby electrically conducted
9 systems.

10 Black iron and copper systems as well as
11 have been damaged by lightning energy. However, it's
12 a different mechanism with rigid pipe. The lightning
13 energy is transmitted down the pipe to damage a
14 weaker component or in many cases causing leaks. A
15 number of incidents of black iron and copper damage
16 were documented in comments submitted by me and by
17 John Martini to the committee.

18 Single point direct bonding of gas piping
19 systems as described in NFPA article 250, NFPA 70,
20 article 250.104 has been shown extremely effective in
21 Florida, in areas of Alabama, Texas and in Arizona
22 and California. And Florida has the worst lightning
23 experience in the country, and also from my company's
24 experience no failed gas piping systems.

25 To improve safety, the direct bonding of gas

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 116]

1 piping systems to the building's ground system is an
2 appropriate requirement that should be applied to all
3 gas piping systems, both rigid and flexible. For
4 these reasons I urge you to accept my proposal.

5 MR. JARDIN: Okay. Mr. Peters, would you
6 like to convey the committee's position relative to
7 this motion?

8 MR. PETERS: Yes, Mr. Chair. The committee
9 addressed the concerns of the proponent by approving
10 revised coverage to section 7.13, electrical bonding
11 and grounding that wouldn't require direct bonding of
12 the CSST.

13 The original proposal as submitted and fully
14 written not in code language and it may not be
15 consistent with NFPA 70 requirements, since it would
16 permit the use of any grounding electrode. The code
17 is consistent with the NEC in that the National Fuel
18 Gas Code requires the use of an effective ground
19 fault path.

20 Risk assessment is covered in NFPA 780, 2008
21 edition, annex L. It is not appropriate to mandate
22 annex requirements. The methodology assists in
23 determining if a building lightning protection system
24 is needed not where the bonding of gas piping
25 materials is needed.

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 117]

1 MR. JARDIN: Thank you.

2 Yes, sir.

3 PAUL TAFFET: Paul Taffet, American Gas
4 Association, Technical Committee member, committee
5 secretary. I'm against the motion on the floor, and
6 recommend we should reject it.

7 First of all, all gas piping has slightly
8 energized is required to be bonded. So what we're
9 talking about is how do you bond it? Do you direct
10 bond it or do you use the appliance.

11 For CSST the industry itself, the committee
12 and requested basically and in their installation
13 book now require that CSST systems be direct bonded.
14 So the committee responded to that and indeed did
15 pass a new text section for CSST requiring them to be
16 direct bonded. So we did address the concerns of the
17 industry on CSST and the method to direct bond them.

18 The other question is whether you should
19 direct bond or require direct bonding for other types
20 of systems, your copper systems, your black iron
21 systems. There was no evidence provided to the
22 committee that would support the requirement that
23 these systems be direct bonded. So the committee I
24 believe took the right position and responding to the
25 industry and requiring directed bonding with CSST.

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 118]

1 Thank you.

2 MR. JARDIN: Yes, sir. Center mike.

3 MIKE JOHNSTON: Thank you, Mr. Chair. I'm
4 Mike Johnston, National Electrical Contractors
5 Association, member of CMP 5, NFPA 70, and I'm
6 talking against the motion on the floor.

7 It introduces more restrictive requirements
8 regarding the size of the conductors or bonding to
9 the piping system within the building without
10 adequate substantiation creates a significant
11 inconsistency between NFPA 54 and NFPA 70. So I talk
12 against the motion and urge the body to vote against
13 the motion. Thank you.

14 MR. JARDIN: Okay. So let's go to a vote on
15 the motion on the floor, and that motion is to accept
16 proposal 54-38. All in favor of the motion please
17 raise your hand.

18 All opposed to the motion please raise your
19 hand.

20 Motion fails.

21 Okay. Let's move on to motion sequence
22 number 54-3. Yes, sir.

23 BRYAN POPP: Mr. Chair, I'm Bryan Popp from
24 Dormont Manufacturing. I intend to make a motion.

25 MR. JARDIN: And that motion would be?

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 119]

1 BRYAN POPP: To accept comment 54-39.

2 MR. JARDIN: Okay. Mr. Popp is authorized
3 to make that motion. Is there a second?

4 UNIDENTIFIED MAN: Second.

5 MR. JARDIN: There is a second. Please
6 proceed.

7 BRYAN POPP: Yes, sir. Is it my opportunity
8 to speak?

9 MR. JARDIN: Yes, yes, please do.

10 BRYAN POPP: I move that the assembly accept
11 comment 54-39.

12 MR. JARDIN: Yes.

13 BRYAN POPP: Am I within my five minutes?

14 MR. JARDIN: Yes.

15 BRYAN POPP: This comment reestablishes that
16 an appliance shut-off valve shall be within six feet
17 of an appliance and to preserve the committee's
18 original intention during previous development cycle
19 regarding piping systems with valves and a manifold
20 up to 50 feet away from the appliance.

21 The existing code language permitting
22 appliance shut-off valves to be up to 50 feet away
23 from a gas appliance represents a public safety issue
24 for qualified agencies, for authorities having
25 jurisdictions, for the fire safety community and most

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 120]

1 importantly the public.

2 Furthermore, the existing language conflicts
3 with other sections of the code and causes confusion
4 for users of the code. Some of the safety and
5 conflicting issues include ordinary service
6 situations of work nearer to gas appliance or on the
7 gas appliance will become emergency situations, fire
8 or explosion incidents because the shut-off valve is
9 no longer within six feet of the appliance.

10 During an ordinary service operation,
11 perhaps a discovery is made that the shut-off valve
12 needs to be shut off to prevent the escape of
13 fugitive gas. Now the decision is where is that
14 shut-off valve. It could be up to 50 feet away. It
15 can be in the attic, first floor, in the basement or
16 in another dwelling of the same building or it could
17 be in the utility closet that the service person does
18 not have access to at the moment.

19 Pilot lighting operating with the shut-off
20 valve 50 feet away, one would have to turn on the
21 valve, travel 50 feet in an attempt to safely light
22 the pilot. Leak testing, you turn on the gas to
23 recently connected or installed appliance will also
24 become hazardous due to fugitive gas. One has to
25 turn on the shut-off valve, travel 50 feet and then

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 121]

1 if they discover they have fugitive gas, now they
2 have to go back another 50 feet and shut off the
3 valve, or in an emergency situation where you have to
4 leave the building, and then call 911 or the gas
5 company, etc.

6 There's no requirement for these remote
7 valves to be in the same dwelling as a multi-dwelling
8 structure. Furthermore, there no lock-out or tag-out
9 process or procedure or requirement for these remote
10 shut-off valves with services being conducted 50 feet
11 away from that valve that might be closed at the
12 moment. The remote valve 50 feet away from the
13 appliance may be readily available at inspection and
14 permitting time but may become concealed due to
15 subsequent remodeling. Imagine an unfinished
16 basement that becomes finished and the homeowner
17 says, gee, I need to cover up this unsightly massive
18 valve or assembly.

19 The method of permanently identifying the
20 remote valve is described in the code and required
21 but no method is described or required by the code,
22 and the valve manufacturers do not currently offer
23 any method of permanently identifying valves.
24 T-handle valves have no method or no place for
25 permanently labeling them, and lever handled valves

1 tend to have other listing markings already on the
2 handle.

3 According to the code, the piping system is
4 defined as being up to the appliance shut-off valve
5 but no description of definition is given to
6 remaining 50 feet of the piping between the shut-off
7 valve and the appliance current requirement.

8 Pressure testing of the piping system used in the
9 valve isolation method could lead to up to 50 feet of
10 the piping not being tested. And these systems are
11 for two PSI or five PSI high pressure systems.

12 In the code there's no appropriate
13 definition of manifold used with the existing 9.6.43.
14 So one can create the manifold by installing a T,
15 capping one leg, installing a shut-off valve at the
16 other leg, and gee, I have my justification for a
17 shut-off valve being 50 feet away from the appliance.
18 Or a supply line with branches could become a
19 manifold. Imagine a supply line running along the
20 floor joists of a basement.

21 In adopting the 50 foot language no
22 technical justification was provided. The proposal
23 to accept comment 54-39 presently allows the six-foot
24 requirement for the appliance shut-off valve. For
25 these reasons and others I do urge the assembly to

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 123]

1 accept comment 54-39.

2 MR. JARDIN: Mr. Peters, would you like to
3 offer the committee's relative to this motion?

4 MR. PETERS: Yes, Mr. Chair. First of all,
5 the committee did not err in allowing the
6 installation of shut-off valves up to 50 feet away.
7 The committee's intent is to permit these type of
8 installations.

9 Manifold installation of a required shut-off
10 valve is not mandated but is an option. The code
11 does not prohibit the installation of a valve within
12 six feet of the appliance. No technical information
13 was provided that installing valves 50 feet away
14 created a safety problem. The proposed code as
15 written is confusing and would require two valves in
16 a manifold system. This is not the intent of the
17 committee.

18 MR. JARDIN: Yes, sir.

19 PAUL TAFFET: Paul Taffet, American Gas
20 Association, Technical Committee member, secretary
21 and against the motion on the floor.

22 As Windell Peters just mentioned, it's an
23 option. If you choose to have a manifold system,
24 then the code will not allow you to have that valve
25 at the manifold. The 50 foot was actually taken from

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 124]

1 the Canadian code, so there was some historical data
2 or historical experience with the 50 feet in the way
3 the Canadians do it. We don't do it the same way
4 here but we had an issue on code that did allow the
5 use of remotely located valves.

6 If you look at the proposed language in the
7 comment, it stops at dot, dot, dot serve dot, dot,
8 dot. That's required that these be identified that
9 the valves be readily accessible. So there is
10 additional coverage not shown in the ROC.

11 And I keep hearing discussion about this is
12 a grave safety issue that in an emergency people have
13 to run 50 feet or if there's an emergency situation.
14 Nothing has been presented to the committee to
15 justify these statements. So I urge the membership
16 to support the committee action on this item.

17 MR. JARDIN: Yes, sir.

18 BRYAN POPP: Bryan Popp, Dormont
19 Manufacturing speaking in rebuttal. I did provide
20 substantiation, not only the proposal but also in the
21 comment concerning safety issues. I did address in
22 my previous discussion a few minutes ago the concerns
23 about readily accessible permanently identifying the
24 valves and different operations that ordinarily are
25 safe with a six foot valve and not safe with a 50

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 125]

1 foot valve.

2 The other thing I also want to do is the
3 committee says it's an option but it's very
4 restrictive language in the code right now that says
5 where installing a manifold, the shut-off valve shall
6 be located within 50 feet of the alliance served,
7 indicating it shall be near the manifold and that can
8 be up to 50 feet away, and that presents a dangerous
9 situation that would be corrected by comment 54-39.

10 MR. JARDIN: Okay. Let's take a vote on
11 this motion. The motion on the floor is to accept
12 comment 54-39. All in favor please raise your hand.

13 All opposed please raise your hand.

14 Motion fails.

15 Okay. Moving to motion sequence number
16 54-4. Yes, sir.

17 JIM LATHROP: Jim Lathrop, Koffel
18 Associates. I move acceptance of proposal 54-63 on
19 page 54-16 of the ROP.

20 UNIDENTIFIED MAN: Second.

21 MR. JARDIN: Mr. Lathrop is authorized to
22 make this motion. I did hear a second. Please
23 proceed.

24 JIM LATHROP: Okay. Again I'm Jim Lathrop.
25 I'm vice president of Koffel Associates, on this

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 126]

1 issue we do service consulting to manufacturers who
2 represent 95 percent of the low water cutoff switch
3 devices made in the United States.

4 There's several reasons for this. The first
5 reason for this is coordination. I have no idea why
6 NFPA and NFPA 31 would require low water cutoff
7 switches on boilers that are fired by oil, but when
8 it comes to NFPA 54 we have a major exception in
9 there for low water cutoff switches just because it's
10 fired by gas. It makes absolutely no sense because
11 the hazard that we're addressing, which is water
12 being reduced to a dry fired boiler is the same
13 whether it's gas or whether it is fuel. So we have a
14 major difference in the protection that we're
15 providing between NFPA 54 and NFPA 31.

16 Also in code coordination side I want to
17 point out the International Mechanical Code, the
18 International Residential Code and the International
19 Fuel Gas Code, none of those documents have the
20 exception that is presented in this document.

21 Now, from a technical reasons side, first of
22 all, low water in boilers has consistently been
23 number one or number two cause of incidents as
24 reported by the National Board of Boiler and Pressure
25 inspectors. Obviously the potential here is

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 127]

1 catastrophic. If we have a dry fired boiler and
2 water gets into it, we're going to result in an
3 explosion, no doubt about it.

4 Now, the whole subject here is the fact NFPA
5 54 says you do not have to have the low water cutoff
6 switch if a boiler is not involved in radiation
7 level. Well, now the radiation level, first of all,
8 is not defined in NFPA 54. Radiation level is not
9 defined in 54. In fact, I couldn't find it in a word
10 search of any NFPA document. And it is not
11 equivalent to involve all leak points. For example,
12 you might have, as I do in my house, a direct fired
13 hot water heater. If that leaks that will be below
14 the boiler and will lose water. The boiler itself,
15 which is quite common, could have a leak in it, or
16 any of the piping around the boiler.

17 Now, the other thing that is kind of
18 interesting about this is one of the arguments of the
19 committee is that well, if you lose water you're
20 going to get cold and you're going to know there's a
21 problem. Well, that's kind of hard for me to
22 understand. I know I sleep in the wintertime under a
23 comforter. I wouldn't notice if there was a problem
24 until I got up in the morning. And, in fact, that
25 would be even more dangerous because the homeowner

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 128]

1 could then go down to the basement, open up the flow
2 valve and put water into a hot boiler.

3 High temperature cutoff switch, one of the
4 arguments is that other devices out there that are
5 helping. Well, yes, they do have a high temperature
6 switch. The trouble is the listing for high
7 temperature switches is it measures the temperature
8 of water. It doesn't measure the temperature of air,
9 and that's what they've been trying to do at the
10 time.

11 Yes, there is a boiler flow valve, otherwise
12 known as a PRV; however, the two largest
13 manufacturers of PRVs, one of them says keep that
14 valve closed and the other recommends that you keep
15 it closes.

16 One thing I do want to point out, I'm hoping
17 you're all looking at 54-63. If you are, please look
18 at the committee's statement, okay. Now, tell me
19 that can be safe in addressing my technical issues
20 that I presented in this proposal.

21 Cost, because everybody is going to say cost
22 is an issue, these devices are less than five percent
23 of the boiler cost and less than one percent of the
24 typical system cost. And again don't forget this is
25 either number one or number two each year in causes

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 129]

1 of incidents involving boilers. I encourage you to
2 accept this proposal. Thank you.

3 MR. JARDIN: Mr. Peters, would you like to
4 speak to this motion on behalf of the committee?

5 MR. PETERS: Yes, Mr. Chair. Thank you.

6 The committee does not believe conflict exists since
7 NFPA 54 coverage is consistent with the ANSI standard
8 for residential type 1, which is ANSI Z21.13.

9 NFPA 54 has traditionally provided code
10 coverage consistent with the ANSI appliance standards
11 that it generally covered. So again we feel there is
12 no conflict here.

13 It was listed to the ANSI Z21.13 standard on
14 smaller residential type. The standard does not
15 require a low water cutoff where the boiler is
16 installed lower than the radiation level. The
17 exception has been in the ANSI standard for decades
18 and no evidence has been provided that a problem
19 exists with these type installations.

20 Speaking on a personal note, working for a
21 gas utility company and also serving on the
22 Department of Labor in the state of Georgia boiler
23 and pressure technical advisory committee for the
24 past ten years and am not aware of any problems that
25 have occurred in the state of Georgia because of a

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 130]

1 low water cutoff.

2 MR. JARDIN: Thank you.

3 Yes, sir.

4 PAUL TAFFET: Paul Taffet with the American
5 Gas Association, Technical Committee member. And I
6 personally thought about apologizing. The committee
7 statement, which points to in every printing, was
8 actually a staff statement put in the wrong field
9 with the data. There was a real reason there. So I
10 apologize from that not getting in the ROP. I
11 apologize for not getting it correct earlier.

12 I just want to say that we're actually
13 talking about residential size boilers, we're not
14 talking about very larger boilers here. We're
15 talking about a very specific installation where the
16 boiler is below the radiation level. So we're not
17 talking about all boiler installations and we're only
18 specifically speaking in this instance, which was
19 only one installation not requiring a cutoff because
20 it's a residential basic one that's certified to ANSI
21 Z21.13.

22 As is already mentioned, Z21.13, the
23 standard for these boilers, does have that same
24 exception. The National Fuel Gas Code on Z223.15 has
25 traditionally tried to match up their coverage with

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 131]

1 the appliance standards that generally regulate.

2 So there is technical justification for
3 these exceptions in the National Fuel Gas Code. I
4 urge the committee to reject their motion on the
5 floor.

6 MR. JARDIN: Mr. Lathrop, do you wish to
7 speak?

8 JIM LATHROP: Jim Lathrop again. Again
9 haven't addressed my technical issue. I don't care
10 what Z21.13 says, that's not an NFPA standard. NFPA
11 31 that covers that exact same subject with an oil
12 fired boiler requires a code. Each oil burning shall
13 be provided with an automatic leak control for unsafe
14 pressure or low water or over temperature, okay.
15 That's in another document. I think the Standards
16 Council is going to fun with that one. I mean,
17 you've got two totally different technical
18 requirements just based on what's firing the boiler.
19 Small versus large. Well, if you're fairly near and
20 you let water in it and it goes, I don't think your
21 body will care whether it's small or large. It is
22 prior in the National Residential Code.

23 MR. JARDIN: Yes, sir.

24 Marcelo HIRSCHLER: Marcelo Hirschler, GBH
25 International speaking for myself in favor of the

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 132]

1 motion.

2 The committee has not provided any
3 substantiation for rejecting the proposal. The
4 representative of the committee said, well, we knew
5 something that time but we can't remember what the
6 hell it was that we knew when we knew it.

7 That's not the way we do code. If the
8 committee can't come with a proper reason why we
9 should reject the code that is a very reasonable
10 proposal, then the floor must overturn the committee.
11 Please support the motion on the floor.

12 MR. JARDIN: Yes, sir.

13 PAUL TAFFET: Paul Taffet, American Gas
14 Association. Again I apologize, but if you look at
15 the comment, it's a printed a comment, and the
16 committee then did adopt the reason, so you need to
17 go to the ROC 54-45 for the reason.

18 And the proponent really did not provide
19 information that there were any instances of a gas
20 fired Z21.13 boiler installed in such a manner that
21 it would not require the cutoff device, that there
22 were any instances out.

23 So, you know, as a committee we do take this
24 seriously, it was one long discussion, but without
25 any evidence that there is a problem with this type

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 133]

1 of installation for this type of boiler, the
2 committee could not and did not accept the proposal
3 or the comment.

4 MR. JARDIN: Did you wish to speak again?

5 Okay. With that we'll move to a vote on the
6 motion on the floor, which is to accept proposal
7 54-63. All in favor of the motion please raise your
8 hand.

9 All opposed to the motion please raise your
10 hand.

11 The motion passes.

12 Okay. On to motion sequence number 54-5.

13 JIM LATHROP: Jim Lathrop, Koffel
14 Associates. I'd like to move for acceptance of my
15 comment 54-45 on page 54-10 of the ROC.

16 MR. JARDIN: Mr. Lathrop is authorized to
17 make this motion. Is there a second?

18 UNIDENTIFIED MAN: Second.

19 MR. JARDIN: There is a second. Please
20 proceed.

21 JIM LATHROP: Okay. This is the exact same
22 thing we just did but actually what it does is it
23 adds an exception to it but it is recognized by many
24 other documents, including the Z21.13. There are
25 devices out there that require forced circulation to

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 134]

1 prevent overheating. And if you have a flow switch
2 than will indicate that you've lost that flow, that
3 does exactly the same, if not a better job than the
4 low water cutoff switch. And this is recognized by
5 Z21.13. I'm sorry, 1, 2006, not 21.13, sorry.

6 MR. JARDIN: Mr. Peters, would you like to
7 speak to this motion on behalf of the committee?

8 MR. PETERS: Stand on the previous
9 statements that were made concerning Mr. Lathrop's
10 previous motion.

11 MR. JARDIN: Okay, thank you.

12 Okay. With that we'll move directly to a
13 vote on this motion, 54-5, which is to accept comment
14 54-45. All in favor of the motion please raise your
15 hand.

16 All opposed to the motion please raise your
17 hand.

18 Motion passes. Thank you, Mr. Peters.

19 The next report this afternoon under
20 consideration is that of the Technical Committee on
21 Liquified Natural Gas. Here to represent the
22 committee is Committee Chair Jay Jablonski of HSB
23 Professional Loss Control, Houston, Texas.

24 The report can be found in the blue 2008
25 Annual Revision Cycle ROP and ROC. The Certified

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 135]

1 Amending Motions are contained in the Motions
2 Committee report and behind me on the screen. We
3 will proceed in the order of the motion sequence
4 number presented. Mr. Jabloski.

5 MR. JABLONSKI: Mr. Chair, ladies and
6 gentlemen, the report of the Technical Committee on
7 Liquified Natural Gas on NFPA 59A can be found in the
8 Report on Proposals and the Report on Comments for
9 the 2008 Annual Meeting Revision Cycle. The
10 Technical Committee's report proposes a partial
11 revision of NFPA 59A, Standard for the Production,
12 Storage, and Handling of Liquified Natural Gas, LNG.
13 The presiding officer will now proceed with the
14 Certified Amending Motions.

15 MR. JARDIN: Thank you, Mr. Jablonski.

16 Now let's proceed with the discussion for
17 Certified Amending Motions on NFPA 59A. Let's start
18 with 59A-1. The gentleman at the mike to my right.

19 TERRY TURPIN: I'm Terry Turpin. I
20 represent the staff at the Federal Energy Regulatory
21 Commission, and I move to accept comment 59A-8.

22 MR. JARDIN: Mr. Turpin is authorized to
23 make this motion. Is there a second?

24 UNIDENTIFIED MAN: Second.

25 MR. JARDIN: There is a second. Please

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 136]

1 proceed.

2 TERRY TURPIN: Thank you. I motion to
3 accept the comment made in ROC 59A-8, which is to
4 include language addressing the equipment for snow
5 impacting LNG facilities. It is the intent of this
6 motion to made in addition to the changes accepted by
7 proposal 59A-21 and comment 59A-9. In these actions
8 the committee revised the text of section 5221 and
9 5222 to address sizing of single and multiple LNG
10 tanks. However, this new text would allow it to be
11 designed without consideration for factors that may
12 reduce the available retention volume, namely the
13 presence of other equipment container in snow inside.

14 To remedy this we suggest using the same
15 language briefly found in the 2001 edition of the 59A
16 standard. That is that the minimum volumetric
17 holding capacity to include any useful holding
18 capacity of the drainage area and allow it to
19 displace snow accumulation of other containers and
20 equipment.

21 In making this motion I'm stating for the
22 record the official position of the staff that I
23 represent; however, I would add that successful work
24 around was discussed with the Technical Committee
25 this morning which could be used to address this

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 137]

1 issue even if my motion fails. Thank you.

2 MR. JARDIN: Mr. Jablonski, would you like
3 to speak to this motion on behalf of the committee?

4 MR. JABLONSKI: Thank you, Mr. Chairman.

5 The committee met this morning and we voted to
6 recommended rejection of this proposal. We
7 understand that there are some concerns with the
8 change of the wording from the previous edition to
9 this edition. And the intent of our committee was
10 that we were covering the intent of having snow
11 volume or equipment covered but it's not explicitly
12 stated. As part of the meeting we held this morning,
13 the committee unanimously agreed that we would
14 address this concern through a TIA but feel that the
15 current wording as stands is appropriate.

16 MR. JARDIN: Thank you. Mr. Turpin, do you
17 wish to address that?

18 TERRY TURPIN: No.

19 MR. JARDIN: Okay. With that let's move to
20 a vote. The motion on the floor is to accept comment
21 59A-8. All in favor please raise your hand.

22 All opposed.

23 Motion fails.

24 Okay. We'll move to 59A-2. Mr. Turpin.

25 TERRY TURPIN: Again I'm Terry Turpin. I

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 138]

1 represent the staff of the Federal Energy Regulatory
2 Commission and I move to accept comment 59A-19.

3 MR. JARDIN: Mr. Turpin is authorized to
4 make this motion. Is there is second?

5 UNIDENTIFIED MAN: Second.

6 MR. JARDIN: I see there is a second.
7 Please proceed.

8 TERRY TURPIN: It is the intent of this
9 motion to accept comment 59A-19 and delete all
10 instances of the text at ground level in and table
11 5232. Table 5232 sets out acceptable flux levels at
12 various targets for determining citing criteria for
13 LNG facilities.

14 The text was included to clarify the
15 elevation at which you needed to calculate from a
16 flux level; however, by restricting the target
17 elevation to ground level, these calculations may not
18 account for elevation targets. Thermal radiation
19 flux can be based on configuration pipe and distance
20 that provides the maximum radius heat flux
21 representative of the exposure present at the time of
22 plant sizing. As the current language is proposed,
23 the radiant heat flux would be calculated at the
24 ground level. This may cause an inadequate level of
25 safety for exposure at higher elevations. Thank you.

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 139]

1 MR. JARDIN: Mr. Jablonski?

2 MR. JABLONSKI: Thank you, Mr. Chairman.

3 Again the committee met this morning and we voted to
4 recommend rejection of this proposal. The committee
5 felt that the previous wording was relatively vague.
6 We weren't providing any guidance in terms of where
7 to calculate the thermal radiation flux and felt that
8 we needed to pick a point to make it consistent
9 depending upon who was doing the calculations. We
10 felt that picking the point at grade level would
11 provide that level of consistency. Thank you.

12 MR. JARDIN: Thank you.

13 Okay. Let's vote on the motion on the
14 floor. Oh, I'm sorry. Please proceed.

15 UNIDENTIFIED MAN: Federal Energy Regulatory
16 Commission. I support the motion on the floor. I
17 understand that the committee's intention is to
18 provide a uniform methodology, that currently the
19 methodology is incorrect and will provide an
20 inadequate level of safety to the public.

21 MR. JARDIN: Okay. With that let's go ahead
22 and move to a vote. The motion on the floor is to
23 accept comment 59A-19. All in favor please raise
24 your hand.

25 All opposed please raise your hand.

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 140]

1 That was a little close. We're going to go
2 ahead and do a standing vote. All right. We're
3 going to try a hand vote once again. All those in
4 favor of accepting comment 59A-19 please raise your
5 hand.

6 All those opposed please raise your hand.

7 Motion fails.

8 Move on to 59A-3.

9 PHANI RAJ: Mr. Chairman, my name is Phani
10 Raj. I'm with Technology & Management Systems in
11 Boston. I move that the committee accept the, the
12 assembly accept the comment number 59A-20.

13 MR. JARDIN: Mr. Raj is authorized to make
14 this motion. Is there a second?

15 UNIDENTIFIED MAN: Second.

16 MR. JARDIN: There is a second. Please
17 proceed.

18 PHANI RAJ: This comment requires the
19 deletion to the reference in the standard to a
20 specific commercial software that performs certain
21 safety calculations. This deletion requirement was a
22 part of my earlier proposal to replace and name the
23 software model to accept the performance criteria,
24 acceptable criteria.

25 The committee accepted the requirement

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 141]

1 proposal, which was 59A-27, accepting the set of
2 criteria for software and mathematical models to be
3 acceptable but retain the reference to an item
4 indication of the particular software in the
5 standards.

6 I have been notified that subsequent to the
7 certification of my NITMAM to delete this named
8 software that, in fact, this NFPA policy not cite
9 specific software or models in the standard. I,
10 therefore, request you, the members, to vote yes on
11 my motion which uphold the existing NFPA policy.

12 MR. JARDIN: Mr. Jablonski.

13 MR. JABLONSKI: Thank you. Again we voted
14 today as a committee to recommend rejection of this
15 proposal. The committee understands or is aware of
16 the software policy from NFPA on software, and we
17 have actually proposed a TIA which would address
18 removing this software that Mr. Phani is
19 recommending, plus some additional software
20 references to an annex.

21 And we believe that the TIA, which is due
22 for vote shortly, would address his concerns and
23 remove that section of software to the annex item.
24 The way the current proposal is worded would be
25 confusing with the deletion as shown in the proposal.

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 142]

1 MR. JARDIN: Thank you.

2 Yes, sir.

3 UNIDENTIFIED MAN: Gas Electric. I'm the
4 primary AT representative on 59A Technical Committee.
5 ATA has over the course of this cycle continued to
6 support the contention of this code model referenced
7 in the body of the standard. While we recognize that
8 there is guidance on policy by NFPA for referencing
9 these models, we believe it's premature at this point
10 and inconsistent with the methodology used as would
11 conducted for LNG vapor dispersion models evaluation.

12 The AGA recommends that the body here
13 support the motion, against the motion to delete the
14 reference at this particular time. While it's true a
15 TIA is in place, that will not result in that at this
16 particular time. That needs to play itself out. If
17 we remove the reference to LNG fires at this
18 particular time and the TIA fails, we would lose that
19 reference. Again it would be premature. Thank you.

20 MR. JARDIN: Yes, sir, Mr. Raj.

21 PHANI RAJ: As a rebuttal I would like to
22 point out that, first of all, this NITMAM that I have
23 here is consistent with the NFPA policy.

24 Secondly, we're dealing with the removal and
25 if nothing else the TIA that the chairman talked

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 143]

1 about does not pass there is in the accepted and
2 pass, the committee passed language which allows the
3 use of performance criteria for accepting models. So
4 I think the NITMAM really addresses the question of
5 implementation of NFPA policy.

6 MR. JARDIN: With that we'll move to a vote
7 on the motion on the floor, which is to accept
8 comment 59A-20. All in favor of the motion please
9 raise your hand.

10 All opposed to the motion please raise your
11 hand.

12 We're going to stand for this one. All
13 those in favor of the motion please stand.

14 Thank you.

15 All opposed to the motion on the floor
16 please stand.

17 Thank you. The motion passes. The vote was
18 36 vote, 31 no.

19 Okay. With that we'll move on to our next
20 agenda item, 59A-4. Yes, sir.

21 TERRY TURPIN: I'm Terry Turpin representing
22 the staff of the Federal Energy Regulatory Commission
23 and I move to reject comment 59A-29.

24 MR. JARDIN: And you are authorized to make
25 this motion. Is there a second?

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 144]

1 UNIDENTIFIED MAN: Second.

2 MR. JARDIN: There is a second. Please
3 proceed.

4 TERRY TURPIN: It is the intent of this
5 motion to reject comment 59A-29 and retain the use of
6 the half LFL as a modeling performing on the vapor
7 dispersion LNG facilities. Retention of the half LFL
8 is necessary due to uncertainties associated with
9 dispersement models. It is important to remember
10 that is the model that determines the distance of the
11 prescribed concentration and it is the uncertainty in
12 those methods which would be of concern.

13 As currently accepted, section 5.34 allows
14 the models to have an evaluation using the model
15 evaluation protocol for NEP as published by the NFPA
16 research foundation. The NEP provides quantitative
17 testing criteria for evaluation of the model. Under
18 the NEP one of the criteria of acceptance for the
19 model to be able to predict the vapor concentration
20 within a factor of two; therefore, use of the half
21 LFL threshold would address the uncertainties in the
22 model until the NEP can fully implement it. And I
23 would note that although the protocol has been
24 developed, the database can use the protocol until
25 it's currently being constructed, so you can't use

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 145]

1 that yet to validate any model.

2 Previously with the half LFL in place the
3 uncertainties were accounted for in these models but
4 with no other provisions in the current text, it
5 references uncertainties that specify the use of the
6 full LFL is premature. At this time we think use of
7 the half LFL should be used to ensure that models do
8 not under-predict. Thank you.

9 MR. JARDIN: Mr. Jablonski?

10 MR. JABLONSKI: Thank you, Mr. Chairman.

11 The committee met this morning and discussed the
12 issue and we did vote to recommend rejecting the
13 proposal. We had many discussions during the
14 committee meetings on this issue. It was very
15 vigorous discussions on both sides, and we had very,
16 very long discussions concerning what would be
17 appropriate. We had a number of papers presented in
18 terms of what was being done in terms of calculation
19 of LFLs. Also the EPA is currently using the LFL
20 looking at combustible gas dispersion distances. The
21 committee is recommending rejecting this proposal.

22 MR. JARDIN: Thank you.

23 Yes, sir.

24 PHANI RAJ: My name is Phani Raj from
25 Technology & Management Systems. I'd like to oppose

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 146]

1 this motion on the floor for the simple reason that
2 we are redefining the lower flammable limit. Lower
3 flammable limit is a scientific term which says that
4 any concentration of a flammable vapor below that
5 will not ignite.

6 Because of the uncertainty of the models, we
7 know in the community, the proposal wants us to make
8 the changes in the definition of what is flammable in
9 air.

10 If you look at what the policies of other
11 agencies, federal government agencies, the EPA, as
12 the chairman mentioned, Department of Energy is five
13 percent as a concentration which is low flammable.
14 U.S. Coast Guard uses that. All over Europe they use
15 low flammable limit as a criteria for calculating
16 distance of hazard disbursement.

17 The fourth line up is the definition of
18 lower flammable unit, but in the model which do not
19 account for radiation. It is the model's problem,
20 not the definition's. Incidentally, I was the
21 proponent of this proposal to change the 50 percent
22 of LFL to a hundred percent of LFL, and the committee
23 rejected the proposal but in the comment period I
24 provided scientific evidence as to why the LFL and
25 the committee therefore voted on it, and this motion

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 147]

1 today and want to reverse it back to rejection. I
2 think I do not want to support this motion.

3 MR. JARDIN: Yes, sir.

4 FRANK: My name is Frank. I'm with the
5 Department of Transportation, pipeline hazardous
6 material safety administration. I support this
7 motion, and for a very simple reason, that the
8 uncertainties involved with these types of
9 calculations clearly would require some level of
10 conservative that goes beyond how we define LFL.
11 That is why one half has always been used within the
12 standard for this time.

13 I believe that the disparity of opinion
14 within the committee on this one issue is one that
15 would caution all members to be conservative. This
16 is not a clear decision, this is one that is a mixed
17 opinion, and I would fully support this motion.

18 MR. JARDIN: Yes, sir.

19 TERRY TURPIN: Terry Turpin for the staff of
20 the Federal Energy Regulatory Commission. In making
21 this motion we're not trying to say that it may burn
22 below the LFL or to try to redefine scientific
23 principles about where flammable gases may burn, but
24 the problem is the models that are typically used to
25 do this kind of modeling aren't that accurate at the

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 148]

1 LFL. And if you remove this, if the committee
2 decides to remove the LFL, or, sorry, the half LFL as
3 a threshold, then you will have essentially
4 non-sensitive or erroneous results in some of the
5 modeling. Thank you.

6 MR. JARDIN: Yes, sir.

7 ANDREW: Andrew, Regulatory Commission in
8 support of this motion.

9 I believe there is a reference to Sandia
10 this morning in the LFLs. We got all our comments to
11 Sandia beforehand regarding the half LFL use, and
12 they all gave comments in support of the decision as
13 well as.

14 In addition the half LFL has been used or
15 the appropriate value was used according to the HFL
16 study entitled Defining the Safety Criteria for LFLs.
17 Thank you.

18 MR. JARDIN: Yes, sir.

19 PHANI RAJ: This is Phani Raj. I stand by
20 my statement about Sandia's report, which is the one
21 that has been officially published. There is, you
22 know, comments are personal comments that have
23 probably no relevance really in this particular
24 matter.

25 MR. JARDIN: Okay. With that let's vote on

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 149]

1 the motion on the floor. That motion is to reject
2 comment 59A-29. All in favor of the motion please
3 raise your hand.

4 Thank you. All opposed to the motion please
5 raise your hand.

6 Motion passes.

7 Okay. Move on to motion sequence number
8 59A-5. Yes, sir.

9 PHANI RAJ: My name is Phani Raj from
10 Technology & Management Systems. I move to accept
11 the comments 59A-30 on page 59A-9.

12 MR. JARDIN: Mr. Raj is authorized to make
13 this motion. Is there a second?

14 UNIDENTIFIED MAN: Second.

15 MR. JARDIN: There is a second. Please
16 proceed.

17 PHANI RAJ: Motion language in the standard
18 recognize the real situation in the dispersion
19 distance calculations pertaining to flammable vapor
20 dispersion. It seeks to require the consideration of
21 the presence and defective ignition sources in
22 industrial outlying and rural areas on the
23 ignitability of dispersing vapor clouds.

24 The current procedures in the standard is to
25 completely ignore the presence of ignition sources

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 150]

1 when considering the dispersion of vapor clouds which
2 is I think incorrect.

3 The reason provided by the committee in
4 rejecting my proposal comment is that the committee
5 felt procedures and science for calculating the
6 dispersion of flammable cloud ignition sources were
7 not well established. This is really incorrect and
8 not so. There are data compiled from actual
9 accidents and incidents involving flammable vapors
10 that were ignited by ignition sources. The
11 characteristics and types of ignition sources are
12 well established and available in public domain
13 documents. Models have been published in peer review
14 journals to describe and calculate the survival
15 without ignition of flammable vapor clouds dispersing
16 in different environments. These models are the
17 process of extensive Europe and U.K. and Europe and
18 other countries.

19 Not including the results and conclusions
20 and overwhelming scientific body of knowledge in this
21 standard that results in this standard for
22 calculating the real distance of the dispersion is a
23 serious omission.

24 MR. JARDIN: Mr. Jablonski?

25 MR. JABLONSKI: Mr. Chairman, the committee

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 151]

1 met and discussed this issue this morning and we
2 voted to recommend rejection of the proposal. The
3 reason being, as Mr. Rashi stated, we do feel that
4 there is some possible merit to this method but we
5 don't believe that it really is fully developed at
6 this point. One of the concerns has to do with
7 calculation of a 99 percent ignition probability and
8 felt that this wasn't appropriate at this time.
9 Thank you.

10 MR. JARDIN: Thank you.

11 Yes, sir.

12 TERRY TURPIN: Terry Turpin, staff for the
13 Federal Energy Regulatory Commission speaking against
14 the motion, for many of the same reasons that
15 Mr. Jablonski just put forth. There's not, from what
16 we've see, not well established methods for
17 quantifying some of these probabilities and knowing
18 it's going to lead to size decisions that may not be
19 based on the most conservative methods where you
20 can't verify that. If you go less than conservative
21 you're not endangering someone. Thank you.

22 MR. JARDIN: Did you wish to speak again?

23 PHANI RAJ: I just wanted to say that I'm a
24 member of the committee as well, in my introduction.

25 MR. JARDIN: Okay. With that we'll move to

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 152]

1 a vote. The motion on the floor is to accept comment

2 59A-30. All in favor please raise your hand.

3 All opposed please raise your hand.

4 Motion fails.

5 We'll proceed to motion sequence number

6 59A-6. Mr. Turpin.

7 TERRY TURPIN: Once again I'm Terry Turpin

8 for the staff of the Federal Energy Regulatory

9 Commission and I move to accept comment 59A-88.

10 MR. JARDIN: Mr. Turpin is authorized to

11 make this motion. Is there a second?

12 UNIDENTIFIED MAN: Second.

13 MR. JARDIN: There is a second. Please

14 proceed.

15 TERRY TURPIN: Wouldn't it be like me to

16 leave my notes somewhere. The intent in making this

17 motion was to reject the -- to accept our comment,

18 which was basically to take the, forgive me, to take

19 alternative siding methodology, risk based

20 alternative siding methodology that has been put in a

21 mandatory annex 59A and move that to a non-mandatory

22 annex.

23 The method as developed isn't sufficiently

24 developed or tested to be used in a mandatory format,

25 and we think it's appropriate that it be put in as

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 153]

1 non-mandatory language because if an AHJ used it as
2 written mandatory or adopted as written in the
3 mandatory language, it must be, the written text must
4 be complied with, and there are many inconsistencies
5 and unclear procedures included in the method. And
6 so we move that it be made into a non-mandatory
7 annex. Thank you.

8 MR. JARDIN: Thank you.

9 Mr. Jablonski?

10 MR. JABLONSKI: Mr. Chairman, the committee
11 meet this morning and we voted to recommend rejection
12 of this proposal. The risk based method was
13 initially proposal as a separate chapter in the body
14 of the code. Based on various discussions we felt
15 that because this was relatively new to our standard
16 we felt that it would be more appropriate to move it
17 to the annex item. We felt it was important that it
18 be in there because there are other parts of the
19 world that are using this and we feel we want this to
20 be a worldwide standard, not just for the United
21 States.

22 We moved it as a mandatory annex so that it
23 would be available to an AHJ if they felt they wanted
24 to incorporate it. It doesn't have to be
25 incorporated, but we wanted it in wording so that if

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 154]

1 a certain country or AHJ wanted it it would be
2 available to them without significant changes. We're
3 recommending rejecting this proposal. Thank you.

4 MR. JARDIN: Mr. Raj.

5 PHANI RAJ: My name is Phani Raj and I'm a
6 member of the Technical Committee 59A and I speak in
7 opposition to this motion on the floor for several
8 reasons.

9 First, this proposal was originated with a
10 task force. I happened to be the chairman of the
11 task force. We deliberated quite extensively in
12 developing the language. And the original proposal
13 was to include this as a risk based standard in
14 chapter 15 of the standard. And a compromise was
15 reached was to move this into the annex and have the
16 language in a, you know, language but schematics. So
17 this is now right now an annex. It is not mandatory
18 for use unless it is actually accepted by and voted
19 by AHJ.

20 So that for extent I think it has no bearing
21 on the standard per se. Removing that now with all
22 the language that is there would be difficult. To
23 address the concerns that he mentioned about, I don't
24 think I agree with that because there are a lot of
25 criteria that are there which are based on existing

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 155]

1 criteria worldwide. So I don't think there's
2 inconsistencies, and if there are we can probably
3 address it later on. I think this is still
4 non-mandatory annex and mandatory language.

5 MR. JARDIN: Gentleman at the mike in the
6 back.

7 ANDREW: Andrew, Federal Energy Regulatory
8 Commission. I think it's worth reiterating that the
9 committee themselves recognize that this standard or
10 this annex needs further development, yet it's still,
11 as it's written, allowed to be used by citing despite
12 the fact that it needs further developed.

13 MR. JARDIN: Yes, sir.

14 FRANK: Frank, Department of Transportation,
15 Safety Administration. I to am a member of 59A
16 committee; however, I support this motion for the
17 primary reason that it is a work in progress. By
18 itself there are any gaps, much legal language and
19 exceptionally difficult to implement in a consistent
20 manner.

21 These types of shortcomings really reflect
22 poorly on 59A as a standard. And as one supporting
23 this motion, I believe standards should be of a
24 character on quality where they can be implemented
25 without vagaries and be a truly good practice.

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 156]

1 We totally support the concept of risk based
2 decision making when it is used for citing purposes,
3 but in this particular case the use of mandatory
4 language implies that this is complete methodology
5 when in fact it is not.

6 MR. JARDIN: Yes, sir.

7 Marcelo HIRSCHLER: Marcelo Hirschler, GBH
8 International speaking for myself. This comment has
9 been appropriately rejected by the committee because
10 it does not comply with the NFPA rules in that proper
11 language be provided for the section the way the
12 commenter wants the section to be included.

13 If the whole assembly would now support the
14 motion, then it would be up to someone, who knows
15 who, to invent some language to change a chapter in
16 the standard and convert it into something else which
17 is non-mandatory language where we have no guidance.

18 This motion has been appropriate, this
19 comment has been appropriately rejected because it
20 does not comply with the NFPA rules and I urge you to
21 vote against the motion.

22 MR. JARDIN: Okay, and vote we will. The
23 motion on the floor is to accept comment 59A-88. All
24 in favor.

25 All opposed.

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 157]

1 The motion fails.

2 At this point, folks, we're going to take a
3 five-minute comfort break, and we request, just a
4 couple of things, that you return promptly after five
5 minutes and then upon your return, for those folks
6 sitting in the alley rows of tables, if you would
7 kindly, if you could, move to the center two rows of
8 tables, it would facilitate out ability to judge the
9 vote. So with that we'll take a five-minute break
10 and we'll see you upon your return.

11 (A brief recess was taken.)

12 MR. WILLSE: The next report this afternoon
13 under consideration is that of the Technical
14 Committee on Electrical Safety in the Workplace.
15 Here to represent the committee is Committee Chair
16 Ray Jones of Electrical Safety Consulting Services,
17 Incorporated, Fuguay-Varina, North Carolina.

18 RAY JONES: It's a long U.

19 MR. WILLSE: Okay. The report can be found
20 in the blue 2008 Annual Revision Cycle ROP and ROC.
21 The list of Certifying Amending Motions are contained
22 in the Motions Committee report and behind me on the
23 screen. We will proceed in the order of the motion
24 sequence number presented. Mr. Jones.

25 RAY JONES: Mr. Chair, ladies and gentlemen,

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 158]

1 the report of the Technical Committee on Electrical
2 Safety in the Workplace on NFPA 70E can be found in
3 the Report on Proposals and the Report on Comments
4 for the 2008 Annual Meeting Revision Cycle. The
5 Technical Committee's report proposes a partial
6 revision of NFPA 70E, Standard for Electrical Safety
7 in the Workplace. The presiding officer will now
8 proceed with the Certified Amending Motions.

9 MR. WILLSE: Thank you. Let's proceed with
10 the Certified Amending Motions on NFPA 70E.

11 JAMES DOLLARD: Thank you, Mr. Chairman. My
12 name is James Dollard and I am the submitter of the
13 NITMAM for NFPA 70E and it is motion sequences 70E-1.
14 And the amending motion is to reject an identifiable
15 part a comment 70E-258.

16 MR. WILLSE: You are, in deed, the submitter
17 of the motion. Do I have a second?

18 UNIDENTIFIED MAN: Second.

19 MR. WILLSE: I do have a second. Please
20 proceed.

21 JAMES DOLLARD: Thank you, Mr. Chairman. I
22 would first like to provide an explanation of exactly
23 what is going on here for this body here today
24 looking at NFPA 70E. Please take a look at the text
25 on your yellow sheet, and the words there deleted are

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 159]

1 in quotes up on the screen in the center.

2 And what I seek to delete is the words while
3 work is being performed on and energized electrical
4 conductors, electrical equipment or circuit parts.
5 What that would do is leave this sentence reading as
6 follows: It would read, Chapter one covers
7 electrical safety related work practices and
8 procedures for employees who are exposed to an
9 electrical hazard in workplaces covered in the scope
10 of this standard.

11 If you go back to the 2004 document, what we
12 said here in this sentence was that chapter one
13 covers anyone working on or working near, and at that
14 time we defined all of those terms. The term working
15 on means contact. So that means an individual comes
16 in contact with an energized part with their body or
17 with a tool, for example with their voltage tester.
18 Working near meant within a limited approach
19 boundary.

20 The use of those terms throughout NFPA 70E
21 was confusing. Chairman Ray Jones appointed a task
22 group that was called the word and phrase task group
23 and I chaired that group. Our charge was to
24 editorially go through the document and fix that
25 language, provide clarity, provide usability without

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 160]

1 making any substantial changes, it was all editorial,
2 and the task group achieved that goal.

3 What happened here is when the TCC looked at
4 the language in 110.1 they thought there was an
5 error. There is not an error. You have to take a
6 look at the text in 110.1 along with all of the other
7 changes that were made throughout the document, and
8 there's dozens and dozens of them. You either are
9 exposed or you are not exposed to an electrical
10 hazard.

11 The TCC changed the scope here dynamically.
12 This is a huge, huge undertaking because if this
13 NITMAM fails, then 70E will only apply to people who
14 intend to make contact. So when they take on their
15 task, if they intend to make contact, 70E will
16 provide requirements for them.

17 When you get right down to it, this is new
18 material. I'm extremely surprised that the TCC went
19 down this road. If you review all of the proposals,
20 all of the comments, all of the comment statements,
21 all of the member statements to the affirmative and
22 the negative, at no point in time did anyone suggest
23 in any way, shape or form that the scope of this
24 document be limited to contact.

25 If you read the forward in the front of NFPA

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 161]

1 70E, it will tell you in no uncertain terms, and I'm
2 going to read it right to you, that this committee
3 was formed to assist OSHA in preparing electrical
4 safety standards that would serve OSHA's needs and
5 that could be expeditiously promulgated. OSHA will
6 prepare a directive that says they can't use 2009
7 NFPA 70E if this NITMAM is unsuccessful. OSHA
8 requires that anyone exposed to an electrical hazard
9 be protected.

10 This is broken. I understand from talking
11 with many of the members of the technical correlating
12 committee that there was confusion. They did not
13 understand that there was definition. And I
14 understand that I'm under a minute.

15 What this is about is about safety. This is
16 about the lives of electrical workers. I represent
17 4,000 electrical workers in the Philadelphia area.
18 I've had the unfortunate responsibility of burying
19 people, of going to a burn center and seeing their
20 face burned off. But the most difficult part was
21 explaining to their parents that they knew the
22 hazard.

23 We need this document to be right. OSHA
24 says that you shall, you shall protect people. 70E
25 shows you how. If we don't get this fixed, the 2009

**Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting**

[Page 162]

1 edition is dead on arrival. Thank you, Mr. Chairman.

2 MR. WILLSE: Thank you.

3 Mr. Jones?

4 RAY JONES: Thank you, Mr. Chair. The
5 action taken by the Technical Correlating Committee
6 to insert the phrase in the scope, as Jim just
7 mentioned, is a dynamic shift in the scope of the
8 document. At no point in the revision process of 70E
9 did the proposal from the public a comment from the
10 public, a comment from a committee member or a
11 statement during the course of this discussion of the
12 proposal, at no point did any of that was there a
13 suggestion that the scope of the standard was only
14 limited to the people who intended to make direct
15 contact with the circuit parts.

16 As defined by the Standards Council the
17 scope of the committee covers electrical safety
18 requirements necessary to provide a practical, safe
19 working area, which includes equipment failure. That
20 the TC action on comment number 70E-258 clearly
21 conveyed the concept.

22 When equipment or process are not operating
23 normally, a practical safe working area does not
24 exist, and the provisions of 70E will prevent injury
25 only when they're applied. The phrase while working

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 163]

1 is being performed on energized electrical
2 conductors, electrical equipment or circuit parts
3 limits the application of the standard beyond that
4 intended by the Standards Council. I support the
5 motion on the floor.

6 MR. WILLSE: Thank you. Microphone to the
7 left.

8 MIKE JOHNSON: Thank you, Mr. Chair. Mike
9 Johnson, National Electrical Contractors Association.
10 I'm speaking in support of the motion on the floor.

11 The scope typically of these standards and
12 documents establishes a foundation for applicability,
13 period. And the scope is modified here. I'm going
14 to be brief, if I can. I had to write all the
15 bullets that I wanted to cover.

16 Defined terms results in code rules that are
17 clear and understandable. Where define terms are
18 used in a rule the requirement of such rules should
19 be clear. Working on is defined in article 100.
20 Rules should mean what they imply by definition of
21 the terms used within the rules.

22 The TCC action on 70E 258 has the effect of
23 lessening or narrowing the scope of NFPA 70E chapter
24 one to only those persons working on energized live
25 parts and it is now silent on the coverage of others

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 164]

1 that are exposed to electric hazards such as
2 electrical inspectors, engineers, designers, testing
3 technicians, thermographers and so forth.

4 We need to support the Certified Amending
5 Motion 70E-1 258 to restore the scope of chapter one
6 to include all requirements addressed in chapter one
7 for persons working on or otherwise unexposed to
8 those electrical hazards.

9 The work that the NFPA 70 committee actually
10 looked at in detail is commendable and needs to be
11 applauded. They took a look at those defined terms
12 and made sure that those terms were used accurately
13 in the rules of which they appear. And that's
14 commendable because that results in good code, code
15 that can be applied in the field practically by
16 users.

17 Certified Amending Motion 70E-1 restores the
18 scope of the article 110 to include all workers in
19 the rules of 70E intended to apply to and ultimately
20 protect. We most support this Certified Amending
21 Motion to allow the rules to apply to all workers
22 exposed, not just those in contact. Thank you,
23 Mr. Chair.

24 MR. WILLSE: Thank you. Microphone to the
25 right, my right.

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 165]

1 JAMES CARPENTER: Thank you, Mr. Chair. My
2 name is James Carpenter. I am the chair of the
3 National Electrical Code Technical Correlating
4 Committee. The NEC Technical Correlating Committee
5 has jurisdiction over NFPA 70E, Electrical Safety in
6 the Workplace. I rise in objection to the Certified
7 Amending Motion 70E-1.

8 At the report on proposal stage, the TCC
9 directed that proposal 70E-63 on 110.1, which is a
10 scope statement, be reported as reject although the
11 Technical Committee had accepted the proposal. The
12 TCC directed that the Technical Committee review and
13 correlate with action taken on proposal 70E-244. The
14 TCC also stated that by removing the word exposed,
15 the committee had significantly expanded who would be
16 impacted by the standard.

17 At the report on committee stage, the
18 Technical Correlating Committee, the Technical
19 Committee accepted wording from a task group that had
20 reviewed and correlated with proposal 70E-244. As a
21 result, may be exposed to electrical hazard replaced
22 work on or near exposed energized electrical
23 conductors or electric parts.

24 The TCC determined that the use of the term
25 may be to be unenforceable and vague. Whereas, the

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 166]

1 TCC has a responsibility of the scope statement, the
2 TCC revised the wording to include while work is
3 being performed on to include the employees who may
4 not be doing the actual work but will be exposed to
5 the hazard.

6 The submitter of this Certified Amending
7 Motion number 468 has proposed removing the words
8 while work is being performed on energized electrical
9 conductors, electrical equipment and circuit parts.
10 This again significantly expands who could be
11 impacted by the standards.

12 The TCC is certainly concerned with the safe
13 use of electricity and safe work practices when
14 servicing or using any electrical conductors,
15 equipment or circuits parts. However, to expand the
16 scope of 70E, as this Certified Amending Motion would
17 do, is not something that should be done without
18 examining the ramifications that this would open.

19 This would affect an owner of an office
20 building but his secretary plugs in an adding machine
21 or a computer. More work needs to be done by the TCC
22 and the TC, and possibly representatives from owners
23 of buildings that would be affected by 70E who should
24 be added to the Technical Committee.

25 The TCC has appointed a task group that has

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 167]

1 been charged to address clarification of the
2 document's scope of 70E and other items relative to
3 70E. I respectfully encourage the body to defeat
4 this Certified Amending Motion. Thank you.

5 MR. WILLSE: Thank you. Microphone in the
6 back center.

7 RICHARD LLOYD: Richard Lloyd representing
8 the electrical section. We had this amending motion
9 70E-1 presented to us and we support adoption of the
10 NITMAM.

11 MR. WILLSE: Thank you. Microphone in the
12 front.

13 JUAN MENENDEZ: Thank you, Mr. Chair. Juan
14 Menendez representing Edison Electric Institute
15 speaking in opposition of this motion.

16 The revision being suggested to extend the
17 application of the document to a larger population
18 than it would have intended without adequate review.
19 The motion should be rejected and the TCC adoption
20 wasn't appropriate. Thank you.

21 MR. WILLSE: Thank you. Microphone in the
22 back.

23 JOHN: Mr. Chairman, ladies and gentlemen,
24 thank you for the opportunity to speak today. My
25 name is John and I work for industries in Dallas,

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 168]

1 Texas and I'm a member of the 70E committee
2 representing the International Electrical Testing
3 Association, known as IETA, and I'm speaking in favor
4 of the motion.

5 When I first heard of the changes to the
6 original text while I basically understood the intent
7 of the change it became apparent that the unintended
8 and inadvertent consequences of the wording needed to
9 be changed, and hence my support for Mr. Dollard's
10 action.

11 Mr. Dollard has done an excellent job in
12 explaining the reason or rational for the motion and
13 the need for the change. In fact, he'd done such a
14 good job it seems like we could take a vote now with
15 how well he's explained it. But as I thought about
16 the wording a few weeks back, you know, it seems to
17 me as a member of the 70E committee it might be
18 appropriate and relevant to tell you about an
19 incident involving an electrical worker that I'm very
20 familiar with.

21 The incident occurred in July of 1984, and
22 the worker, who's an experienced one, had a project
23 to upgrade and modify the controls on an automatic
24 transfer switch in a hospital. There were seven
25 switches that he worked on.

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 169]

1 A transfer switch by its very nature is
2 typically a critical component in an electrical power
3 system as it supplies alternate or secondary sources
4 of power critical loads. In the hospital this
5 particular switch supplied power to an operating room
6 and other critical circuits.

7 As mentioned earlier, the task was to modify
8 the controls on the switch, and as was done
9 previously, the control section of the switch could
10 be electrically isolated to the main power and the
11 appropriate timer and contacts were added to the
12 switch.

13 One of the additions to the switch was a
14 factory supplied option that would provide a switch
15 position, that is the switch would transfer from 1
16 source to another if contact was closed indicating
17 switch position to the like. Pretty simple task. It
18 was done without much problem.

19 But on this particular switch the hospital,
20 at some point in the past, had added a non-factory
21 for switch position which was a micro-switch on a
22 balsa wood, so when the switch transferred from one
23 source to another, it would hit the micro-switch
24 closing the contact. Again a simple circuit.

25 The technician decided to remove the

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 170]

1 non-factory wiring and in doing so was bringing down
2 a number 14 control wire near the edge of the side of
3 the switch next to the energized main volt of the
4 switch. Everything was fine until the number 14 wire
5 popped and it hit the main portion of the switch, and
6 when it hit the switch it caused a slight arc flash
7 to occur. This arc flash profligated to a face to
8 face fault resulting in a super hot flash.

9 The incident in an instant the switch
10 erupted into a huge fireball and a super heated blast
11 from the switch. Though not shocked, the technician
12 received severe burns to the face and arms. He had a
13 long sleeve cotton shirt on, and being in Texas in
14 July he had the sleeves rolled up. The super hot
15 flash blasted the skin off and burned his face.

16 This was the result of that incident, and it
17 was severe electrical burns to the face and to the
18 hands. He was blown backwards at the switch. At
19 first he though this hair was on fire and he could
20 not see. He was trying to put the fire out although
21 his hair was not on fire.

22 Hospital personnel ran into the room to see
23 what happened and assisted the technician to the
24 emergency room, which luckily was right across the
25 hall.

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 171]

1 So you say how is all of this relevant to
2 today's discussion? I think the main point is the
3 technician at the time was working near the piece of
4 electrical equipment not on the piece of equipment.
5 He never intended to contact the device, nor did he
6 intend to work on it energized. The point being
7 although he never intended to contact the switch, had
8 he followed the work practice --

9 MR. WILLSE: One minute.

10 JOHN: -- in place today in the 70E
11 document, the very fact that he was near the device
12 would require him to be wearing the appropriate BTEs
13 and follow specific work practices.

14 So here's the message: I spent all my time
15 and effort on the 70E for one reason, to make sure
16 that what happened to that technician, it was me, I'm
17 an arc flash survivor, I'm the guy that got burnt, to
18 make sure that never happens to another person ever,
19 and that's why I am so committed to electrical
20 safety.

21 To state the scope of the standard applies
22 only when working on a piece of equipment and not
23 working near, with all due respect, is wrong. So I
24 urge the support of the motion on the floor. Thank
25 you very much for your time.

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 172]

1 MR. WILLSE: Thank you. Microphone in the
2 front.

3 PETER: My name is Peter and I represent the
4 Independent Electrical Contractors Association and
5 myself. I sit on code making panel six. I'm an old
6 electrician. I've got the scars to prove of what
7 happens to you when you get close to electrical
8 sources. I'm an electrician contractor. I've got
9 employees working for me. The change in the language
10 that's been proposed --

11 MR. WILLSE: Are you for or against the
12 motion?

13 PETER: I'm against this.

14 MR. WILLSE: Thank you.

15 PETER: The changed language that's being
16 proposed here opens up a broad spectrum of people
17 that I have no control over that don't work for me
18 and are not subject to my testing, training and my
19 supervision, I guarantee it. What this is going to
20 go do is open up an avenue for the trial lawyers
21 association to come in, the people who in the
22 industry who have no interest and no impact, no
23 responsibility to some claim for an injury because
24 they were exposed to an electrical injury or hazard
25 that might result in an injury.

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 173]

1 I think this needs to be thought through.
2 There aren't enough players in this room that have a
3 financial interest in what occurs as a result of
4 opening up this kind of broad based language rather
5 than the specifics of dealing with the people who
6 work on electrical systems for electrical contractors
7 or work on electrical systems for building owners who
8 are responsible for the maintenance of those systems.

9 It needs to be left alone or sent back to
10 the Technical Correlating Committee for further
11 adoption and review of a better choice of language
12 and description that will solve the end of the social
13 warrior and liberals who try to take on the whole
14 world. If there was no risk involved in this system,
15 as the young man would like to see established, there
16 would be no need for insurance coverage. It isn't
17 going to happen.

18 People are people. And even with the best
19 of training, with the best of employer intentions,
20 like me, see to it that my men are well trained,
21 follow the best practices, they still do dumb things.
22 You cannot prevent people from making mistakes and
23 suffer the consequences of it. They're the ones that
24 I can deal with. They're the ones I can see to, but
25 I can't control those that walk through an open area

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 174]

1 that happen to be on the job site or a dumb
2 electrical inspector, of which I'm a third party
3 electrical inspector in the city of Washington, D.C.
4 Yeah, we do dumb things, but you've got to be
5 prepared to pay the cost of those things.

6 There is no hold harmless clause in this
7 industry. It will never work. It needs to be
8 thought out better. There needs to be more input and
9 a little bit more time frame. If this become a
10 better standard, it becomes a more desired standard
11 to describe what exposure to hazard would be within
12 the electrical construction industry. Thank you.

13 MR. WILLSE: Thank you. Microphone number
14 four.

15 JAMES DOLLARD: Thank you, Mr. Chairman,
16 James Dollard, IBEW, submitter of this NITMAM. I
17 would just like to briefly address some of comments
18 made.

19 Number one, to make a statement that it's
20 okay to work energized is nuts. It's absolutely
21 nuts. OSHA says that you cannot. So OSHA says that
22 you shall protect your employees. 70E shows you
23 have.

24 I would like everyone in the room, if you
25 would, just open your ROPs to page 70E-51. And on

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 175]

1 70E-51 you will see comment, it's not the ROP, it's
2 the ROC, 70E-51, and I'm going to read to you the
3 reason that the TCC did what they did, as
4 Mr. Carpenter just gave us in his testimony, okay.
5 And it reads that the Technical Correlating Committee
6 revised the wording to while work is being performed
7 on, here's why they did it, to include the employees
8 who may not be doing the actual work but will be
9 exposed to the hazard.

10 So their intent is exactly what my NITMAM is
11 all about. Because by adding the words while work is
12 being performed on, you have to go back into article
13 100 of NFPA 70E, and working on is defined as
14 contact. It's defined as contact.

15 The comments made by Mr. Carpenter scream to
16 the Standards Council to remove NFPA 70E from the
17 purview of the NEC TCC. In discussions that I had
18 with Mr. Carpenter personally he readily admits a
19 huge lack of knowledge on the 70E standard on the
20 TCC. We've got big problems. We need to get this
21 document right. 70E is an infant compared to the
22 NEC. It's there to provide electrical safe work
23 practices to the men and women and their families out
24 there doing electrical work today. I urge you to
25 support the motion on the floor. Thank you.

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 176]

1 MR. WILLSE: Thank you. My left.

2 BILL ANDERSON: I'm Bill Anderson. I work
3 for Proctor & Gamble. I also am on code making panel
4 and a principal on 709. I'm also a member of the
5 Canadian Standards Association that develops
6 workplace electrical safety standards and they've
7 asked me to read Technical Committee correspondence
8 to the NFPA membership.

9 MR. WILLSE: Excuse me, sir, are you for or
10 against the motion?

11 BILL ANDERSON: I'm for the motion.

12 MR. WILLSE: Thank you. For the record.

13 BILL ANDERSON: All right. This is a letter
14 that is to NFPA Membership: The Canadian Standards
15 Association, Standard Z462 Workplace Electrical
16 Safety is a Canadian safety standard that parallels
17 and seeks to be technically harmonized with NFPA 70E,
18 Electrical Safety in the Workplace. The first
19 edition of Z462 is scheduled for publication in
20 December 2008.

21 The CSA Technical Committee Executive for
22 standard Z462 Workplace Electrical Safety wishes to
23 inform the NFPA membership attending the 2008
24 Association Technical Meeting in Las Vegas of the
25 position of the Z462 Technical Committee on the

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 177]

1 following motion. That's the motion that's on the
2 table right now, which is 70E-1.

3 Z462 Technical Committee supports the motion
4 to delete an unidentifiable part of comment 70E-258.
5 In the opinion of CSA Z462 Technical Committee the
6 article should read chapter 1 covers electrical
7 safety-related work practices and procedures for
8 employees who are exposed to an electrical hazard in
9 workplaces that are included in the scope of this
10 standard. Remainder of the text remains the same.

11 Substantiation is, As stated in the
12 Technical Correlating Committee comment on 70E-258
13 Log 296 in the Report on Comments A2008 page 51: The
14 NFPA Technical Correlating Committee revised the text
15 to include "while work is being performed on" to
16 include the employees who may not be doing the actual
17 work, but will be exposed to the hazard.

18 Point one: In the opinion of CSA Z462
19 Technical Committee the text does not need to be
20 revised to achieve the stated objective of the NFPA
21 Technical Correlating Committee. The statement
22 "employees who are exposed to an electrical safety
23 hazard" covers both the employee working on and the
24 employee who may not be doing the actual work but
25 will be exposed to the hazard.

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 178]

1 Point two: In the opinion of Z462 Technical
2 Committee the revised text is inaccurate. The added
3 phrase incorrectly implies that an electrical hazard
4 exists only while work is performed on the energized
5 electrical conductors, equipment or electrical parts.

6 As defined in NFPA 70E an electrical hazard
7 includes shock and arc flash and blast hazards. It
8 is correct that work performed on energized
9 electrical conductors is an electrical hazard.

10 However, work in proximity to exposed
11 electrical conductors is also an electrical hazard.
12 Z462 Technical Committee would like NFPA members to
13 note that this is the premise behind the shock
14 protection boundaries referred to in NFPA 70E.
15 Proximity to, not contact with, exposed energized
16 electrical conductors operating above 50 volts is
17 what defines the various shock protection approach
18 boundaries.

19 Similarly one of the conditions that defines
20 the existence of an arc flash and blast hazard is
21 when work performed in proximity to energized
22 electrical conductors and circuit parts.

23 I'm going to step through this letter. The
24 complete letter I'll submit for the word, but I would
25 like to finish the last part.

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 179]

1 Z462 Technical Committee wishes to inform
2 NFPA members that they feel strong enough about the
3 issue that they decided that in the April 2008 public
4 review draft of the Z462 standard would be published
5 without the added phrase while work is being
6 performed on energized electrical equipment or
7 circuit parts. So again we are in support of this
8 motion for all of the other reasons that are stated.
9 Thank you so much.

10 MR. WILLSE: Thank you. Microphone to the
11 right.

12 RONALD WILKIN: My name is Ronald Wilkin. I
13 call the question.

14 MR. WILLSE: The question has been called.
15 Is it seconded?

16 UNIDENTIFIED MAN: Second.

17 MR. WILLSE: Second. We have a vote on the
18 question. All in favor of calling the question
19 please raise your hand.

20 Thank you. All opposed.

21 We'll now go to the vote on the 70E-1, which
22 is to reject an identifiable part of comment 70E-258.
23 All those in favor please raise your hands.

24 Thank you.

25 All opposed.

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 180]

1 Motion carries.

2 The next is 70E-2.

3 KEVIN: I'm Kevin with Eaton Electrical
4 speaking on behalf of NEMA in support of the motion
5 to accept comment 70E-499.

6 MR. WILLSE: We have you down as the
7 recognized representative. Please proceed.

8 KEVIN: What I'd like to do first --

9 MR. WILLSE: Do we have a second?

10 UNIDENTIFIED MAN: Second.

11 MR. WILLSE: Second. Please proceed.

12 KEVIN: Thank you. What I'd like to do
13 first is explain to people exactly what this is
14 about. This is about mandating a numeric marking on
15 electrical equipment for either the value of the PPE
16 level. So I'd like to read a statement of the NEMA
17 policy.

18 NEMA fully supports the concept of warning
19 about the hazards that can be associated with
20 electricity including arc flash. However, requiring
21 a marking in non-industrial or uncontrolled
22 commercial facilities places a continuous accuracy on
23 PPE on the equipment in question. The marks may
24 become misleading to the person who performs
25 maintenance on that equipment in the future thereby

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 181]

1 placing them in harm's way. That's the official NEMA
2 position.

3 I'd like to expand a little bit on that to
4 include express the position of Eaton Electrical,
5 which is also in support of the motion. And again we
6 are not against marking equipment to protect workers,
7 we're against all encompassing manually that you're
8 going to go out there and mark all this equipment all
9 the time. In many cases you don't have enough
10 information to mark it. We're afraid that this
11 arbitrarily making a mandate is going to make the
12 number meaningless to many people. What we believe
13 is to work together to ensure that people shut off
14 the power rather than trying to make it easier for
15 them to work on it while it's energized. So we urge
16 your support of the motion. Thank you.

17 MR. WILLSE: Thank you. Microphone over to
18 my left.

19 BILL ANDERSON: Bill Anderson, Proctor &
20 Gamble. I'm also speaking and reading a Technical
21 Committee correspondence of CSA Z462 Workplace
22 electrical Safety Standards. I'll try to abbreviate
23 this one. It's a shorter letter.

24 All right. The CSA Technical Committee
25 Executive for Standard Z462 Workplace Electrical

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 182]

1 Safety wishes to inform the NFPA membership attending
2 the 2008 Association Technical Meeting in Las Vegas
3 of the position of Z462 Technical Committee on the
4 following motion, which is motion 70E-2.

5 The CSA Z462 Technical Committee opposes the
6 motion to delete the new article 130.3(C) Equipment
7 Labelling.

8 Substantiation is, one, the CSA Z462
9 Technical Committee considers the new labelling
10 requirement a step forward in providing information
11 for the safety of workers. The new labelling
12 requires placing hazard assessment information at the
13 location where the worker will encounter the hazard.

14 In the opinion of Z426 Technical Committee
15 the new requirement does not add an additional burden
16 to users of NFPA 70E or CSA Z462, whether commercial
17 or industrial, for several reasons.

18 A, it is the understanding of the Z462
19 Technical Committee that both OSHA and NFPA 70E
20 already require an employer to assess electrical
21 hazards in order to determine the personal protective
22 equipment and job planning necessary to perform tasks
23 safely.

24 Article 110.8(B)(1) Electrical Hazard
25 Analysis clearly requires an arc flash hazard

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 183]

1 analysis to be performed before any person is exposed
2 to the electrical hazards involved or energized
3 electrical conductors or circuit parts operating at
4 50 volts or more that are not placed in an
5 electrically safe work condition.

6 Similarly, the Z462 Technical Committee
7 believes that the intent of Article 130.3 Arc Flash
8 Hazard Analysis is to require employers whose
9 employees are at risk of arc flash injuries to
10 perform and document an arc flash hazard analysis
11 only when those employees will be exposed to
12 electrical hazards.

13 It is the understanding of the Z462
14 Technical Committee that the new labeling requirement
15 of Article 130.3(C) is an integral part of this arc
16 flash analysis and as such the field applied label
17 that is placed on the equipment is part of the
18 analysis documentation process.

19 The new requirement permits employers to
20 perform the arc flash hazard assessment using either
21 Detailed Calculation or via the Task Table Method.

22 Point three, CSA Z462 Technical Committee
23 submitted a comment, comment 70E-503, in support of
24 the new labelling requirement.

25 And CSA Z462 Technical Committee wishes to

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 184]

1 inform NFPA members that in the April 2008 public
2 review draft of CSA Z462 Workplace Electrical Safety
3 was published with the new labelling requirement.

4 So it will probably be a Canadian
5 requirement for sure. And I'd like to make a
6 personal statement, not only a technical one, is that
7 some of the requirements for the labeling people
8 worry about how accurate it will be, whether it will
9 be to three places or ten places accurate. By having
10 at least the accuracy of the last assessment, unless
11 somebody is at a substation or something like that,
12 very drastically or transformers in the system,
13 probably order of magnitude for those values will
14 still be reasonably close. They won't be to the
15 tenth decimal place but they will be close enough to
16 protect the worker. Thank you.

17 MR. WILLSE: Thank you. Mr. Jones, would
18 you like to comment to the committee?

19 RAY JONES: I was wondering if you were
20 interested in the Technical Committee's position.

21 MR. WILLSE: Yes. Sorry. I should have
22 gotten to you earlier.

23 RAY JONES: In my career I've worked with
24 Technical committees comprising members from the
25 Institute of Electric Engineers. I've worked with

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 185]

1 committees comprised of members representing various
2 aspects of the American National Standards Institute.
3 I've worked with a number of other committees
4 associated with the National Fire Protection
5 Association.

6 I have never ever in my career worked with a
7 group of people who are as talented or as passionate
8 about their assignment as the members of the 70E
9 Technical Committee, and I support their conclusion.
10 We discussed in the ROC and ROP discussions. We
11 talked about all aspects of this proposal, and the
12 committee reached the same conclusion. I recommend
13 rejecting this motion that's on the floor.

14 MR. WILLSE: Thank you. Microphone here in
15 the front.

16 RICHARD LLOYD: Richard Lloyd representing
17 the electrical section. We considered 70E-1, or
18 70E-2 and voted to oppose this NITMAM.

19 MR. WILLSE: Thank you. Microphone over
20 here to my left.

21 JOHN: My name is John. I represent NECA,
22 the National Electric Contractors Association, and
23 I'm a principal on the NFPA 70E committee and I speak
24 against this motion.

25 I feel that what currently exists in the

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 186]

1 NFPA 70, the 110 2060, the panel switchboards,
2 industrial control panels, side enclosures and other
3 items that require circuitry should be field marked
4 be a qualified person and benchmarked as a hazard,
5 adding the language that we did with the available
6 incident industry of the required article greatly
7 enhances that and thus the safety of our employees,
8 of which we have 170 in the field today. Thank you.

9 MR. WILLSE: Thank you. Microphone here in
10 the back.

11 JUAN MENENDEZ: Thank you, Mr. Chair. Juan
12 Menendez representing Edison Electric Institute
13 speaking in favor of the motion.

14 Edison Electric Institute is a trade
15 association representing industrial utilities support
16 the National Electrical Manufacturing Association and
17 requesting that comment 70E-499 be accepted. It
18 would be misleading to mark equipment with the actual
19 incident of energy available. Electrical system
20 configuration and parameters are subject to change on
21 both the supply system side and the premise wiring
22 side resulting in varying incident energy values at
23 any work location at any given time.

24 Additionally, employers should be allowed to
25 determine the best method of communicating the levels

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 187]

1 of hazard analysis. Some employers find that
2 communicating energy levels or PPE through
3 procedures, work orders or other means more effective
4 than posting or labelling. NITMAM 70E-2 should be
5 acceptable. Thank you.

6 MR. WILLSE: Thank you. Microphone here to
7 my left.

8 JIM DOLLARD: Thank you, Mr. Chairman. My
9 name is Jim Dollard representing the IBEW and I would
10 like to reiterate what the previous speaker just
11 said, and he mentioned that the incident energy value
12 could change at any time. It could change at any
13 time.

14 This is not a mandate for all equipment.
15 When you go in to the draft, if you had a copy of the
16 draft, you would see section 130.3 entitled Arc Flash
17 Analysis. That section only applies when the user of
18 70E has determined that they are going to do
19 energized work and that energized work is justified
20 through infeasibility or greater hazard. That's when
21 this section applies.

22 The section also clearly requires that that
23 arc flash hazard analysis be updated when a major
24 modification or renovation takes place. It shall be
25 reviewed periodically and not to exceed five years.

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 188]

1 We added a new exception this cycle, okay,
2 to completely exclude circuits 240 volts or less
3 transformer rated less than 125 KBM. So this is not
4 a mandate for all. You're already required to get
5 that information. All this says is when you get the
6 information, put it on the equipment. It's all about
7 information today and it's all about safety. And the
8 more information that we can get, the safer the
9 environment that we can provide for the electrical
10 worker.

11 If this building were to go down right now,
12 if we were to lose power, we can bet money than an
13 electrical contractor will be on their way and within
14 minutes of arrival they would be getting a piece of
15 equipment to test for voltage. I can guarantee you
16 that. What will they do? They will do the best that
17 they can.

18 This is about taking the next step. It's
19 about safety, and it's about safety of the men and
20 women that are out there doing electrical work today.
21 I urge you to not support the motion on the floor.
22 Thank you, Mr. Chairman.

23 MR. WILLSE: Thank you. Microphone in the
24 back.

25 ALAN: My name is Alan. I work for Square D

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 189]

1 Company and represent Square D and I would like to
2 speak in support of the motion.

3 I guess what I'll say here is that let me
4 first disclose that the present language is a
5 significant business opportunity for Square D
6 Company, okay. So why am I speaking in opposition to
7 such a significant business opportunity, and it lands
8 right in the same lap as Mr. Dollard's comment, it's
9 safety. We're all here arguing about ensuring that
10 we have safe employees and safe folks working on
11 equipment.

12 What I will say is that what it comes down
13 to is do I trust the markings that's going to be
14 placed on the equipment. And I can tell you that
15 Square D service organization is not going to trust
16 that label. When our guys show up because the power
17 goes down and we're asked to come and look at
18 something, we're not going to trust that marking on
19 there, we're going to look at it and we're going to
20 analyze it. We're not going to send someone in there
21 at risk. That's just not called for. So trusting
22 that marking is just inappropriate and we're not
23 going to do that.

24 May I also say that the labelling
25 requirement could have a significant impact on other

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 190]

1 parties. And so if you're a building manager,
2 facilities manager, Mr. Dollard touched on this in
3 his comments, think about this. Maybe it's not a
4 mandate until I work on a piece of equipment. I do
5 the work on the switchboard. I do the work on the
6 panel board, and once that's complete, there's a
7 marking there. Who's responsible for marking that
8 update five years from now? It's the building owner,
9 right? No, does the electrical contractor have to
10 put his name on it and come back and look at it? We
11 don't know how to get that update done. I mean, who
12 enforces this? How does it get updated? There's a
13 lot of questions that simply aren't addressed in the
14 standard as to how do we ensure the accuracy of the
15 information.

16 So in essence what I will say is that, you
17 know, the mark has, as indicated on the work being
18 performed, I would simply say that if the work being
19 performed is a simple task and you use the tables,
20 then that's what I mark on there because that's the
21 task I performed, the next task may be a higher risk
22 hazard and the marking may be inaccurate that's on
23 the equipment.

24 So we need to make sure that there's
25 accurate information, and the only way to have

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 191]

1 accurate information is to do the analysis each time
2 that you work on the panel or work the equipment, not
3 trust the markings. So I urge you to support this,
4 motion so that the marking doesn't go on there and
5 put people at risk.

6 MR. WILLSE: Thank you. Microphone here.

7 PHIL SIMMONS: Thank you, Mr. Chairman. My
8 name is Phil Simmons and I represent myself. I want
9 to go on record as supporting the electrician's right
10 to know. And also --

11 MR. WILLSE: Are you speaking for or against
12 the motion?

13 PHIL SIMMONS: I'm speaking against the
14 motion.

15 MR. WILLSE: Thank you, for the record.

16 PHIL SIMMONS: And to repeat, I want to
17 support the electrician's right to know the hazards
18 that they're involved in when they're called upon to
19 work on energized electrical equipment.

20 And I also want to suggest that this issue
21 that's before us does not impose any new
22 requirements, because the present standard already
23 requires a hazard risk analysis. It simply goes to
24 the next step, to require documentation be placed on
25 equipment.

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 192]

1 I also just want to make a point, in your
2 ROC on page 70E-91, in comment 70E-499, which is the
3 issue before us, I'd just like to read the last
4 paragraph of the recommendation. It says similar
5 proposals to quantify and require numeric arc flash
6 values on equipment labels have been submitted,
7 thoroughly discussed, and rejected by the NEC. This
8 is documented in the 2008 NEC proposals 1-85 and
9 1-86, and subsequently in comments 1-52, 1-53 and
10 1-57, period. NEMA has consistently supported the
11 NEC Code Making Panel 1 actions which have opposed
12 adding numeric values.

13 Give me just a second, let me get the NEC
14 2008 ROC. If I can just read from that last ROC
15 panel statement, and this is code panel 1 of the
16 National Electrical Code committee speaking to us,
17 and they rejected the comment. And that comment
18 would have intended to add the marking requirements
19 to the National Electrical Code in section 110.16.

20 The panel statement says what the submitter
21 is proposing is a work practice issue. Such
22 information does not belong in an installation code.
23 More appropriately it belongs in NFPA 70E Standards
24 for Electrical Safety in the Workplace.

25 Additionally, the incident energy and flash

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 193]

1 protection boundary should be determined prior to
2 working on or near energized electric equipment.

3 I think we can safely conclude that code
4 panel 1 of the National Electrical Code committee
5 supports the action that the committee NFPA 70E took
6 to require the markings and to require the
7 information so the electrician actually doing the
8 work knows the hazards that they're presented with.
9 So I urge rejection of this motion and support the
10 committee.

11 MR. WILLSE: All right. Thank you.
12 Microphone in the middle.

13 Marcelo HIRSCHLER: Marcelo Hirschler, GBH
14 International. I call the question.

15 UNIDENTIFIED MAN: Second.

16 MR. WILLSE: The question has been called
17 and seconded. It's not debatable. All in favor of
18 posing the question please raise your hand.

19 Thank you.

20 All opposed.

21 We'll now go vote on motion number 70E-2,
22 which is to accept comment 70E-499. All those in
23 favor please raise your hands.

24 Okay. Thank you.

25 All opposed.

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 194]

1 Motion fails. Thank you.

2 The next one is 70E-3. Is Mr. McCluer here?

3 I'm sorry. Please.

4 STEVE MCCLUER: Thank you. I'm Steve
5 McCluer representing the IEEE code working group, the
6 stationary battery committee. I'm the original
7 submitter of 70-3, and I move to reject the committee
8 action on comment 70E-683.

9 MR. WILLSE: You are the certified maker of
10 the motion. Do I have a second?

11 UNIDENTIFIED MAN: Second.

12 MR. WILLSE: We have a second. Please
13 present your...

14 STEVE MCCLUER: This should be a breath of
15 fresh air after what we just went through. It's
16 fairly simple on batteries. Paragraph 320.4(D)(2)(1)
17 under mechanical ventilation and battery group reads,
18 Where mechanical ventilation is installed the
19 following shall be required.

20 Sub one: Air flow sensor shall be installed
21 to initiate an alarm if the ventilation fan becomes
22 inoperable. Let me repeat that. Air flow sensors
23 shall be installed to initiate an alarm if the
24 ventilation fan becomes inoperable. In other words,
25 the wording that we're asking to keep is what I just

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 195]

1 read. The three key words are fan, the, and air
2 flow.

3 A proposal submittal of 70E-492 proposes to
4 change one word and delete one word. The first to
5 change the word "the" to "a." The implication in the
6 existing text is that there should be only one fan.
7 In fact, mechanical ventilation is used, best
8 practice is in most applications to have multiple
9 fans. One result of multiple fans is that there
10 would be some redundancy so the failure of a single
11 fan would not jeopardize the safety of the space.

12 As written today, the standard actually
13 seems to encourage the use of just a single fan
14 thereby increasing the risk.

15 The second thing that it would do is it
16 would delete the word air flow thereby allowing any
17 number of techniques to sense the failure of the fans
18 there's. There's more than one way to detect fan
19 failure, but the code that was written today
20 prescribed only one technique. Now, we do not oppose
21 monitoring fan status when fans are installed. All
22 we ask is that the code be performance based and not
23 limited to only one technique.

24 So as proposed the text would read, sensors
25 shall be installed to initiate an alarm if a

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 196]

1 ventilation fan becomes inoperable. That's what
2 we're asking for. The proposal was initially
3 accepted by the Technical Committee by a vote of 22
4 to 2. It was overturned in comment stage on the
5 basis that non-fan failure conditions might exist to
6 compromise air flow, such as dirty filters, crushed
7 ductwork or animal mess.

8 And that might be true, however, this
9 section only deals with fans. The word fan remains
10 in the standard. If the opponent itself is these
11 other conditions should be addressed, he should have
12 included them and deleted the word fan, but he did
13 not. We invite him to submit a proposal in the next
14 cycle. In the meantime this proposal should be
15 accepted in the way it was originally approved.

16 MR. WILLSE: Thank you.

17 Mr. Jones?

18 RAY JONES: I support the conclusion reached
19 by the Technical Committee, and therefore recommend
20 rejecting this motion that's on the floor.

21 MR. WILLSE: All right. Thank you.

22 Do we have any discussion? Seeing none
23 we're going to vote on the floor, which is for 70E-3
24 which is to reject comment 70-683. All those in
25 favor of the rejection please raise your hand.

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 197]

1 All those opposed.

2 Motion fails. Thank you.

3 70E-4.

4 STEVE MCCLUER: Steve McCluer again, this
5 time representing Curtis Action, Quest Communication,
6 who was the original submitter of 70E-4. I move to
7 reject the committee action on comment 70E-683.

8 MR. WILLSE: I have a motion made. You're
9 the submitter. Do I have a second?

10 UNIDENTIFIED MAN: Second.

11 MR. WILLSE: Reject comment 70E-684?

12 STEVE MCCLUER: Yes.

13 MR. WILLSE: Okay.

14 STEVE MCCLUER: Move to reject comment
15 70E-684, sorry.

16 MR. WILLSE: Do I have a second?

17 UNIDENTIFIED MAN: Second.

18 MR. WILLSE: I have a second. Please
19 continue.

20 STEVE MCCLUER: This is another battery
21 issue. Paragraph 320.4(D)(2)(3) under mechanical
22 ventilation of VRLA batteries today reads under sub
23 three where mechanical ventilation is used in a
24 dedicated room, all exhaust air should be discharged
25 to the outside of the building.

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 198]

1 Proposal 70E-495 proposes to delete this
2 statement. The requirement is the same for both
3 vented and VRLA batteries. Now, we do not argue that
4 the requirement for vented batteries, but VRLA
5 batteries are non-vented, non-gassing batteries
6 during conditions of normal use. They typically
7 release only about 1/60 or less than two percent of
8 the amount of gas from a comparable vented battery.

9 Treating them the same as vented batteries
10 is unreasonable. The International Mechanical Code
11 already allows exhaust air contained in flammable
12 gasses of less than 25 percent of the LDLs to be
13 exchanged between rooms. Why should batteries under
14 this standard be held to a higher level than in the
15 code?

16 The standard paragraph 320.4(C)(2) already
17 requires that air leaving the battery room shall not
18 exceed one percent concentration, which is 25 percent
19 of the lower flammability level for hydrogen. It's
20 reasonable to assume that the same concentration will
21 be further diluted in adjacent rooms. Requiring all
22 air to be exhausted to the outside of the battery
23 room is often not a common practice, might not even
24 be possible and economically wasteful.

25 For example, in a high-rise building, the

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 199]

1 closest access to the outside of the building could
2 be several floors away. Please note that this
3 proposal was initially accepted by a vote of 22 to 2.
4 It was overturned in the comment phase on the basis
5 that accepting this proposal would result in the
6 violation of section 320.4(C)(1). This argument
7 simply makes no sense because 320.4(C)(1) is for
8 vented batteries. This has nothing to do with VRLA
9 batteries.

10 Stating and accepting this proposal would
11 violate the other sections is like saying that doing
12 what is good for cows would violate what's good for
13 birds. They're both animals but beyond that there's
14 not a lot of similarities. These are both batteries
15 but beyond that there's not a lot of similarity.

16 We make no arguments against applying the
17 rules to vented batteries, but this rule is for
18 batteries that are a completely different technology.
19 And that's why in this standard there's a separate
20 section for them. The committee got it right the
21 first time. They should stick by their original
22 analysis, reject the comment and reaffirm their
23 approval of the original proposal. This motion is
24 also supported by the codes working group of the
25 stationary battery committee. Thank you.

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 200]

1 MR. WILLSE: Thank you.

2 Mr. Jones?

3 RAY JONES: I support the conclusion that
4 was reached by the TC at the ROC stage and,
5 therefore, recommend rejecting the motion.

6 MR. WILLSE: Thank you.

7 Any further discussion? Seeing none we'll
8 go directly to the vote of 70E-4, which is to reject
9 the comment 70E-684. All those in favor of the
10 rejection please raise your hand.

11 Thank you.

12 All opposed.

13 All right, folks, this is too close. Stand
14 please. All those in favor please stand.

15 All right. You may be seated.

16 Those opposed please stand.

17 All right. Thank you. You may be seated.

18 UNIDENTIFIED MAN: Point of order. In all
19 due respect, Mr. Chairman, I think it would be easier
20 for the congregation to understand if you said voting
21 in favor of the motion or against the motion as
22 opposed to voting to reject. The expression is
23 confusing.

24 MR. WILLSE: All right. Thank you.

25 All right. The count is 41 for, 53 against

**Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting**

[Page 201]

1 and a few abstentions. Motion fails.

2 Next item is 70E-5.

3 STEVE MCCLUER: Final battery for today. I
4 am Steve McCluer representing again the code working
5 group of the IEEE Stationary Battery Committee. I'm
6 the original submitter of 70E-5 and I move to reject
7 the committee action on comment 70E-695.

8 MR. WILLSE: You are indeed the submitter.
9 Do I have a second?

10 UNIDENTIFIED MAN: Second.

11 MR. WILLSE: We have a second. Please
12 continue.

13 STEVE MCCLUER: In paragraph 320.5(B)(1)
14 entitled battery, it requires that the installation
15 be so designed that a potential difference exceeding
16 120 volts shall be separated by a distance of not
17 less than 900 millimeter, 36 inches measured in a
18 straight line in any direction.

19 Proposal 70E-503 sought to align NFPA 70E
20 standard with NFPA 70, the National Electrical Code.
21 The latter states in article 480.7 cells shall be
22 installed in groups having a total nominal voltage of
23 not over 250 volts. Installation can be pared shall
24 be provided between groups and shall have a minimum
25 separation between live battery parts of opposite

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 202]

1 polarities of 50 millimeters, two inches for battery
2 voltage not exceeding 600 volts.

3 Clearly both documents are dealing with
4 installation of battery cells. So what you have is,
5 A, a code that says put two inches between groups of
6 batteries greater than 250 volts; and B, a standard
7 that says put 36 inches between groups of batteries
8 greater than 120 volts.

9 The proposal would have harmonized the
10 requirements so that both NFPA 70 and NFPA 70E
11 require the same amount of spacing between batteries
12 of the same voltage. The committee agreed and they
13 accepted the proposal by a vote of 23 to 1. Then the
14 committee reversed their position in the comment
15 phase on the basis that the section that was
16 referenced in the code is not directly applicable to
17 this section of NFPA 70E. Say what?

18 Okay. The National Electric Code says the
19 section is on the installation, and 70E's section is
20 on battery layout. But both documents are telling
21 you how to install the battery systems. The National
22 Electrical Code at least tells you why. To provide
23 installation between live parts. 70E does not
24 explain why, it just tells you to do it. There's no
25 explanation for why the spacing is required or why

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 203]

1 70E requires 18 times more space between the
2 batteries at half the voltage.

3 The IEEE Stationary Battery Committee is
4 completely bewildered by this requirement for a three
5 foot separation between sections of less than
6 120 volts. We can find no technical justification
7 for this. There's no justification in any IEEE
8 battery standard. There's no code justification. We
9 can find no safety benefit. It is an arbitrary
10 requirement with no justification behind it and it
11 should be fixed.

12 We're looking for solid technical
13 safety-related basis for the requirement and we find
14 none. The only argument to accept the comment and
15 reject the proposal is based on an arbitrary
16 administrative peculiarity with no technical merit.

17 The 23 members of the committee who
18 originally supported the proposal should stick by
19 their guns and continue to support it. I move to
20 accept the NITMAM, reject comment 70E-695 and accept
21 the proposal as was originally submitted and
22 approved. Thank you.

23 MR. WILLSE: Thank you.

24 Mr. Jones?

25 RAY JONES: I support the conclusion that

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 204]

1 was reached by the Technical Committee and,
2 therefore, recommend rejecting the motion that's on
3 the floor.

4 MR. WILLSE: All right. Thank you.

5 Any further discussion? Seeing none we're
6 going to go to the vote of 70E-5, which is to reject
7 comment 70E-695. All those in favor of the motion
8 please raise your hand.

9 Those opposed.

10 Motion passes.

11 Thank you, Mr. Jones.

12 The last report this evening under
13 consideration is that of the Technical Committee on
14 Air Conditioning. Here to represent the committee is
15 Committee Chair David Demers of Demers Associates,
16 Incorporated, Lunenburg, Massachusetts.

17 The report can be found on the blue 2008
18 Annual Revision Cycle ROP and ROC. The Certified
19 Amending Motions are contained in the Motions
20 Committee's report and behind me on the screen. We
21 will proceed in the order of the motion sequences
22 number presented.

23 We do have a request that if we could please
24 limit the discussions to three minutes, we're putting
25 that up to you guys. If you want to have it please

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 205]

1 raise your hands.

2 DAVID DEMERS: Do I get a vote?

3 MR. WILLSE: Yes.

4 All opposed.

5 Okay. We are keeping it at three minutes.

6 Mr. Demers.

7 DAVID DEMERS: Mr. Chair, ladies and
8 gentlemen, report of the Technical Committee on Air
9 Conditioning on NFPA 90A can be found in the Report
10 on Proposals and the Report on Comments with the 2008
11 Annual Meeting Revision Cycle. The Technical
12 Committee's report proposes partial revision of NFPA
13 90A, Standard for the Installation of Air
14 Conditioning and Ventilating Systems. The presiding
15 officer will now proceed with the Certified Amending
16 Motions.

17 MR. WILLSE: Thank you. First one up is
18 90A-1. I'm sorry, please.

19 MICHAEL DILLON: Michael Dillon, Consulting
20 Engineers, and I moving to accept proposal 90A-117,
21 which is the NITMAM 519.

22 MR. WILLSE: You are the Certified Amending
23 Motions. Do I have a second?

24 UNIDENTIFIED MAN: Second.

25 MR. WILLSE: I have a second. Please

1 continue.

2 MICHAEL DILLON: Yes. Essentially what
3 this, the original proposal is doing is simply
4 acknowledging the fact that a return air plenum or a
5 supply air plenum or an exhaust plenum above the
6 ceiling or under the floor is the same problem. The
7 air doesn't know whether it's above the ceiling or
8 below the floor, it just know it's exposed to certain
9 materials. It is material properties that surround
10 it, those that pass through it that are of
11 importance, not where it's located.

12 This was an attempt to try to consolidate
13 things, make it easier for users to find where it's
14 going inside the document without chasing him around
15 after his tail. This does not impact of any kind any
16 of the other actions taken by the committee.

17 MR. WILLSE: Thank you.

18 Mr. Demers?

19 DAVID DEMERS: This has been very carefully
20 evaluated by the committee. This goes back actually
21 two cycles. 90A was returned to the committee last
22 time it came up. And the proponent of this section
23 is in the minority. We really worked on consensus on
24 this and building consensus, which is the whole
25 process, and the committee rejected this proposal and

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 207]

1 continues to reject it.

2 MR. WILLSE: Thank you. Microphone.

3 RICHARD LLOYD: Richard Lloyd representing
4 the electrical section and we oppose this motion.

5 MR. WILLSE: Thank you. Microphone over
6 here to the far left.

7 JOHN: John. I speak in opposition to the
8 motion.

9 The submitter of the motion appears to
10 present a position here that seems inconsistent with
11 what's proposed in 90A.9 also proposed by the
12 submitter and accepted in principle by the electrical
13 committee resulting in a five part annex note
14 outlining numerous subcategories of plenum spaces
15 even though those categories are not mentioned
16 elsewhere in the document.

17 The motion now to accept proposal 90A-117
18 rejected by the committee by a vote of 25 to 1 was
19 consolidated prior to ceiling cavity and raised floor
20 plenum in direct conflict with the committee actions
21 on proposal 90A-119 and 90A-176, a date that
22 indicates the submitter is conflicted in own position
23 between expanding the revision of plenum spaces while
24 consolidating performance requirements based solely
25 on the materials of construction and without regard

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 208]

1 for materials exposed to the air flow in the plenum
2 cavity. The submitter's position requires
3 conflicting, you cannot support the motion as it is
4 made from an apparently confused state.

5 MR. WILLSE: Thank you.

6 Marcelo HIRSCHLER: Marcelo Hirschler, GBH
7 International speaking for the American Fire Safety
8 Council and would like to speak in opposition to the
9 motion.

10 There are three major reasons I think this
11 motion should be defeated. Number one, the first
12 section discusses introducing plenum using building
13 construction, which is not included in the standard.
14 It's not discussed in the standard. We don't know
15 what building construction is.

16 This proposal will combine all plenums and
17 combine all the requirements for all plenums that
18 include raised ceiling plenums, sorry, excuse me,
19 raised floor plenums, ceiling cavity plenums and air
20 handling unit plenums.

21 The committee was very careful about having
22 a requirement for the products contained in each one
23 of those, and the proposal states it should delete
24 4.3.10.6, which is the section on raised floor
25 plenums. It does not address the section on air

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 209]

1 handling unit plenums. And the materials contained
2 within 4.3.10.6, the section on raised floor plenums
3 are not the same as the ones on ceiling cavity
4 plenums.

5 Number three, and most the important part,
6 this contains a section, new wording, or it's almost
7 the same as the old wording, on 4.3.10.2.4; however,
8 the committee made a very significant change in the
9 wording of 4.3.10.2.4, and the real key difference in
10 the wording that the committee approved 4.3.10.2.4 is
11 that it made a differentiation between the products
12 made for the construction of the plenum itself and
13 the products used inside the plenum by reverting the
14 language back to 4.3.10.2.4 as in this proposal, and
15 I am consulting the staff the language if this were
16 to be successful, if the language of that would go
17 through, then all of that work would separate between
18 the materials of construction, the plenum itself and
19 the materials included within the plenum would be
20 lost. So I urge you to disapprove this proposal,
21 sorry, to reject the motion. Thank you.

22 MR. WILLSE: All right. Thank you.
23 Microphone one.

24 MARK DENNY: Mark Denny representing the
25 health care section. At our business meeting and

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 210]

1 executive board meeting we voted to oppose the motion
2 on the floor. In order not to be repetitive I'll
3 simply state that we support the action and comments
4 of the Technical Committee. Again I rise in
5 opposition to the motion.

6 MR. WILLSE: Thank you. Further discussion?

7 MIKE DILLON: Mike Dillon, Dillon Consulting
8 Engineers, author of the original proposal. I'm a
9 member of the committee since January 1, 1980. And
10 I'm only one of two practicing mechanical engineers
11 on the committee that actually designs air
12 conditioning systems. I am not confused as was
13 mentioned a little while ago.

14 There are a number of the people who have
15 nothing to do with the air conditioning system on the
16 committee that are confused. The idea is to get it
17 simplified so that people can understand and use this
18 document, which unfortunately they don't know very
19 much because it's directly in conflict in many
20 instances with what you find in some of the other
21 more used document.

22 I plead with this document. Once upon a
23 time we came to you with a complete revision of it.
24 We got that through the committee. We got it before
25 the floor and then we got arguments brought up

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 211]

1 against it on the floor and returned to committee.
2 Now we're trying instead of bringing the whole
3 element to the plate at once, what I'm trying to do
4 is bring back the pieces so that we can chew on it
5 with a little salt and pepper and do it properly.

6 This is not good practice what we've done
7 now, and the committee needs to rethink where it's
8 going and it needs to figure out what it's about and
9 what it's talking about. This is one step at getting
10 it there. The air doesn't know where it is. Floor
11 or ceiling it's the same thing, the same involvement
12 of the same material.

13 MR. WILLSE: Thank you. Any further
14 discussion? Seeing none we're going to go to a vote
15 on 90A-1, with is to accept proposal 90A-117. All
16 those in favor of the motion please raise your hands.

17 All those opposed.

18 Motion fails. Thank you.

19 90A-2.

20 BILL KOFFEL: Bill Koffel, Koffel
21 Associates, consultant SPI. I move to accept comment
22 90A-21.

23 MR. WILLSE: Mr. Koffel, you are the
24 designated rep for Mr. Peters, Terry Peters?

25 BILL KOFFEL: Yes.

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 212]

1 MR. WILLSE: You are. Do we have a second?

2 UNIDENTIFIED MAN: Second.

3 MR. WILLSE: We do have a second. Please
4 continue.

5 BILL KOFFEL: With the Chair's indulgence
6 I'll, even though I'm at a green microphone, I'll now
7 speak against the motion.

8 This NITMAM was submitted for the sole
9 purpose and allowing us to submit an appeal to the
10 Standards Council. The intent of the committee was
11 to achieve correlation with the NEC in an annex note
12 A4.3.10.2.6.1, which appears on page 90A-47 of the
13 ROP.

14 However, the language that the committee
15 developed is not consistent with the NEC, so we are
16 merely providing the mechanism by which we can file
17 an appeal to the Standards Council to clean up the
18 language to have consistency and correlation to the
19 NEC.

20 MR. WILLSE: Thank you.

21 Mr. Demers?

22 DAVID DEMERS: I would vote to reject it
23 also. I had a whole list of technical reasons but
24 it's really not necessary at this point.

25 MR. WILLSE: All right. Thank you.

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 213]

1 RICHARD LLOYD: I agree. Richard Lloyd
2 speaking for the electrical section. We oppose the
3 motion, or, yeah, because -- I don't know if we
4 oppose the motion or not. Did he make a negative?

5 DAVID DEMERS: Just vote against it.

6 RICHARD LLOYD: I support the committee.

7 MR. WILLSE: Thank you. Microphone number
8 one.

9 GEORGE CAMERO: George Camero, AFC Cable
10 Systems speaking on behalf of NEMA, National
11 Electrical Manufacturing Association.

12 I'm going to go forward with my comments
13 which I assume it's going into the record. Accepting
14 to the motion would reverse the actions of the panel
15 which was to reconcile the requirements of the
16 National Electrical Code, NFPA 90A, for wiring in
17 ceiling and raised floor plenums. This area is known
18 as other space used for environmental air in the
19 National Electrical Code, section 300.22(C).

20 The committee overwhelmingly approved the
21 actions of the committee by voting 26 to 1, and the
22 committee's actions supported by statistics from the
23 National Fire Protection Association.

24 MC and A/C cables have been installed and
25 used in ceiling cavities and raised floor plenums in

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 214]

1 accordance with the NEC for over 30 years. There's
2 no law stated to indicate that the use of MC and A/C
3 cables over the last 30 years is a fire safety
4 problem. In fact, NFPA requires workers to use fixed
5 wiring in concealed roof and floor spaces indicate
6 there is no significant fire losses associated with
7 these cables.

8 The statistics show that less than one
9 percent of roof and floor concealed space fires
10 involve the use of fixed wiring and that there were a
11 total of seven fatalities and 31 injuries attributed
12 to the concealed space cable fires during the 24
13 period covered by the statistics.

14 During deliberations the 90A committee heard
15 and considered the force of the proliferation and
16 accumulation of abandoned cables in ceiling and floor
17 cavity plenums. These cables, however, were data
18 communication cables that are regularly replaced and
19 upgraded wiring to accommodate data rate and
20 transmission and standard use.

21 Cables are installed and used in accordance
22 with the National Electrical Code in defined
23 quantities and for specific electrical power and
24 lighting applications. They're not subject to
25 technology upgrade and they're not typically

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 215]

1 abandoned, not at \$4 a pound for copper. There's no
2 proliferation or accumulation of cables.

3 Concerns were expressed that the term metal
4 sheet cable used to describe MC and A/C cable in the
5 90A document is too broad and that it lacks specific
6 definition. National Electrical Code clearly
7 specifies the metallic sheet cables that are intended
8 to be installed in ceiling cavities and raised floor
9 plenums. The NEC specifies an MC cable, which is a
10 cable that is not permitted to have by construction,
11 it's specified by MC cable without an overall
12 nonmetallic covering and specified by type. And my
13 cable by virtue of its listing is required to have a
14 tag or label on it.

15 MR. WILLSE: Your time is almost up.

16 GEORGE CAMERO: Thank you.

17 MR. WILLSE: Thank you.

18 DAVID DEMERS: Mr. Chair? Mr. Chair?

19 MR. WILLSE: Yes.

20 DAVID DEMERS: I do, because we are on the
21 record, I actually do have a very brief comment.
22 Part of the justification that was provided to the
23 90A committee was the application of NFPA 262, which
24 is the standard method of test for flame travel and
25 smoke of wires and cables for use in air handling

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 216]

1 space.

2 Four times on the opening page of NFPA 262
3 it says both in the scope, purpose, application and
4 summary of test method, electrical wires and cables
5 and optical wires are to be installed in ducts,
6 plenums and other spaces used to transport
7 environmental air without being close to raceways.
8 That's stated four times. So to use NFPA 262 as a
9 justification for this I don't think is valid, and I
10 just wanted to make that point for the record.

11 MR. WILLSE: All right. Thank you.

12 Marcelo HIRSCHLER: Marcelo Hirschler, GBH
13 International speaking for American Fire Safety
14 Council. And I apologize, but again I would like to
15 make a comment that stay on the record. I know where
16 this motion is going but still I apologize.

17 My comment will be identical for this NITMAM
18 and the same for numbers 11 and 12 because they are
19 the exact same issue.

20 I want to point out that I have been asked
21 to make a study on fire loss of metal sheet cables in
22 concealed spaces. Some of you may have picked up,
23 there were a bunch of copies of that study outside
24 the door, not inside the room, outside the door. The
25 study is based on statistics developed by Marty Imes

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 217]

1 of the NFPA, and the study shows that over the period
2 from 1980 to 1998 there were a total of seven deaths
3 associated with concealed space fires and wiring
4 cable, and over the period of 1999 to 2003 there were
5 zero deaths and zero injuries for those same cables
6 for the same time. At the same time during that
7 period of time the amount of A/C cable and MC cable
8 has increased over fourfold. There is no evidence of
9 any fire losses associated with the use of these
10 cables in concealed spaces. Thank you.

11 MR. WILLSE: Thank you.

12 ROBERT DOWNING: Robert Downing representing
13 myself. I call for the question.

14 MR. WILLSE: A call for the question has
15 been made. Do I have a second.

16 UNIDENTIFIED MAN: Second.

17 MR. WILLSE: Second. It's non-debatable.

18 All those in favor of closing discussion please raise
19 your hands.

20 Thank you.

21 All opposed.

22 Okay. We're going to go vote on --

23 UNIDENTIFIED MAN: Point of order. Point or
24 order.

25 MR. WILLSE: Yes?

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 218]

1 PAT HORN: I don't wish to testify on this
2 particular motion, but I do think that I've been in
3 this since 1980 working with proposals for the
4 National Electrical Code and it's the first time that
5 I have ever --

6 MR. WILLSE: Is this a point of order?

7 PAT HORN: Yes.

8 MR. WILLSE: Okay.

9 PAT HORN: It's the first time I've ever
10 heard that you can submit an appeal based on wanting
11 to change what you submit in a comment. You don't do
12 that. You put what you want in a comment when it
13 comes in, and if we start this we're going to be
14 rewriting code and appeals all the time.

15 MR. WILLSE: Excuse me, you're speaking for
16 a motion. It's non-debatable so we have to close the
17 question. We're going to be voting on 90A-2, which
18 is to accept comment 90A-21. All in favor of the
19 motion please raise your hands.

20 Okay. Thank you.

21 All opposed.

22 Motion fails.

23 We're up to 90A-3. Microphone in the back.

24 STAN KAUFMAN: I'm Stan Kaufman. I'm the
25 maker of the motion, NITMAM 90A-3 and I move its

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 219]

1 acceptance.

2 MR. WILLSE: All right. You are the
3 certified maker of the motion. Do we have a second?

4 UNIDENTIFIED MAN: Second.

5 MR. WILLSE: I do have a second. Please
6 note that there are comments and notes on the
7 documents.

8 STAN KAUFMAN: Let me make it very clear,
9 this NITMAM is about the scope of 90A, not about the
10 technical comments. What the committee did was it
11 took the words, if you look at your NITMAM list, they
12 insert the words cable installed within these
13 raceways, these are plenum raceways, shall be plenum
14 cable.

15 Those requirements exist in the National
16 Electrical Code. As a member of panel 16 I have
17 supported them. My problem with it is 90A scope is
18 material exposed to the air flow. Nothing inside a
19 raceway is exposed to the air flow. The committee
20 took that position in rejected another proposal. So
21 I'm simply asking you to accept my comment 90A-116.
22 It makes no difference in the National Electrical
23 Code but it would keep things clear. In the interest
24 of brevity I said enough.

25 MR. WILLSE: Thank you.

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 220]

1 Mr. Demers?

2 DAVID DEMERS: I tend to agree with
3 Mr. Kaufman. It will make things a little more
4 simple, but that's really a personal opinion rather
5 than an opinion of the committee. The committee's
6 opinion was expressed by the vote and so I think that
7 should stand.

8 MR. WILLSE: All right. Thank you.

9 Microphone number three.

10 RICHARD LLOYD: Richard Lloyd representing
11 the electrical section. And Mr. Kaufman presented
12 that and we oppose his position.

13 MR. WILLSE: All right. Thank you.

14 Microphone.

15 Marcelo HIRSCHLER: Marcelo Hirschler, GBH
16 International for the American Fire Safety Council.
17 I just want to point out irrespective of the
18 philosophy of this, the effect of this NITMAM is
19 successful you means that following the sentence will
20 be stricken. The sentence reads, Cable installed
21 within these raceways shall be listed as plenum cable
22 in accordance with the requirements so and so.

23 So what we're talking about, if this motion
24 is successful, is that we will not ban use of
25 non-plenum cables in plastic raceways in plenums. I

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 221]

1 am opposed to the use of non-plenum cables in plastic
2 raceways in plenums, and that is what this motion
3 would do. Please vote against the motion. Thank
4 you.

5 MR. WILLSE: Thank you.

6 Microphone three.

7 PAT VOY: Pay Voy representing the
8 Institute, and I speak against the motion.

9 One of the things that I would like to point
10 out is that maybe the chairman didn't think about,
11 they talk a lot about exposed to the air flow in
12 raceways. There is a difference in being exposed to
13 the air flow actually, or they say they should
14 include these, it should be raceways and metal sheets
15 cables are not exposed to the air flow.

16 So they made a conclusion that they want
17 them not to be considered exposed to the air flow.
18 And Marcelo was absolutely right. The NEC calls for
19 having these optical fiber cables, the communications
20 cables and all the other cables in raceways have to
21 have the same criteria as the raceways. And if you
22 accept this you're going to change it. You're going
23 to have a dangerous situation in plenum spaces. So
24 there's a difference in considering exposed air flow
25 and actuality. And this should be defeated. Please

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 222]

1 vote no.

2 MR. WILLSE: Thank you.

3 MIKE DENNY: Mike Denny representing the
4 health care section. We voted to oppose the motion
5 on the floor. Again in order to be not repetitive,
6 we support the action and comments of the Technical
7 Committee. Again I raise in opposition to the
8 motion. Thank you.

9 MR. WILLSE: Thank you.

10 Over here to the left.

11 JIM DOLLARD: Thank you, Mr. Chairman. Jim
12 Dollard representing the IBEW. I rise in opposition
13 to the motion on the floor. My comments will be
14 brief.

15 As you heard earlier, the text of this
16 particular section says within these raceways. To
17 the information of this body, the raceways that
18 you're talking about are nonmetallic raceways, and as
19 per their listing, you must be running cable inside.

20 So basically what this text does is it
21 demands performance with the listing of those
22 nonmetallic raceways. I urge you to vote against the
23 motion on the floor. Thank you, Mr. Chairman.

24 MR. WILLSE: All right. Thank you.

25 STAN KAUFMAN: Once again, Stan Kaufman, the

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 223]

1 maker of the NITMAM. I have to repeat again, I'm on
2 panel 16. We put the requirement in the electrical
3 code. It's supposed to stay there. I only put this
4 NITMAM in as a 90A. All it does is parrot what's in
5 the NEC. I think we have to keep -- we have to
6 respect the scopes of our codes, but nothing
7 technical will change unless the NEC changes and
8 that's not going to happen.

9 MR. WILLSE: Thank you.

10 RICHARD LLOYD: Richard Lloyd speaking for
11 myself. I'm a member of panel eight. And
12 Mr. Dollard's statement was correct. Only a system
13 of a nonmetallic plenum raceway with plenum rated
14 cables is permitted by the NEC. So it's a little bit
15 different than other types of raceways, because this
16 is a system of the two components. So I speak in
17 opposition to the motion.

18 MR. WILLSE: All right. Thank you. Okay,
19 any further discussion? Hearing none we're going to
20 vote on 90A-3, which is to accept comment 90A-16.
21 All those in favor of the motion please raise your
22 hands.

23 Thank you.

24 All opposed.

25 Thank you. Motion fails.

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 224]

1 Next motion will be either 90A-4 or 90A-5.

2 RAY GRILL: Mr. Chairman, Ray Grill here.

3 I'm here to speak in favor to move motion 90A-4.

4 MR. WILLSE: Okay. 90A-4, you are the
5 authorized submitter. Please note that we have two
6 related motions, 90A-4 and 90A-5. We'll take both of
7 those at the same time.

8 RAY GRILL: Okay. Thank you very much.

9 MR. WILLSE: Do I have second.

10 UNIDENTIFIED MAN: Second.

11 MR. WILLSE: Yes, I have a second. Thank
12 you.

13 RAY GRILL: Okay. My motion is to accept
14 comment 90A-34, which is found on page 90-13 of the
15 ROC. I won't reiterate all of my points in my
16 comment, but basically what this motion will do is it
17 would reject proposal 90A-224, which is found on page
18 90A-85 of the ROP.

19 I'd like to make a few points. Okay, if my
20 motion fails, the proposal will require smoke dampers
21 to be installed wherever fire dampers are installed
22 in sheds. Currently there's no such requirement in
23 the code.

24 This is a huge change. This isn't a matter
25 of just installing the different dampers. It

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 225]

1 requires the installation of detection devices to
2 cause initiation, circuits to monitor those devices
3 as well as significant ongoing maintenance not only
4 of those detection devices but also of the dampers.

5 There has been no historical need for this
6 requirement. The code change is also lauding the
7 fact that it would require combination fire/smoke
8 dampers in ducts serving bathroom exhaust, dryer
9 exhaust and similar spaces where placement of smoke
10 detectors is not appropriate. We have significant
11 potential for unwanted alarms.

12 A similar proposal was made in the IEC in
13 2000, and every cycle it gets changed to address the
14 problem with this type of a change, and it's still in
15 the process of being changed.

16 In the committee's rejection statement they
17 indicated that their intention was to limit smoke
18 spread. I don't argue that smoke dampers don't need
19 smoke spreads but they need to be installed in the
20 appropriate locations where limitation of smoke
21 spread is required, such as smoke barriers or things
22 of that nature.

23 MR. WILLSE: One minute.

24 RAY GRILL: Unfortunately I've had the
25 opportunity to study a significant life loss fire,

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 226]

1 the 69 West Washington building which occurred on
2 October 17th in Chicago. Some major investigation,
3 numerous experts, some in this room participated in
4 that.

5 On page 142 of that report it was noted that
6 an unprotected vertical shaft in a faulty electrical
7 room played a role in the spread of smoke. There was
8 never any reference to ventilation ducts being a
9 contributing factor or the need for dampers, smoker
10 dampers in that building other than addressing the
11 smoke tower shaft which was problematic.

12 MR. WILLSE: Fifteen seconds.

13 RAY GRILL: There was no recognition of
14 alternative approaches bridging a smoke control
15 system. That's a fatal flaw. This is a bad code
16 change. I urge the membership to approve my motion.
17 Thank you.

18 MR. WILLSE: Thank you.

19 Mr. Demers?

20 DAVID DEMERS: One of the -- my career has
21 been investigating fires, and one of the ones I did
22 when I was working for NFPA was right here in Las
23 Vegas November 1980. The primary means of smoke
24 spread into the upper floors of that building, there
25 were two routes, three routes, one was elevator

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 227]

1 hoistways, the second was seismic joint and the third
2 were toilet exhaust shafts that took that smoke from
3 the casino level and that resulted in numerous
4 fatalities up through the building.

5 I think the committee spoke. They voted 26
6 to 1 on this issue, and, you know, it made their
7 point. Thank you.

8 MR. WILLSE: Thank you. Microphone here in
9 the middle.

10 Marcelo HIRSCHLER: Marcelo Hirschler, GBH
11 International speaking for myself. First of all, I
12 must apologize to both the committee and the audience
13 because I was wrong in the way I voted at the
14 committee level. I made the comment that it would
15 have done exactly the same as Ray Grill's motion now,
16 and I was convinced at the committee meeting that the
17 action taken by the committee on comment 90A-41 would
18 have provided appropriate relief.

19 After talking to people in the health care
20 section afterwards, it became clear to me that I was
21 wrong and that that does not provide the appropriate
22 relief. Evidence as presented by the chairman today
23 was discussed but it was more anecdotal evidence.

24 The proposal, the original proposal was
25 submitted just said change language to combine flame

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 228]

1 smoke dampers without any justification. This was
2 put in with no justification. We still don't see the
3 record. There was no evidence presented to the
4 record. So I apologize for my vote and I urge the
5 audience to support this motion. Thank you.

6 MR. WILLSE: Thank you. Microphone here to
7 my right.

8 DAVE: Thank you, Mr. Chair. My name is
9 Dave and I represent the health care section. I
10 speak on behalf of the health care section which
11 voted unanimously to support this motion.

12 This motion deals again with increasing
13 requirements without any justification, without any
14 technical data, without any failure date reports or
15 anything that would support the need for an increase.

16 To the contrary all submitters of comment
17 90A-34 and 90A-38 provide substantial examples in
18 data to support that, in fact, there is no need for
19 this increase. The health care section urges the
20 members present to look at this substantiation at
21 90A-34 and 90A-35 and support us in voting in favor
22 of this motion. Thank you.

23 MR. WILLSE: Thank you. Again further
24 discussion? Seeing -- microphone.

25 JOSH ELVOVE: Sorry I'm late. Josh Elvove

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 229]

1 with the U.S. General Services Administration, maker
2 of the NITMAM as well. I have nothing more to add
3 other than I'll let my colleague, Mr. Grill, speak
4 for me and I'm in support obviously of this motion.

5 MR. WILLSE: All right. Thank you. Any
6 further discussion? Here at the microphone to my
7 left.

8 UNIDENTIFIED MAN: I'm with Rustic
9 Manufacturing and I'm speaking against the motion.

10 We've been installing smoke dampers and
11 combination fire smoke dampers since 1985 in
12 buildings. The code, current codes today require
13 fire smoke dampers in shafts. NFPA 90 has worked on
14 this for the last seven or eight years prior to
15 getting fire smoke dampers in shafts. It's time to
16 support the committee and get it done. Thank you.

17 MR. WILLSE: Thank you. Microphone here in
18 the middle.

19 BILL JOST: Bill Jost, PRC Associates. I'd
20 like to point out to the membership that in my
21 opinion unless you support this motion you have a
22 conflict with Section 8553, I'm sorry, 8553 of the
23 Life Safety Code which specifically exempts smoke
24 dampers where ducts penetrate floors would serve as
25 smoke barriers. So you would have two standards in

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 230]

1 my opinion that would be in conflict. I speak in
2 support of the motion.

3 MR. WILLSE: All right. Thank you. Any
4 further discussion? Hearing none we'll be voting on
5 motion numbers 90A-4 and 90A-5 to accept comments
6 90A-34 and 90A-38 as they are related. No, those are
7 related? Just the one. Just the one motion. Got
8 you, okay. 90A-4, which is to accept comment 90A-34,
9 so we're going to be voting on that one and that's
10 going to be it. Thank you. And 95 is off.

11 We're taking a vote on the motion to accept
12 comment 90A-34. All those in favor of the motion
13 please raise your hands.

14 All right. Thank you.

15 Those opposed.

16 Okay, folks we've got to go to a standing
17 count. All those in favor of the motion please
18 stand.

19 Okay. Please be seated.

20 All those opposed please stand.

21 You may be seated.

22 The proposal passes with a vote of 116 to
23 81.

24 The next up would be 90A-6, 90A-7, 90A-8 or
25 90A-9 or 90A-10. Yes, sir.

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 231]

1 MIKE DILLON: Mike Dillon, Consulting
2 Engineers, maker of those Certified Motions and I
3 move to withdrawal all of them.

4 MR. WILLSE: You're going to withdrawal all
5 of them. Okay. Very good.

6 The next one would be 90A-11. Microphone in
7 the middle.

8 BILL KOFFEL: Bill Koffel, Koffel
9 Associates, consultants STI. I would like to move to
10 accept comment 90A-52.

11 MR. WILLSE: You are the designated rep for
12 Terry Peters --

13 BILL KOFFEL: That is correct?

14 MR. WILLSE: -- the maker of the motion?
15 Do I have a second.

16 UNIDENTIFIED MAN: Second.

17 MR. WILLSE: I do have a second. Please
18 continue.

19 BILL KOFFEL: Again, Mr. Chair, this is
20 merely a placeholder. This is the same issue we
21 heard before. There really is no reason to debate
22 this issue. The opposing testimony in the last issue
23 gave us exactly the basis and support of what we're
24 trying to do in the Standards Council, which is
25 correlation of the NEC. I suggest we move on.

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 232]

1 MR. WILLSE: Thank you.

2 Mr. Demers?

3 DAVID DEMERS: No further comment.

4 MR. WILLSE: Thank you. Over here in front.

5 RICHARD LLOYD: Richard Lloyd representing
6 the electrical section. We oppose the motion.

7 MR. WILLSE: Thank you.

8 PAT HORN: Pat Horn representing the
9 industry. I speak against the motion. What this
10 does it -- let me just read this. Electrical wiring
11 and cables and optical fiber cables installed in
12 continuous nonventilated raceways are not considered
13 to be exposed to the air flow and need not meet the
14 requirement of 4310.6.5.

15 So that says that anything you put in any
16 raceway we, number one, continuous nonventilated
17 raceway is not a term that is used in the industry.
18 So we don't know what you're talking about for sure.

19 It takes out the reference to busway, and
20 that is nonventilated totally enclosed busway. The
21 problem is that you have rigid, you have IMC, you
22 have MC for metal raceways, you have a way of
23 describing those raceways that you don't have with
24 the nonmetallic or with these busways, and so we have
25 to put what's there.

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 233]

1 Now, there wasn't a problem with the NEC.
2 The problem is that there's going to be people if you
3 say these things in 90A who are going to go out and
4 say 901A has jurisdiction over this so it doesn't
5 matter what the NEC says because 90A says you can do
6 this. So you need to change the NEC so that it
7 agrees with 90A. And that's the intent all along in
8 doing this.

9 So it's important that 90A makes some
10 statements that correlate with the NEC so there is
11 not confusion in the marketplace. And I think that
12 that's the goal that's being sought right now and
13 it's the wrong goal. I urge you to vote no.

14 MR. WILLSE: Thank you.

15 GEORGE: George, AFC Cable Systems speaking
16 on behalf of NEMA. NEMA opposed the motion.

17 MR. WILLSE: Thank you. Over here.

18 Marcelo HIRSCHLER: Marcelo Hirschler, GBH
19 International, American Fire Safety Council. I
20 repeat my exact same opposition as number two. Thank
21 you.

22 MR. WILLSE: Thank you. Over here.

23 MARK EWING: Mark Ewing representing the
24 health care section. We vote yesterday to oppose
25 this motion.

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 234]

1 MR. WILLSE: Thank you. Any further
2 discussion? Then we'll go to the vote. The vote on
3 90A-11, which is to accept comment 90A-22, all in
4 favor of the proposal please raise your hands, for
5 the motion please raise your hands. All in favor of
6 the motion please raise your hands.

7 Okay. All opposed to the motion please
8 raise.

9 Motion fails.

10 Next one is 90A-12. Mr. Koffel.

11 BILL KOFFEL: Bill Koffel, Koffel
12 Associates, consultants SPI. I move comment 90A-54.

13 UNIDENTIFIED MAN: Second.

14 MR. WILLSE: I have a motion made and
15 seconded. You are the authorized representative.

16 BILL KOFFEL: That is correct. Again,
17 Mr. Chair, I encourage you to defeat this motion.
18 This is a placeholder to get correlation in the
19 industry. Arguments about the language in the
20 comment are not necessary. That's not the language
21 that's going to be moved to the appeal.

22 MR. WILLSE: Mr. Demers.

23 DAVID DEMERS: I have no further comments.

24 UNIDENTIFIED MAN: Mr. Chairman, a point of
25 order. I believe Roberts Rules of Order say the

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 235]

1 maker of the motion cannot speak against a motion.

2 MR. WILLSE: It's done.

3 RICHARD LLOYD: Richard Lloyd representing
4 the electrical section. We oppose this motion.

5 MR. WILLSE: Thank you.

6 GEORGE: George, AFC Cable Systems speaking
7 for NEMA. NEMA opposes the motion.

8 MR. WILLSE: Thank you.

9 Marcelo HIRSCHLER: Marcelo Hirschler, GBH
10 International, American Fire Safety Council and we
11 oppose this motion.

12 MR. WILLSE: Thank you.

13 MARK EWING: Mark Ewing representing the
14 health care section. We also oppose this motion.

15 MR. WILLSE: Thank you.

16 PAT HORN: Pat Horn speaking for the
17 industry. We oppose the motion and hold our place
18 for the appeal.

19 MR. WILLSE: Thank you. Any further
20 discussion? Hearing none we're about to vote on
21 90A-12, which is to accept comment 90A-54. All in
22 favor of the motion please raise your hands.

23 Thank you.

24 All opposed to the motion.

25 Thank you. Motion fails.

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 236]

1 We're up to 90A-13.

2 MICHAEL DILLON: Michael Dillon, Consulting
3 Engineers. I move certified NITMAM 487, which is
4 essentially to return the entire document to the
5 committee for rework.

6 MR. WILLSE: You are the certified maker of
7 the motion. Do I have a second?

8 UNIDENTIFIED MAN: Second.

9 MR. WILLSE: Second. Please.

10 MICHAEL DILLON: The purpose for that is
11 what we have done, proposal and comment stage
12 throughout the last two cycles that this document has
13 gone around is we have really made a mess out of it.
14 If you put together the entire document, the way it
15 actually would come out from this meeting, it really
16 is going to create a huge amount of problem.

17 It would be better to return it and let us
18 fight through it one more time, one more cycle, or
19 whatever it takes. Failing that, or even if I
20 succeed in returning it, I would strongly recommend
21 to the Standards Council that they give it very
22 serious consideration to thanking us all for our
23 service, disband the committee and distribute our
24 duties to already existing, already covering the
25 subject committees without NFPA and their live

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 237]

1 organizations.

2 MR. WILLSE: Thank you.

3 Mr. Demers?

4 DAVID DEMERS: Mr. Chair, a great deal of
5 effort, and one of the things that I try to do, I
6 have no vested interest in the system, but it's to
7 develop consensus. And consensus was reached for
8 this document. And I don't think it was there last
9 time around but I think it's there now. And is it
10 perfect? None of the standards are perfect, but the
11 committee put a lot of time in. There's some very
12 knowledgeable people there, and the proponent of this
13 proposal is really in the very small minority. Thank
14 you.

15 MR. WILLSE: Thank you. Microphone in the
16 middle.

17 RICHARD LLOYD: Richard Lloyd representing
18 the electrical section and we oppose this motion.

19 MR. WILLSE: Thank you. Over here to my
20 right.

21 GEORGE: George, AFC Cable Systems speaking
22 on behalf of NEMA. NEMA opposed the motion on the
23 floor. The committee had a document returned last
24 cycle and it was probably right that we do. I'm on
25 the committee. The committee worked hard. We

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 238]

1 resolved a lot of the issues, and not all the issues
2 that with considered were resolved by unanimous votes
3 so to return the document back to committee will be a
4 disservice to the committee and to the association.

5 MR. WILLSE: Thank you. Microphone here in
6 the middle.

7 Marcelo HIRSCHLER: Marcelo Hirschler, GBH
8 International for American Fire Safety Council. I
9 want to point out that irrespective of whether we
10 agree with one or other specific issues, the
11 committee worked and got them done.

12 Also I want to point out that this edition,
13 the 2008 draft edition of NFPA 90A is very, very
14 different from the 2002 edition that we have today
15 and not just in the area of cables. We've been
16 focusing most of our attention on 90A and the
17 conflict about plenum cable. The committee did a lot
18 more than that. I'll give you a few examples.

19 The committee made a complete revision of
20 chapters five and six, which have nothing to do with
21 cables. The committee submitted a provision in that
22 it now regulates interior finishing plenums, which is
23 not regulated in NFPA because NFPA Standards Council
24 decided that the 90A document meets the regulation,
25 every in plenums, that's why 5000 is not regulating

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 239]

1 plenums where we now are regulating it through 90A
2 2008.

3 There are a number of sections that are
4 dealing with the testing of dampers and so on that
5 have been taken out of the responsibility of 90A and
6 put in 18105. The return to committee is that it's
7 still muddled and it's still in the document. So
8 there are a number of changes that the committee made
9 beyond the conflicting and disputed issue of plenum.
10 Please do not return this document to committee. We
11 need a new edition of the document. Thank you.

12 MR. WILLSE: Thank you.

13 TRACY HARRINGTON: Tracy Harrington with FM
14 global. I'm a member of the 90A committee and I
15 speak against the motion for return of the document.

16 The committee during the past cycle past
17 many previous consensus issues, and although we
18 didn't always come up with a unanimous view we did
19 reach a consensus, as was mentioned before.

20 It needs to be recognized that the NFPA code
21 process is a consensus process. Just because an
22 individual finds himself in the minority vote on
23 various proposals is not a good reason to return the
24 entire document. I urge you not to support this
25 motion. Thanks.

Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 240]

1 MR. WILLSE: Thank you. Any further
2 discussion? Hearing none we're going to vote on
3 90A-13, which is to return the entire report. All
4 those in favor of the motion please raise your hands.

5 All those opposed.

6 Motion fails.

7 Thank you. This officially concludes this
8 portion of the 2008 Annual Association Technical
9 Meeting. This Association Technical Meeting will
10 reconvene here tomorrow, June 5th at 8:00 a.m.

11 I thank you for your participation, interest
12 and support. I now declare this part of the meeting
13 officially closed. I would ask that you return with
14 your books tomorrow. If you want to keep them here,
15 we have them over on the table. Thank you. See you
16 tomorrow.

17 (Thereupon the proceedings
18 were concluded at 7:52 p.m.)

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Meeting - June 4, 2008
2008 Annual NFPA Technical Meeting

[Page 241]

1 CERTIFICATE OF REPORTER

2 STATE OF NEVADA)

3 SS:

4 COUNTY OF CLARK.)

5 I, Deborah Ann Hines, certified court
6 reporter, do hereby certify that I took down in
7 shorthand (Stenotype) all of the proceedings had in
8 the before-entitled matter at the time and place
9 indicated; and that thereafter said shorthand notes
10 were transcribed into typewriting at and under my
11 direction and supervision and the foregoing
12 transcript constitutes a full, true and accurate
13 record of the proceedings had.

14 IN WITNESS WHEREOF, I have hereunto affixed
15 my hand this _____ day of _____, 2008.

16

17

18

19 _____
Deborah Ann Hines, CCR #473, RPR

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