

NATIONAL FIRE PROTECTION ASSOCIATION

ANNUAL 2009

ASSOCIATION TECHNICAL MEETING

Thursday, June 11, 2009

STENOGRAPHIC REPORT OF PROCEEDINGS

had in the above-entitled matter held at the  
McCormick Place Convention Center, Grand Ballroom,  
Chicago, Illinois, commencing at 8:03 o'clock a.m.

PRESENT:

MR. SHANE M. CLARY, Member,

Standards Council

MR. KERRY BELL, Member,

Standards Council

MR. JAMES PAULEY, Chair,

Standards Council

MS. AMY BEASLEY-SPENCER, Secretary,

Standards Council

MS. MAUREEN BRODOFF, General Counsel

MS. LINDA FULLER, Staff Coordinator

Reported by: Anna M. Morales, CSR, RMR

License No.: 084-002854

1 (Whereupon, the following  
2 proceedings commenced at  
3 8:03 o'clock a.m.)

4 MODERATOR CLARY: Good morning, ladies and  
5 gentlemen. I am Shane M. Clary, and I have the  
6 distinct pleasure and privilege of being a member  
7 of your Standards Council. I now declare that a  
8 quorum exists. I convene this session of the 2009  
9 Annual Association Technical Meeting.

10 To assist me is Linda Fuller of the NFPA  
11 staff who is serving as staff coordinator. I also  
12 would like to introduce Amy Beasley-Spencer,  
13 Secretary of the Standards Council; Jim Pauley,  
14 Chair of the Council; Maureen Brodoff, NFPA General  
15 Counsel. This session will be recorded by McCorkle  
16 Court Reporters of Chicago, Illinois.

17 First, let me address our safety issues.  
18 Let's take a minute and note the exits from this  
19 room. Now that you have noted the closest exit to  
20 you, I would like to inform you that the fire alarm  
21 signal for the McCormick Place Convention Center is  
22 a voice announcement followed by horns and strobe  
23 lights.

24 As with any organization, we have certain

1 rules and protocols. First, uses of video and/or  
2 audio recording devices of any type are not allowed  
3 during the Association Technical Meeting. I would  
4 like to call to your attention to the Guide for the  
5 Conduct of Participants in the NFPA Code and  
6 Standards Development Process. As a participant in  
7 the process, you should be familiar with this  
8 guide. I'd also like to call to your attention the  
9 NFPA Convention Rules which sets the process to be  
10 followed today. Copies of both documents are  
11 contained in the NFPA Directory which are posted on  
12 the NFPA Web site with copies also available at the  
13 NFPA registration desk.

14 The certified amending motions that  
15 comprise the agenda for today's session will be  
16 taken in the order as printed in the green handout  
17 entitled NFPA Annual 2009 NFPA Association  
18 Technical Meeting Certified Amending Motions.

19 The primary regulations governing the NFPA  
20 Codes and Standards Development Process, including  
21 processing of amending motions at the Association  
22 Technical Meetings, are the regulations governing  
23 committee projects. These regulations are also  
24 posted on the NFPA Web site and published in the

1 NFPA Directory.

2 I would like to say a few words about the  
3 actions that can be taken today and the voting  
4 procedures. At this session, you are being asked  
5 to act on certain motions pertaining to the  
6 Technical Committee reports. The Technical  
7 Committee reports on these -- on three of these  
8 documents, NFPA 52, 501, and 909 are contained in  
9 the 2008 NFPA Fall Revision Cycle Report of  
10 Proposals and Reports of Comments. That's the  
11 white book. The other documents can be found in  
12 the 2009 NFPA Annual Revisions Cycle Report of  
13 Proposals and Report of Comments which is the  
14 powder blue book.

15 Under convention rules, before a motion  
16 can be considered for action at this Association  
17 Technical Meeting, the intended maker of a motion  
18 must have filed a notice of intent to make a motion  
19 or a NITMAM prior to the published deadline of  
20 April 3, 2009. These NITMAMs are reviewed by a  
21 motions committee appointed by the  
22 Standards Council Chair, Mr. Pauley.

23 The motions committee certified those  
24 NITMAMs in compliance with NFPA Rules as certified

1 amending motions and published their report on  
2 May 1, 2009. Table A of this report, the green  
3 handout, identifies the certified amending motions  
4 for consideration today. Only certified amending  
5 motions together with certain allowable follow-up  
6 amending motions, that is, motions that become  
7 necessary as a result of a successful certified  
8 amending motion will be allowed at this meeting.

9           There is a further requirement that a  
10 person must sign in to indicate that they are, in  
11 fact, here to pursue their motion. As part of  
12 these procedures, statements for the record, that  
13 is, statements concerning Technical Committee  
14 actions for which no certified amending motion or  
15 allowable follow-up motion is available, are not  
16 permitted.

17           In accordance with 4.6.10 of the  
18 regulations, if a quorum is challenged and found to  
19 be no longer present, which is 100 members, the  
20 session will be terminated without further action  
21 on reports. Any reports on documents that have not  
22 been acted on shall be forwarded directly to the  
23 Council with the recommendations of this meeting  
24 for actions in accordance -- without the

1 recommendations of this meeting for actions in  
2 accordance with 4.8 of the regulations. If a  
3 quorum is lost during the consideration of a  
4 report, any motion to amend or return that report  
5 that have passed prior to the loss of a quorum will  
6 be processed and forwarded to the Council in  
7 accordance with 4.6 and 4.7 of the regulations.

8 Any appeal based on the action by the  
9 Association at this meeting must be filed with the  
10 Standards Council within 20 days of this meeting,  
11 that is, June 30, 2009. Any amendment accepted at  
12 this meeting that fails to pass subsequent  
13 committee ballot will automatically be docketed as  
14 an appeal to the Standards Council agenda in  
15 accordance with Section 1.6.2(b), Other  
16 Regulations. Note, however, that if an  
17 automatically docketed appeal is not pursued by a  
18 party, the Council need not consider it.

19 The votes cast in this Association  
20 Technical Meeting today and discussions that lead  
21 to the voting are an integral and important part of  
22 the NFPA consensus process. The Association  
23 Technical Meeting is the forum where the membership  
24 considers changes of the reports prepared by the

1 NFPA Technical Committees concerning proposed or  
2 revised NFPA Code and Standards where such changes  
3 are pursued via certified amending motions.

4 Through the motion debate and voting of  
5 this meeting, the membership makes recommendations  
6 to the Standards Council. The Standards Council  
7 under NFPA rules is the official issuer of all NFPA  
8 Codes and Standards. The majority of the votes of  
9 persons present here today is for the sole purpose  
10 of making a recommendation to the Standards Council  
11 on the deposition (sic) on the report.

12 The Standards Council will meet on  
13 August 4th through August 6th of 2009 in Quincy,  
14 Massachusetts, to make a judgment on whether or not  
15 to issue a document. The Council's decision on a  
16 document issuance is based on the entire record  
17 before it, including the discussions and vote taken  
18 at this NFPA meeting.

19 Limited review following actions by the  
20 Standards Council may also be available through a  
21 petition to the Board of Directors. Any such  
22 petition must be filed within 15 days of the  
23 Council action in accordance with the regulations  
24 governing petitions to the Board of Directors from

1 decisions of the Standards Council. The deadline  
2 for notice of such petition is August 21, 2009.

3 With respect to the voting procedures, the  
4 regulations state that voting at a NFPA meeting  
5 shall be limited to the following: Those present  
6 who are voting members of the Association, that is,  
7 those with red badges and "member" written across  
8 the top. If you are not a voting member of record  
9 of the Association registered at this meeting, I  
10 ask that you refrain from voting. You need not be  
11 a member of a NFPA section in order to vote. You  
12 must, however, be a voting member. Only voting  
13 members of record should be seated in the front  
14 areas. Those seated in the back areas will not be  
15 counted.

16 Voting will be undertaken in the following  
17 manner: There will be no voice votes. The first  
18 vote will be by the raising of hands. If that is  
19 not conclusive, we will proceed to a standing count  
20 of regular voting members.

21 I want to say on the offset that I will  
22 not cast a vote; therefore, in the event of a tie  
23 vote, the issue automatically fails.

24 Once a report and certified amending

1 motion is presented, it is open for discussion, and  
2 anyone in the room has the privilege of  
3 participating. The Chair asks that you preface  
4 your remarks with your name and your company or  
5 organizational affiliation. Let me repeat that.  
6 Your name and your company and organizational  
7 affiliation should preface your remarks.

8 As you can see, we have red and green  
9 signs on the mics in the rooms. The red sign  
10 indicates opposition to a motion on the floor, and  
11 the green sign indicates support of a motion on the  
12 floor. I would ask that you stand at the  
13 appropriate mic and state at the beginning of your  
14 remarks whether you are in support or opposition of  
15 the motion being debated.

16 Now a couple of things to note during the  
17 floor debate today. First, please be aware that no  
18 one participating in the floor motions in debate at  
19 this meeting are authorized to act as an agent or  
20 speak on behalf of the NFPA. Any views expressed  
21 during motions in debate including those expressed  
22 on behalf of an NFPA Technical Committee or other  
23 entities operating within the NFPA system do not  
24 necessarily reflect the views of the NFPA.

1           Second, a note about NFPA sections. From  
2 time to time, the Chair or other representatives of  
3 an NFPA section may rise during the debate to state  
4 the position of an NFPA section on a motion that is  
5 under consideration. NFPA sections are groups of  
6 NFPA members organized around particular subjects  
7 such as electrical, fire service, or health care.

8           Under regulations governing NFPA sections,  
9 a section may take a position on an issue on the  
10 floor at an Association Technical Meeting. The  
11 position of a section does not necessarily reflect  
12 the views of all section members; rather, a section  
13 may state a position on a motion if the majority of  
14 section members attending a section meeting have  
15 approved that position and there are at least  
16 25 votes cast at the section meeting. The position  
17 of a section is accorded no special status in the  
18 NFPA Codes and Standards Development Process and  
19 just as you would with any other position expressed  
20 during the debate today, you as voting members of  
21 the Association must weigh and assess such  
22 positions as you deem appropriate.

23           Given the size of the agenda and the  
24 amount of material we have to get through, we will

1 start out with five minutes per speaker, but it is  
2 my plan to limit the time as appropriate in the  
3 event that this becomes necessary. There will be a  
4 timer that will appear on the middle screen to  
5 indicate that you have one minute remaining on your  
6 allotted time. The Chair reserves the right to  
7 hear any new speaker before yielding the floor to  
8 anyone wishing to address the same issue a second  
9 time.

10 Motions that are in order, the certified  
11 amending motions, are contained in the green  
12 handbook entitled Annual 2009 NFPA Association  
13 Technical Meeting Certified Amending Motions which  
14 are available at the registration desk at the back  
15 of the room today. The motions pertain to a  
16 document contained on Page 64 of the Annual Meeting  
17 Program.

18 As previously stated, this meeting is  
19 conducted in accordance with NFPA Convention Rules  
20 that are available at the NFPA Web site, and there  
21 are copies of the NFPA registration desk.

22 Upon completion of the action of all  
23 certified amending motions related to an NFPA  
24 document, the presiding officer shall entertain any

1 follow-up motion. A follow-up motion is a motion  
2 that becomes necessary as a result of a previous  
3 successful amending motion. A motion to return a  
4 document or to return a portion of a document  
5 affected by a previous successful amending motion  
6 is always in order as a follow-up motion as long as  
7 it's not repetitious. The presiding officer shall  
8 make the determination on whether a motion is a  
9 proper follow-up motion. The maker of the motion  
10 shall be required to explain why it is a proper  
11 follow-up motion. A follow-up motion shall also  
12 require two seconders.

13 Finally, I would like to stress that the  
14 rules we are operating under today are designed to  
15 improve the efficiency and the quality of the  
16 Association Technical Meetings by eliminating the  
17 need to present uncontested documents by giving  
18 you, the NFPA membership, advanced notice of the  
19 amending motions that are to be presented and by  
20 giving me, the presiding officer, greater  
21 discretion in managing the debate to ensure that  
22 the issues are as fully debated as possible in the  
23 available time.

24 It is my hope and expectation that

1 together we will make this Association Technical  
2 Meeting a success, and I thank you in advance for  
3 your cooperation, patience and, when we are done,  
4 your comments and suggestion to the future.

5 The first report under consideration this  
6 morning is that of the Technical Committee on  
7 Vehicular Alternative Fuel Systems. Here to  
8 represent the committee is Committee Chair  
9 Nancy Pehrson of CenterPoint Energy, Minneapolis,  
10 Minnesota. The committee report can be found in  
11 the white 2008 Fall Revisions Cycle ROP and ROC.  
12 The certified amending motions are contained in the  
13 motions committee report and behind me on the  
14 screen.

15 We will proceed in the order of the motion  
16 sequence number presented. Ms. Pehrson.

17 MS. PEHRSON: Mr. Chair, ladies and gentlemen,  
18 the report of the Technical Committee on Vehicular  
19 Alternate Fuel Systems is presented for adoption  
20 and can be found in the Report on Proposals and the  
21 Report on Comments for the 2008 Fall Meeting  
22 Revision Cycle. The Technical Committee's report  
23 proposes a partial revision of NFPA 52 Vehicular  
24 Fuel Gas Systems Code. This document will be

1 retitled Vehicular Gaseous Fuel Systems Code. The  
2 presiding officer will now proceed with certified  
3 amending motions.

4 MODERATOR CLARY: Thank you, Ms. Pehrson. And  
5 Microphone Number 5, please.

6 MR. FLUER: My name is Larry Fluer. I  
7 represent the Compressed Gas Association. I am the  
8 maker of the now certified amending motion, and I  
9 move to accept Comment 52-34.

10 MODERATOR CLARY: Thank you. You are the maker  
11 of the certified amending motion. Do we have a  
12 second?

13 A VOICE: Second.

14 MODERATOR CLARY: We do have a second.  
15 Mr. Fluer, please proceed with your discussion.

16 MR. FLUER: Thank you. 52-34 was a committee  
17 comment, and the comment passed the hand vote  
18 during the committee meeting but failed the  
19 committee ballot. The negative votes that appeared  
20 were primarily from members that had not attended  
21 the ROC meeting. The issue was complex and I don't  
22 believe that those that didn't attend had the  
23 opportunity to fully understand the content of the  
24 committee comment.

1           On April 26, 2006, the Standards Council  
2 reconciled the scope of NFPA 52 and determined that  
3 the Industrial Medical Gas Committee had  
4 responsibility for requirements affecting storage  
5 systems up to the point of the source valve for  
6 bulk hydrogen. Hydrogen is the subject of a new  
7 chapter in NFPA 52 and the hydrogen economy is  
8 being sponsored -- or efforts to develop the  
9 infrastructure is being funded in part by work  
10 under the DOE.

11           Some of the choices the committee had to  
12 make was to -- how to get the code users to  
13 requirements for storage systems. One choice was  
14 to simply refer the user to NFPA 55. The other  
15 choice was to extract requirements for separation  
16 and citing, which are the subject of this comment,  
17 to extract those into NFPA 52.

18           ROC Item 52-34 contains a work of a  
19 multi-year effort of the joint task group between  
20 the NFPA 2, which is a new Hydrogen Technologies  
21 Committee, and the Industrial Medical Gas  
22 Committee. Task group members included principal  
23 members of both committees augmented by researchers  
24 from Sandia National Laboratories. The work output

1 for the proposal was created in the NFPA 55 process  
2 and being transferred to NFPA 52.

3 Approval of this certified amending motion  
4 will serve to correlate NFPA 52 and 55 in this  
5 regard. Without that correlation, we'll have two  
6 ANSI documents with two different approaches. That  
7 can't be. We have to have one approach under the  
8 ANSI system.

9 So the correlation is a badly needed item,  
10 and we are asking the membership to accept the  
11 certified amending motion so that conflicts can be  
12 resolved. Thank you.

13 MODERATOR CLARY: Thank you. Ms. Pehrson, any  
14 comments?

15 MS. PEHRSON: The Technical Committee had  
16 concerns regarding extraction of the separation  
17 distance tables from NFPA 55 during ROC balloting  
18 in June of 2008. The traditional approach of using  
19 volume as a determinant in the establishment of  
20 separation distance has been revised in favor of  
21 using pressure and internal piping system size. A  
22 risk informed approach to the establishment of  
23 distances resulted in the NFPA 55 separation  
24 distance tables. The analysis supporting the

1 development of the risk informed separation  
2 distances had not been published and, therefore,  
3 peer review had not been completed at the time of  
4 the ROC balloting in 2008.

5 MODERATOR CLARY: Thank you. Microphone  
6 Number 1.

7 MR. MULLER: Good morning, my name is  
8 John Muller. I am with the New York State Office  
9 of Fire Prevention and Control. I am a member of  
10 the Hydrogen Industry Panel on Codes, speaking in  
11 support of the motion to accept Comment 52-34.

12 The replacement of the table of the  
13 separation distances in NFPA 52 with the table for  
14 NFPA 55 as proposed by the comment will provide for  
15 consistent values and eliminate conflicting  
16 requirements for those who utilize both documents.  
17 The NFPA 55 committee has appropriately established  
18 separation distances based on sound technical  
19 study. Codes pertaining to the use of hydrogen  
20 should all utilize this single set of requirements.

21 The result of the actions from acceptance  
22 of Public Comment 52-34 will provide for ease of  
23 use for fire code enforcement officials and  
24 consistency in the enforcement of a single set of

1 separation distance requirements.

2 MODERATOR CLARY: Thank you. Microphone  
3 Number 3.

4 MR. GRESHO: I am Marty Gresho, licensed fire  
5 protection engineer, the Chair of NFPA 2, the  
6 Hydrogen Technologies Code, a new document, a new  
7 NFPA document, and Chair of the Joint NFPA 2 and 55  
8 Task Group that was established to evaluate the  
9 bulk gaseous hydrogen storage system separation  
10 distances. I am speaking in favor of Motion 52-1.

11 This statement summarizes a two-year  
12 effort undertaken by the joint task group that  
13 resulted in the development of the NFPA 55  
14 separation distances. Task group members were  
15 appointed by the chairs and included several  
16 Technical Committee members from both NFPA 55 and 2  
17 as well as industry representatives and scientists  
18 from Sandia National Laboratories.

19 The work products of the technical -- of  
20 the task group were compiled into a Technical  
21 Committee comment for NFPA 55 which achieved  
22 approval of the full NFPA 55 Technical Committee  
23 and was then incorporated into the 2010 version of  
24 NFPA 55 which is a consent document.

1           The distances now included in  
2 Table 10.3.2.2.1 in NFPA 55 were used as the basis  
3 for a revised table, 9.3.1.3, in NFPA 52. The  
4 distances were developed using a risk informed  
5 approach. A risk informed approach combines  
6 mathematical statistical methods with the expert  
7 judgment of the Technical Committee members to  
8 arrive at conclusions. This approach considers  
9 both the frequency and the consequence of various  
10 failures for portions of the storage system as one  
11 of the tools in the decision-making process.

12           In using a risk informed approach, the  
13 joint task group used deterministic, which means no  
14 consideration for probability, results from models  
15 established by validated Sandia research combined  
16 with the probability analysis and the expert  
17 opinions of the task group members to arrive at  
18 risk informed separation distances for various  
19 exposures.

20           The following exposures were considered by  
21 the table: Impact on the public. Impact on  
22 buildings on site. Proximity to property lines.  
23 Proximity to various exposure. Or targets of  
24 concerns such as public sidewalks, openings and

1 buildings, air intakes, unclassified electrical  
2 equipment, et cetera.

3           The risk informed approach was initially  
4 proposed by the researchers at Sandia National  
5 Laboratories in concert with efforts sponsored by  
6 the U.S. Department of Energy. Modeling verified  
7 by physical testing was used to analyze the impact  
8 of both ignited and unignited releases of gaseous  
9 hydrogen at various pressures.

10           The risk assessment was a quantitative  
11 approach and was based in part on data collected by  
12 industry representatives and augmented by accident  
13 and incident data. Air Products is a major  
14 supplier of hydrogen for fueling stations and  
15 contributed much to the leak data.

16           The data was then analyzed by statistical  
17 methods using what is called a Bagian approach  
18 which assigned a weighted value of each of the  
19 failure scenarios based on established criteria.  
20 The more detailed technical basis for the  
21 establishment of distances has been summarized for  
22 inclusion in the annexed NFPA 55 and is described  
23 in full detail in now published and peer-reviewed  
24 technical reports that are referenced in the annex.

1           The previous separation distance tables in  
2 NFPA 55 were based on the volume of the gaseous  
3 hydrogen storage system. The committee found that  
4 the separation distances are better determined  
5 based on the pressure of the storage system and the  
6 size of the pipe, the internal diameter. For  
7 example, pressure and leak size dictate how far a  
8 horizontal release will travel before buoyancy  
9 overcomes the momentum of the stream and the  
10 hydrogen stream rises.

11           Therefore, a methodology based on both  
12 pressure of the storage system and the internal  
13 diameter of the system piping was developed. One  
14 curious result is that, in some cases, high  
15 pressure systems have smaller separation distances.  
16 This oddity is caused by the higher pressure  
17 systems which typically use very small internal  
18 diameter piping with thicker walls. So both the  
19 high pressure jets and unignited clouds were  
20 considered.

21           The methodology established is both  
22 repeatable and revisable. Formulas are provided to  
23 address different pipe sizes.

24           MODERATOR CLARY: One minute, please.

1           MR. GRESHO: Larger internal diameters lead to  
2 greater releases and therefore greater separation  
3 distances. The separation distances for bulk  
4 gaseous hydrogen, NFPA 55, have been derived based  
5 on a documented, repeatable, and revisable  
6 methodology. They are technically sound, have been  
7 approved by the NFPA 55 Technical Committee.  
8 Approval of this motion will correlate NFPA 52 with  
9 NFPA 55 with regard to these distances. Thank you.

10           MODERATOR CLARY: Thank you. Microphone Number 5.

11           MR. MILEWSKI: I am Greg Milewski and I work  
12 for Shell Future Fuels which includes Shell  
13 Hydrogen. I am also a member of NFPA 2, NFPA 52,  
14 and HIPOC. Speaking in favor of the motion.

15           HIPOC is the Hydrogen Industry Panel on  
16 Codes and Standards. It includes industry reps,  
17 code enforcers, and chairs of the relevant NFPA  
18 standards, NFPA 2, 52, and 55. This was set up by  
19 the Department of Energy to get model code  
20 organizations like NFPA and ICC to align and have  
21 correlation between codes and standards that  
22 support the infrastructure for the new fuel and  
23 energy using hydrogen.

24           HIPOC has reviewed this motion and the

1 table in question, voted, and supports the motion  
2 and its position that the separation distances  
3 which are based on risk informed approach and using  
4 expert experience are technically sound and be  
5 extracted from 55 into 52 and, thus, we would have  
6 the alignment between the codes and standards.  
7 This will aid users and code enforcers to have one  
8 clear set of standards, unambiguous set of  
9 requirements.

10 MODERATOR CLARY: Thank you. Ms. Pehrson, do  
11 you have any final comments?

12 MS. PEHRSON: No, I don't.

13 MODERATOR CLARY: Thank you. We will now  
14 proceed then with the vote. Again, the motion is  
15 to accept Comment 52-34. All in favor of the  
16 motion, please signify by raising your hands.  
17 Thank you. All opposed.

18 The motion carries.

19 Thank you, Ms. Pehrson.

20 The next document, NFPA 909, appeared on  
21 our agenda. However, no one has signed in to make  
22 a certified amending motion on the document.  
23 Therefore, in accordance with NFPA rules,  
24 Regulation 4.5.6 and Convention Rules 2.7, the

1 document will not be considered at this meeting and  
2 instead becomes a consent document that will be  
3 forwarded directly to the Standards Council for  
4 issuance and other actions. We would like to thank  
5 the committee for their work on this document.

6 We will now move to the next document.  
7 The next report this morning is that of the  
8 Technical Correlating Committee on Health Care  
9 Facilities. Here to represent the committee is  
10 Correlating Chairman Chair Douglas Erickson of the  
11 American Society of Healthcare Engineering of  
12 St. Croix, U.S. Virgin Islands. The committee  
13 reports can be found in the blue 2009 annual  
14 Revisions Cycle ROP and ROC. The certified  
15 amending motions are contained in the motions  
16 committee report and behind me on the screen.

17 We'll now proceed in the order of the  
18 motions sequence number presented. Mr. Erickson.

19 MR. ERICKSON: Thank you, Mr. Chair. Ladies  
20 and gentlemen, the report on the Technical  
21 Correlating Committee on Health Care Facilities is  
22 presented for adoption and can be found in the  
23 Report on Proposals and the Report on Comments for  
24 the 2009 Annual Meeting Revisions Cycle. The

1 Technical Correlating Committee's report proposes a  
2 partial revision of NFPA 99, Standard for Health  
3 Care Facilities. This document will be retitled  
4 Health Care Facilities Code.

5 Before I go back to the presiding officer,  
6 though, I would like to thank all the hard-working  
7 volunteers that have put a lot of hours in for the  
8 past five years to do what I considered a complete  
9 rewrite, not a partial rewrite, of this document;  
10 and also I would like to thank the TC chairs and  
11 also the TCC members for weeks' and months' worth  
12 of preparation for this meeting.

13 So Mr. Presiding Officer will now proceed  
14 to the certified amending motions.

15 MODERATOR CLARY: Thank you, Mr. Erickson.  
16 First one up is Sequence 99-1. Microphone  
17 Number 1.

18 MR. LIPSTER: Thank you, Mr. Chair. I am  
19 Stephen Lipster, maker of the motion representing  
20 myself. I move to return a portion of the report  
21 in the form of Proposal 99-6a and related  
22 Comment 99-2.

23 MODERATOR CLARY: Thank you. You are the  
24 authorized maker of that motion. Do we have a

1 second?

2 A VOICE: Second.

3 MODERATOR CLARY: We have a second. Please  
4 proceed.

5 MR. LIPSTER: I'm privileged to serve as a  
6 labor rep on NFPA 99, Fundamentals and Electrical  
7 Systems as well as the National Electrical  
8 Code-making Panel 15. The motion in question deals  
9 with a proposal and comment that changes the scope  
10 of NFPA 99.

11 Previous to this code cycle, the scope of  
12 NFPA 99 is fairly simple. I quote, "The scope of  
13 this document is to establish criteria to minimize  
14 the hazard of fire, explosion, electricity in  
15 health care facilities providing service to human  
16 beings." Three paragraphs later, it goes on to  
17 state in 1.1.2.1 that communication equipment,  
18 among others, is specifically excluded from the  
19 standard.

20 During the interim period between code  
21 cycles, NFPA 99 changed from an occupancy-based  
22 standard to a risk analysis standard.

23 Proposal 99-6a somehow tries to get around this  
24 change, and it states, and again I quote,

1 Sections 1-1.1 -- I'm sorry, "Sections 1.1.2  
2 through 1.1.21 will reflect the scopes of the  
3 chapters after the balloting for the ROP and ROC is  
4 completed." Technically, this proposal again was  
5 promulgated at the committee level during the ROP  
6 meeting. It essentially means that we really don't  
7 have it together yet and the scope of this document  
8 will be determined after the balloting. And  
9 technically it is an improper motion because it  
10 does not provide revised text.

11 Comment 99-2 builds on Proposal 99-6a.  
12 This comment was also promulgated by the Technical  
13 Committee, and this comment adds chapters on  
14 information technology that was formally  
15 prohibited: Plumbing, heating, security  
16 management, and fire protection. All these  
17 additions were done without the benefit of public  
18 comment and, therefore, violates the regulations  
19 governing committee project Sections 4.4.6.4 and  
20 4.4.9.3. The scope change should have involved  
21 input from affected NFPA sister codes and standards  
22 such as NFPA 70, 72, 13, 110, 101, and many others.

23 I urge you to support the NFPA code-making  
24 process and return this report and comment to the

1 committee. Thank you.

2 MODERATOR CLARY: Thank you. Mr. Erickson?

3 MR. ERICKSON: As I mentioned, this was a  
4 complete and total rewrite of a document and  
5 changing, as Mr. Lipster said, going from an  
6 occupancy-based to a risk-based standard. I do  
7 believe that we worked very closely within the NFPA  
8 process, with NFPA executive staff, Secretary to  
9 the Council. We worked with the Standards  
10 Administration. Everybody knew the direction that  
11 we were headed.

12 We did also coordinate with the other  
13 documents letting them know that we were going  
14 forward with these new chapters within NFPA 99 to  
15 become a one-stop shop.

16 I do say, though, that we were working to  
17 the 11th hour, and maybe even 11.59 hour with  
18 regards to the scoping and also with regards to  
19 what would be considered new versus existing within  
20 the document. So, in retrospect, I do believe we  
21 did our work as a Technical Correlating Committee  
22 up front. However, we were once again working to  
23 that 11th hour to get the document pulled together  
24 as you see it today.

1 I would like to have Mr. Crowley, who is  
2 the Technical Committee Chair of the Fundamentals  
3 Committee maybe address this a little bit further.

4 MR. CROWLEY: Mr. Chair, my name is  
5 Mike Crowley, Rolf Jensen & Associates, Technical  
6 Committee Chair, Fundamentals, NFPA 99.

7 Our committee did understand the scope  
8 that was given to us by the Standards Council to  
9 rewrite portions of this code. The information  
10 that Mr. Lipster did bring up was well aware of the  
11 committee's -- actually there are chapters in 99  
12 addressing each and every one of those.

13 We did put the comment in at the ROP stage  
14 with the intention of the other occupancy -- I  
15 should say, the other chapters and other technical  
16 committees to address their given scopes. And at  
17 the ROC stage when we saw that the other -- and I'm  
18 not throwing them under the bus, but when we saw  
19 the other TCs, did not respond to this comment. We  
20 brought forward that we generally took the scopes  
21 as it came back from the Standards Council for the  
22 document and worked those through.

23 Is it completely new information in the  
24 ROC? It is put in one spot to see there for the

1 first time, yes. But the intent was out all the  
2 way back to the charging sections of the  
3 committees. So I vote -- I urge you to vote in  
4 opposition of this amendment.

5 MODERATOR CLARY: Thank you. Microphone  
6 Number 5.

7 MR. JOHNSTON: Thank you, Mr. Chair.  
8 Mike Johnston, NECA. I am speaking in support of  
9 the motion.

10 Mr. Lipster attempted to identify this  
11 during the process that it was out of step with  
12 procedures; and, as a member of Technical  
13 Committees, I respect the value of maintaining  
14 consistency with following said procedures. And  
15 while I am mindful of the work that went on in this  
16 standard to improve it, strengthen it where it  
17 needed to be, adjust it where it needed to be, I  
18 believe there was probably less than the necessary  
19 intercorrelation between Correlating Committees to  
20 make sure that things weren't lost.

21 But, Mr. Lipster, we're really not even  
22 talking about technical issues here. This is  
23 procedure, a procedure that was lacking to be  
24 followed and results in new information that didn't

1 have full review. I urge the body to support this  
2 on that basis. Thank you, Mr. Chair.

3 MODERATOR CLARY: Thank you. Microphone  
4 Number 2.

5 MR. DANIEL: Thank you, Mr. Chair. My name is  
6 Mike Daniel. I am Chair of the Codes and Standards  
7 Review Committee of the Health Care Section. I am  
8 representing this section on this particular issue.

9 At our Executive Board and Business  
10 Meeting on Tuesday morning, we voted to oppose the  
11 motion on the floor. To avoid repetition, I will  
12 simply state, we support the actions and comments  
13 of the Technical Committee on this particular  
14 issue. This section in question, the sections in  
15 question, are critical to the document.

16 Again, I rise in opposition to the motion.  
17 Thank you.

18 MODERATOR CLARY: Thank you. Microphone  
19 Number 1.

20 MR. LATHROP: Jim Lathrop, Koffel Associates,  
21 speaking for myself. I think Doug hit the nail on  
22 the head with this. He said this is a  
23 total rewrite --

24 MODERATOR CLARY: Are you for or against the

1 motion?

2 MR. LATHROP: I'm for the motion. Sorry.

3 Doug actually supports this when you think  
4 of it because he says this is a total rewrite and  
5 yet there was no draft provided for us to work  
6 with.

7 Just one little point here. Look at  
8 1.1.13, upper left-hand side of Page 99-5. 1.1.13  
9 says, "Chapter 15 Features of Fire Protection  
10 covers the performance, maintenance, and testing of  
11 fire protection equipment used within health care  
12 facilities. Sections 15.10, 13 and 14 shall apply  
13 to both new and existing." And yet when you go to  
14 the draft of Chapter 15, there is no Section 15.14  
15 which means a section has been inserted somewhere  
16 along the line, and we really do not know what  
17 Sections 15.10, 13 and 14 are. We're voting on  
18 something that we don't know what we're voting on,  
19 to be blunt.

20 MODERATOR CLARY: Thank you. Mr. Erickson,  
21 final comments.

22 MR. ERICKSON: Final comment would be, if this  
23 motion does pass, the document will have no scope;  
24 therefore, we have no document.

1           MODERATOR CLARY: Thank you. We'll now proceed  
2 to the vote. Again, the motion is to return a  
3 portion of the report in the form of Proposal 99-6a  
4 and related Comment 99.2. All in favor of the  
5 motion, please signify by raising your hand. Thank  
6 you. All opposed.

7                         Motion fails.

8           Next is Motion Sequence 99-2. Microphone  
9 Number 1.

10          MR. PETERKIN: James Peterkin, member of the  
11 Health Care Codes and Standards -- Health Care  
12 Section Codes and Standards Review Committee. I  
13 would like to move to return a portion of the  
14 report in the form of Proposal 99-68 and Comment  
15 99-93.

16          MODERATOR CLARY: Thank you. You are the  
17 authorized maker of this motion. Do we have a  
18 second?

19                         A VOICE: Second.

20          MODERATOR CLARY: Thank you. Please proceed.

21          MR. PETERKIN: I just like to point out, during  
22 our Annual Business Meeting of the Health Care  
23 Section, board and membership voted to support this  
24 motion. This is one of those issues that has come

1 about with (sic) any technical justification.  
2 There were more than 50 pages and 326 comments  
3 submitted on this proposal which indicates the  
4 interest on this topic. But if you look at those  
5 50 pages, the most compelling arguments were for  
6 continuing the existing language which is that ORs  
7 will not inherently be considered wet locations.

8 The requirement for providing isolated  
9 power in the OR was removed back in 1984 due to the  
10 elimination of flammable anesthetics. The  
11 determination by the user of an OR as a wet  
12 location procedure -- wet procedure location has  
13 been acceptable for the last 24 years.

14 The language in the previous code  
15 continues to allow an organization to provide  
16 isolated power when it is determined to be  
17 justified. The proposed language would require all  
18 ORs to be wet procedure locations and would require  
19 isolated power or other special protection.

20 If this were a problem today, CMS would be  
21 issuing alerts and the joint commission would be  
22 declaring single events. We're not seeing that.  
23 In one of the proposals or comments that was  
24 submitted, the ECRI Institute, which is a widely

1 recognized safety advocate for health care,  
2 reported in their comment which they were opposing  
3 wet locations designation that they had no  
4 documented instances of electrical shock associated  
5 with wet conditions that would have been prevented  
6 by isolated power.

7 I urge you to support this motion.

8 MODERATOR CLARY: Thank you. Mr. Erickson?

9 MR. ERICKSON: I would like to ask Mr. Vernon,  
10 who is the TC Chair of the Electrical Systems  
11 Technical Committee, to rise.

12 MODERATOR CLARY: Thank you. Microphone 4.

13 MR. VERNON: Thank you, Mr. Chairman. My name  
14 is Walt Vernon. I am with a company called  
15 Mazzetti Nash Lipsey Burch. I was the chair of the  
16 Electrical Systems Technical Committee.

17 As chairman of this committee, I  
18 understand my responsibility to be ultimately to  
19 respect the members who participate in this  
20 discussion and to ensure fairness of process.  
21 Because of that, I can't support the amendment  
22 because a majority of my committee actually, you  
23 know, opposed the sentiment of this; but, at the  
24 same time, I can't oppose the amendment because a

1 substantial minority of my committee agreed with  
2 the essence of the proposal.

3 In fact, this was a very hotly debated  
4 issue in our committee. We did receive 320 odd  
5 comments, more comments than on any other single  
6 issue, and we spent more time, and I think there  
7 was more heat on this particular issue than  
8 anything else that we talked about. You are  
9 probably going to hear later today about a  
10 consensus that was formed at the committee meeting  
11 on this topic, and I want to represent what  
12 actually happened at the committee meeting, but I  
13 don't think it's accurate to say that our committee  
14 came to a consensus.

15 In fact, what happened at the committee  
16 meeting is that we debated hotly the question of  
17 wetness and whether or not an OR was a wet  
18 location. In a very close vote, the committee did  
19 decide that an OR is a wet location.

20 An amendment was offered, committee  
21 proposal, after that to allow an exception to the  
22 basic rule of wetness, and there was agreement on  
23 the exception because that was really all that the  
24 minority had left, but there was substantial

1 disagreement over the basic proposition that an  
2 operating room is a wet location. And I think --  
3 in some ways, the wording of this particular text  
4 is unfortunate because we're focused on wetness  
5 rather than on electrical hazard in the room.

6 And in hindsight, as the committee chair,  
7 I wish earlier in the process I had steered us away  
8 from wetness and towards electrical hazard because  
9 what we ended up getting in our 326 comments,  
10 you'll see a lot of comments about OR being wet  
11 locations and you'll see a lot of comments about  
12 ORs -- focusing on the actual risk levels in ORs.

13 So I want to urge the members here to  
14 carefully consider the evidence that was presented  
15 by both sides that you'll hear from in a moment.

16 MODERATOR CLARY: Thank you. Microphone  
17 Number 6.

18 MR. TREMBLAY: I am speaking against  
19 Motion 662. My name is Marcel Tremblay and the  
20 company I am with is Bender Electronics. We  
21 specialize in the management and early detection of  
22 electrical ground faults covering all industries  
23 including health care facilities.

24 My interest in Proposal 68 is summarized

1 in my Comment Number 357 on Page 64 of the ROC.  
2 Included with my comment to accept Proposal 68 was  
3 a 13-page attachment with an analysis to solidify  
4 the claim that, from an electrical safety  
5 standpoint, isolated power is superior to grounded  
6 power in and around a patient care vicinity. The  
7 attachment is available for review at NFPA  
8 headquarters.

9 Proposal 68 was submitted by the  
10 ELS Committee with the recommendation to revise the  
11 definition of wet location and associated annex  
12 material. In essence, the change mandated that all  
13 operating rooms be declared as wet locations. The  
14 vote was 20 in favor and 2 against. One person  
15 abstained.

16 An ROC was posted on February 20, 2009,  
17 with a NITMAM closing date of April 3rd. The  
18 committee agreed with the recommendation to remove  
19 the language in Section 3.3.185 and A.3.3.185  
20 because definitions are not permitted to contain  
21 requirements. The committee retained its concept  
22 that ORs are often wet procedure locations but  
23 added the provision for conducting a risk  
24 assessment to determine otherwise. The vote was 20

1 in favor and one against. Two persons abstained.

2 A cursory look at the ROC reveals the  
3 following: Both in favor of Proposal 68 were  
4 190 comments that were accepted in principle and  
5 13 comments that were rejected. Both against  
6 Proposal 68 were 47 comments that were accepted in  
7 principle and 63 comments that were rejected.

8 Here we stand today as a result of a  
9 certified amending motion to return the text to  
10 that in the previous edition of NFPA 99. I hope  
11 you will see the wisdom as overwhelmingly expressed  
12 twice by the ELS Committee of formally requiring a  
13 health care governing body to go on record as  
14 having done a risk assessment study and use the  
15 findings to declare OR as wet or dry locations.

16 Therefore, I ask you to vote against  
17 NITMAM 662 and, in the process, accept the change  
18 as per the text from the ELS Committee and  
19 Comment 93 from the ROC.

20 On the personal side, prior to undergoing  
21 a procedure under a state of anesthesia, I would  
22 have peace of mind knowing that, at worst, the  
23 health care facility might have erred on the side  
24 of safety by insisting that isolated power be used

1 in this particular OR. Thank you for your time.

2 MODERATOR CLARY: Thank you. Microphone  
3 Number 3.

4 MR. WORKMAN: Good morning. I'm  
5 Charles Workman. I am from Texas Health Resources.  
6 I'm a Corporate Director for Environment of Care.  
7 I directly report to the Vice President of Patient  
8 Safety and Risk Management for the system and to  
9 the chief quality officer. We have 14 hospitals in  
10 the north Texas area --

11 MODERATOR CLARY: Are you speaking for or  
12 against the motion?

13 MR. WORKMAN: I am speaking for the motion. We  
14 have 14 hospitals in the north Texas system. I  
15 went out to grab some qualitative and quantitative  
16 data behind this proposal. We have 3,000 beds,  
17 132 operating rooms, 18,000 employees. We have 34  
18 of these operating rooms that are in a grounded  
19 status. Our total caseload from January 2005-2009,  
20 all operating rooms, was 638,172. Of these, 78,072  
21 cases were completed in the grounded ORs from  
22 January 2005-2009.

23 We went to ask the experts. We went to  
24 the perioperative nurses, master degree level,

1 bachelor degree level RNs. We asked them if they  
2 felt that this was a conclusion that these are wet  
3 locations. 17 members, two physicians. They all  
4 said no. They also commented that why would they  
5 allow themselves to be put into a patient safety  
6 risk management and environment themselves.

7 We went to the clinical engineering group,  
8 36 staff. We asked them. They said, equipment  
9 reliability we use within the operating rooms is  
10 already there, UL-listed and FDA approved.  
11 Environmental Services Council, 15 members, one  
12 physician. The microfiber products that we use now  
13 for cleaning, less liquid down to have the same  
14 amount of sanitation. Then we went to the  
15 engineers for the 14 that they had there and asked  
16 where the drain was located within the wet  
17 location. We went to the risk managers, 18  
18 throughout the system. We asked them; they are not  
19 wet locations. We do not see it as such.

20 We actually found two architects that  
21 would speak, obviously not behind their companies.  
22 We asked them why they would do this in a design  
23 configuration. Their comment, preferred practice.

24 Now we went back into a reporting system

1 that we have for events, near misses and et cetera  
2 for our system. With this system since 2005,  
3 January, we had 106,356 events, near misses,  
4 et cetera, that were reported. 4,041 of these were  
5 actually specific to the operating rooms. One  
6 specifically involved a grounded operating room  
7 electrical. The ratio made it 4,041 to 1.

8 So we went to do the root cause analysis  
9 of the event. Essentially two hours prior to the  
10 case, the physician arrived with his personal bag,  
11 asked the float nurse who was setting up the OR at  
12 the time to go grab his radio, establish it in the  
13 room, plug it in and set it to his radio station.  
14 Prior to anyone actually being in the OR or the  
15 time out even being conducted, no patient was near,  
16 the radio was plugged in, the breaker tripped.  
17 Essentially what had happened is the electrical  
18 safety program had failed. We put unreliable  
19 equipment into a reliable electrical system. Thank  
20 you.

21 MODERATOR CLARY: Thank you. Microphone  
22 Number 2.

23 DR. EHRENWERTH: Thank you, Mr. Chairman. My  
24 name is Jan Ehrenwerth. I am speaking against the

1 motion. I am a professor of anesthesiology at the  
2 Yale University School of Medicine. I am also a  
3 member of the Board of Directors of the American  
4 Society of Anesthesiologists and the Anesthesia  
5 Patient Safety Foundation. I am a member of the  
6 Technical Committee on Electrical Systems.

7 The people who work in an operating room,  
8 anesthesiologists, OR nurses, know for a fact that  
9 operating rooms are wet locations. Unquestionable.  
10 Our entire society, 45,000 members, support this  
11 change in the standard and are against this NITMAM.

12 The reason is that an OR may not be a wet  
13 location every minute of every day. I want to cite  
14 an example. If we have a deck that we build in  
15 Las Vegas, Nevada, and we put in an outside outlet,  
16 it has to be a GFCI. Unquestionably. It may only  
17 rain five days a year in Las Vegas, but we still  
18 have to have that GFCI in there.

19 The same is true for operating rooms. We  
20 don't know on what day it's going to be a wet  
21 location, but I guarantee you, it's more than five  
22 days a year. Operating rooms are more wet today  
23 than ever before. We have liters and liters and  
24 liters of fluid hanging, liters on the floor,

1 irrigation, irrigation systems, collection systems  
2 that don't work. We have three times the amount of  
3 electrical equipment at least that we had in 1984,  
4 and it's increasing.

5 Worse, we have more electrical equipment  
6 that is not hospital grade than ever before. We  
7 have computers, we have monitors, we have radios,  
8 we have all of these things that get into the ORs,  
9 are nonhospital grade and are not made with the  
10 same electrical protection and electrical safety  
11 that other equipment is.

12 The current code allows for isolated power  
13 or GFCIs in the operating room. There's supposed  
14 to be a risk assessment done and that decision  
15 made. The current system doesn't work. It just  
16 doesn't work. And it doesn't work for a number of  
17 reasons. The reasons are that people say that the  
18 requirement was eliminated in 1984, therefore, we  
19 don't have to do it anymore. The risk assessment  
20 thing has left. It has become ancient history  
21 that's been forgotten.

22 We have had instances that have been  
23 reported to me where commissions have put in the  
24 design phase, isolated power, GFCIs. Everyone

1 agreed to it. The OR was built. Nothing is there.  
2 It's been taken out. No one has been consulted  
3 about it. Now they're faced with do we rip down  
4 the walls, not use the OR. What's the problem?  
5 We've had clinicians told that they can't have an  
6 OR by hospital administrators. We have had  
7 instances where people were told it was illegal to  
8 put it in an operating room. How ridiculous. How  
9 ridiculous.

10 This is a standard in most of the world.  
11 We are asking either for LIMS or GFCIs. Isolated  
12 power or GFCIs are perfectly fine.

13 The people who work in the ORs know what  
14 the conditions are. Surgeons frequently wear hip  
15 boots to do some procedures. My wife is an OR  
16 nurse. She recently walked into the locker room  
17 when one of her colleagues was bringing in a pair  
18 of boots and said, Why do you have these boots?  
19 Because I am sick and tired of my shoes and socks  
20 being soaking wet from fluids and blood.

21 MODERATOR CLARY: One minute, Doctor.

22 DR. EHRENWERTH: Okay. We recently had an  
23 incident of a nurse in the University of Mexico in  
24 a nonprotected OR who plugged in an electrical

1 appliance, got a severe shock, was knocked over and  
2 ruptured both her ear drums. She nearly was  
3 totally electrocuted. So to say there is no  
4 incidence is ridiculous.

5 I disagree with Mr. Vernon because we had  
6 a group that agreed in the majority. We then  
7 wanted a consensus document which is what NFPA is  
8 all about. We put together a consensus view. The  
9 committee wholeheartedly endorsed it 20 to 1. The  
10 clinicians do not want engineers and administrators  
11 dictating to them. The NFPA and the American  
12 Society of Anesthesiologists --

13 MODERATOR CLARY: If you could sum up, please.

14 DR. EHRENWERTH: -- is about patient safety.  
15 NFPA should be about patient safety. You need to  
16 vote no on this. This was a good document and one  
17 that advocates patient and personnel safety. Thank  
18 you.

19 MODERATOR CLARY: Thank you. Microphone  
20 Number 3.

21 MR. COLLINS: Good morning, Mr. Chairman. I'm  
22 John Collins from American Society of Healthcare  
23 Engineering. I am for this motion.

24 I spent 32 years as a senior clinical

1 engineer at Northwestern Memorial Hospital here in  
2 Chicago Advocate Healthcare. 25 of those years was  
3 spent in the operating room working in cardiac  
4 surgery, vascular surgery and neurosurgery, and I  
5 can never remember a so-called wet location where  
6 boots were required.

7 As part of our job as a senior clinical  
8 engineer at Advocate Healthcare, the last job, I  
9 had to do a risk assessment of medical devices.  
10 One of the measures of risk assessment is physical  
11 risk. In order to get a quantitative idea of the  
12 physical risk of which medical devices have ever  
13 caused harm or death to patients, I went to the FDA  
14 database called MAUDE, which is Manufacturer and  
15 User Facility Device Experience database. This  
16 database actually goes back to 1983. The database  
17 has a total of 1,092,391 records with no incidences  
18 of harm or injury from electrical shock from a  
19 medical device.

20 The other comment I have is just a comment  
21 about the number of comments made in this report.  
22 118 comments were made by anesthesiologists from  
23 six medical centers. About 60 of those comments  
24 are exactly the same word for word. Interestingly

1 enough, one of the organizations, Arkansas Medical  
2 Center, also has a comment from the plan operations  
3 person who says, "UAMS has 12 operating rooms in  
4 the hospital. The majority of our operating rooms  
5 are used for cases where fluid spillage is minimal  
6 or cleaned up quickly." That has been my  
7 experience in operating rooms, too. At the foot of  
8 the table is a male stand which is piled high with  
9 cotton drapes and, whenever something spills, we  
10 immediately just put a drape on the floor and wipe  
11 it up. Thank you very much.

12 MODERATOR CLARY: Thank you. Microphone  
13 Number 6.

14 MR. VAN KERCKHOVE: Thank you, Mr. Chairman.  
15 My name is Keith Van Kerckhove, Vice President,  
16 Post Glover LifeLink, Incorporated, and I oppose  
17 this motion.

18 It sounds like there's a bit of confusion,  
19 at least from my standpoint. As I see it, the new  
20 language adopted overwhelmingly by the Technical  
21 Committee represents a compromise from both sides  
22 of the issue, and it does two things:

23 First, it requires health care facilities  
24 to formally review the intended use of nearly built

1 or renovated operating rooms to determine the  
2 likelihood that a procedure could result in a  
3 substantial amount of fluid being released around  
4 patients or staff causing an elevated risk of  
5 electric shock.

6 Secondly, it suggests in the form of an  
7 annex note that other stakeholders, including  
8 clinicians, biomedical engineers, and facilities  
9 safety staff be consulted as part of this risk  
10 assessment.

11 Individual facilities are still free to  
12 determine that a particular OR is not a wet  
13 location, just as they can under the current  
14 edition of 99. The only difference is that this  
15 determination must now come through a thoughtful  
16 and structured analysis. This is entirely  
17 consistent with the overall risk-based approach of  
18 99 rewrite. There's no undue burden placed on the  
19 facility by this requirement and it does not mean  
20 that every operating room will require special  
21 protection in the form of GFCI or isolated power.

22 The current language has been a constant  
23 source of confusion since 1984 due to its lack of  
24 clear guidance on the issue. Under the current

1 version of 99, facilities may establish a blanket  
2 policy that none of their ORs are wet locations  
3 without ever performing or verifying an official  
4 analysis or seeking input from those individuals  
5 that are most familiar with the intimacies of OR  
6 procedures.

7           Recognizing this fact, the Technical  
8 Committee has rightly chosen to err on the side of  
9 safety and establish a default designation that's  
10 the basis for new designs. This was not an  
11 arbitrary change by the committee or one driven by  
12 the isolated power industry. It originated through  
13 a proposal submitted by an M.D. representing a  
14 national organization of physicians and supported  
15 by other groups of medical professionals. It was  
16 heavily supported through public comment, by a wide  
17 array of groups including design engineers,  
18 biomedical engineers, and maintenance  
19 professionals.

20           On a commercial note, many of the  
21 arguments put forth against requiring the use of  
22 isolated power to protect operating rooms are  
23 related to the perceived cost of installing and  
24 maintaining these systems. Past studies have

1 supposed the risk of hazard is insufficient to  
2 justify the added expense. This is not to say  
3 there is no risk, just that the perceived cost of  
4 the mitigation was not proportional.

5 As a manufacturer of these systems, I can  
6 assure you the industry has worked very hard to  
7 reduce the overall cost of ownership through design  
8 innovations and training. In fact, the incremental  
9 cost of isolated power, overgrounded power actually  
10 represents a small fraction of the total cost to  
11 build and outfit a modern OR. And the maintenance  
12 and testing of our system should average 15 to 20  
13 minutes per panel per year. Published studies  
14 quoting 30-year amortized maintenance costs of more  
15 than 150,000 per panel are far removed from the  
16 realities of the current market.

17 In conclusion, I believe the Technical  
18 Committee struck the proper balance on this matter  
19 and urge this motion be rejected. Thank you.

20 MODERATOR CLARY: Thank you. Microphone  
21 Number 5, please.

22 MR. KING: Thank you. My name is Don King. I  
23 represent Kaiser Permanente. Kaiser Permanente is  
24 a health maintenance organization. We provide

1 health care to 8.5 million people in Maryland,  
2 Virginia, Colorado, Georgia, Ohio, California,  
3 Oregon, and Hawaii. To do that, we operate --

4 MODERATOR CLARY: Are you for or against the  
5 motion?

6 MR. KING: Thank you, Mr. Chair. I am for this  
7 motion.

8 MODERATOR CLARY: Thank you.

9 MR. KING: We operate 450 medical office  
10 buildings and 34 hospitals. Contained within those  
11 facilities, we have 602 existing operating rooms.  
12 We plan to build 100 more operating rooms over the  
13 course of the next four years.

14 I tell you that because we have extensive  
15 experience in the design, construction, and  
16 operation of safe medical facilities. Coupled with  
17 that, we operate over 300,000 medical devices in  
18 these facilities to be sure that our members have  
19 the full benefit of medical technologies brought to  
20 bear, and what we're all about is providing  
21 environments that allow those advances of  
22 advancement to come forward.

23 So we're challenged, like a lot of you  
24 are, in making decisions about how to spend health

1 care dollars. So that's what I would like to talk  
2 to you about is how Kaiser Permanente has chosen to  
3 make those decisions.

4 We hold dear to three values: We hold  
5 dear to patient safety. We hold worker safety and  
6 we hold environmental safety critical in all our  
7 decisions. So how do you make decisions among that  
8 kind of a paradigm? How do you make decisions  
9 within that triangle of values?

10 We've actually adopted a practice, what we  
11 consider to be best in class that our clinical  
12 colleagues have used for quite some time now. They  
13 call it evidence-based medicine. We call it  
14 evidence-based design. In other words, investing  
15 where the evidence shows that we get the most  
16 value.

17 Simply put, the evidence does not warrant  
18 the installation of these systems in the majority  
19 of ORs that we have experience with. Our data  
20 shows that 95 percent of the ORs that we operate  
21 don't fall within a classification of risk that  
22 would warrant isolated power.

23 Now, true, the standard allows for some  
24 flexibility in that. However, the changes in the

1 definition of a wet location and the default would  
2 strongly bias the authorities having jurisdiction,  
3 those that we turn to for permitting of our  
4 projects to a point where they would expect and  
5 require isolated power in all of our operating  
6 rooms. That's a significant impact to health care  
7 without a significant improvement in outcomes.

8 So let me translate that to you. When you  
9 talk about how we spend our health care dollars,  
10 and, again, we're caring for 8.5 million people,  
11 and one of the large hats that we wear is being  
12 steward of their health care dollars because,  
13 remember, a dollar that I'm not investing in health  
14 care is a dollar that our members are questioning  
15 our judgment about.

16 So let me translate these dollars for you.  
17 The incremental cost associated with providing  
18 isolated power in a new OR over the 100 ORs that we  
19 are about to build is the same amount of money that  
20 we could use to spend to provide 286  
21 ceiling-mounted patient lifts that are demonstrated  
22 to reduce injuries to nurses and other clinical  
23 staff.

24 The incremental capital costs required to

1 add isolated power systems to our 602 legacy ORs  
2 over the next ten years when we renovate them --  
3 and, yes, we will renovate them to keep pace with  
4 the times and to adopt new technologies in those  
5 ORs -- that incremental cost is equivalent to the  
6 provision of 1,500 outpatient exam rooms that could  
7 dramatically improve access to health care.

8 Finally, the operating costs associated  
9 with the life cycle of these isolated power panels  
10 -- and that life cycle is significant and we  
11 estimate it at 30 years, and that credits the  
12 manufacturers, the designers of those products to  
13 put something on the market that has a 30-year life  
14 cycle -- but the life cycle cost associated with  
15 maintaining and responding to calls related to  
16 isolated power systems is equivalent to the cost of  
17 providing prenatal visits to 2,300 new mothers  
18 every year for 30 years.

19 MODERATOR CLARY: One minute.

20 MR. KING: So those are the types of decisions  
21 that we're faced with. So what we're asking is  
22 that the NFPA partner with health care across the  
23 country to help the country bend the trend in  
24 health care and invest health care dollars where

1 they truly have the most value. Thank you.

2 MODERATOR CLARY: Thank you. Microphone  
3 Number 2.

4 MR. BAKER: Claude Baker, University of Chicago  
5 Hospitals, rising to speak against the motion.

6 MODERATOR CLARY: Please proceed.

7 MR. BAKER: Thank you. I first became aware of  
8 the argument and had a couple things come to mind  
9 that I wanted to share.

10 Substantiation, compelling substantiation  
11 may not be there in terms of some of the studies,  
12 and some of the issues rise from the fact that  
13 ground fault interruptions are not well recorded in  
14 medical care. I, in the course of conference, had  
15 opportunities to talk to my electricians on some  
16 other issues and I asked them, What's your feel in  
17 the operating rooms? I said, Give it to me from  
18 the guys in the field. Well, shoot, we don't  
19 bother checking those things. They get used so  
20 much because they're tripping all the time. We  
21 replace them.

22 So the documentation in terms of  
23 electrical issues is there. We've heard from  
24 someone who said they brought a radio in. We have

1 problems that indicate there is an electrical risk.

2 Now let's go back to the discussion of  
3 what is the room. What makes it wet? Well, let's  
4 see. Let's go back to my experience, although I  
5 don't have it documented for this issue. Chemical  
6 spills that I have picked up in the operating rooms  
7 and responded to because, no disrespect to docs,  
8 but they have a tendency to want to bounce a glass  
9 bottle off the floor occasionally. The majority of  
10 those fluids were flammable. And I have a doc  
11 standing there with a catheterization device  
12 saying, How soon can I start? And I'm thinking,  
13 Who do I have to answer if I give him the answer I  
14 would like to give him?

15 The point is operating rooms have  
16 flammable liquids. That's wet. Operating rooms,  
17 and I don't know about other areas, we use that  
18 equipment and we move it from room to room. We  
19 have case carts and stuff is going and things are  
20 plugged in and plugged out until they are shot. We  
21 can increase our renewal of these outlets many fold  
22 over and see that.

23 Now in terms of what benefit or trading  
24 off things, I wonder what value we place on this

1 nurse who can't ever hear her grandchild call her  
2 name. I have been on that table. I've got a few  
3 scars I can show you and a few I won't, and so I  
4 would like to know when I go into that room that  
5 they're safe.

6 After a meeting in New Orleans, I went  
7 back and somebody said, How many people do you have  
8 on fire safety? I said, I have got 10,000 souls  
9 entering the University of Chicago on a daily basis  
10 and every staff member there is trained equal to or  
11 very close to what a lot of volunteer fire  
12 departments are. I'm the only one they're going to  
13 notify when I get back. But I have got to have the  
14 tools in the field or we're going to have this  
15 discussion about, oh, that loss and how much did it  
16 cost because somebody got electrocuted because we  
17 didn't put a little safety in planning.

18 Now if you don't like it, don't do it. Do  
19 an analysis. As you've heard, you have the option.  
20 It's in the code. Doug and this group have done a  
21 tremendous job. I can't tell you how much value I  
22 see and what I see coming out of 99. But I got to  
23 have that protection in that operating room. Thank  
24 you.

1           MODERATOR CLARY: Thank you. Microphone  
2           Number 3.

3           MR. DANIEL: Thank you, Mr. Chair. My name is  
4           Mike Daniel, Daniel Consulting. I am speaking for  
5           myself on this particular issue. I rise in support  
6           of the motion on the floor.

7                     I would like to put this issue in  
8           perspective. The real issue is not whether or not  
9           an OR is a wet procedure location. The real issue  
10          is who has the responsibility for making that  
11          determination.

12                    I would, first of all, like to ensure that  
13          it's clear that the mechanism for determining  
14          whether or not an area needs to be classified as a  
15          wet procedure location is and has been contained  
16          within NFPA 99. It is contained within the current  
17          document. It is also contained in the proposed  
18          document. In fact, I served on the  
19          multi-disciplinary task group in the '80s that  
20          helped develop the current definition provided to  
21          aid in the process.

22                    As previously indicated, however, the key  
23          to this overall issue is who is responsible for  
24          designating an area such? The committee? Us? Or

1 the user? Again, NFPA 99 is very clear on that  
2 matter. The answer is again contained in both the  
3 current document and in the proposed document,  
4 quoting, "The governing body of the facility shall  
5 designate the following areas in accordance with  
6 the type of patient care anticipated and with the  
7 following definitions of the area classifications:  
8 General carriers, critical carriers, wet  
9 locations."

10 By delineating one specific area as a wet  
11 procedure location in the document, we're sending a  
12 mixed message to the facility, creating confusion,  
13 and potentially setting a dangerous precedent. Is  
14 this the only area that should be considered a wet  
15 location? Are there others? If so, what are they?  
16 Do we now also start designating general carriers  
17 and critical carriers for the facility? No. It is  
18 inappropriate for us to be making these decisions.

19 The mechanism for evaluation is there and  
20 the responsibility for the determination is clearly  
21 delineated in both the existing and proposed  
22 documents. There is nothing in the existing or  
23 proposed document to prohibit a facility from  
24 classifying an OR as a wet procedure location if it

1 deems it appropriate.

2 I strongly urge you to leave the  
3 responsibility with the organization where it  
4 belongs by supporting the motion on the floor.  
5 Thank you for your time.

6 MODERATOR CLARY: Thank you. Microphone  
7 Number 4.

8 MR. HIRSCHLER: Marcelo Hirschler,  
9 GBH International. I call the question.

10 MODERATOR CLARY: Do we have a second?

11 A VOICE: Second.

12 MODERATOR CLARY: We have a motion for closure.  
13 That's not debatable. All in favor of closure,  
14 which is to end debate, signify by raising your  
15 hands. All opposed.

16 Motion carries.

17 We'll vote directly to the motion on the  
18 floor which is to return a portion of the report in  
19 the form of Proposal 99.68 and Comment 99-93. The  
20 return of the report results in the return of the  
21 definition "wet location" and associated annex to  
22 the previous edition text. All in favor of the  
23 motion, please signify by raising your hand -- wait  
24 a second. Microphone Number 6.

1 DR. EHRENWERTH: Point of order. Does the  
2 motion to call the question require a two-thirds  
3 vote?

4 MODERATOR CLARY: Yes, and there was.

5 DR. EHRENWERTH: I respectfully request a  
6 standing count.

7 MODERATOR CLARY: Very well. We'll go to a  
8 standing count for the close of motion. Would all  
9 in favor of the motion wearing your red membership  
10 badge, please stand. Again, you are in favor of  
11 the motion for closure. You can all be seated.  
12 Those against the motion for closure, please stand.  
13 Thank you. We'll be back in a moment to figure out  
14 our calculations.

15 The vote for closure was 103 for, 18  
16 against. We did have the two-thirds required.

17 Again, we're now moving to the motion on  
18 the floor. Again, that's to return a portion of  
19 the report in the form of Proposal 99-68 and  
20 Comment 99-93. Return of the report results in  
21 return of the definition "wet location" and  
22 associated annex to the previous edition text. All  
23 in favor of that motion, please raise your hands.  
24 Thank you. All opposed.

1           The motion fails.

2           We'll now move to Sequence 99-3.

3           Microphone Number 1.

4           MR. LIPSTER: Thank you, Mr. Chairman. I'm  
5           Stephen Lipster, representing myself. I am the  
6           maker of the motion. I move to return  
7           Proposal 99-73a and related Comment 99-6 to  
8           committee.

9           MODERATOR CLARY: You are the authorized maker  
10          of that motion. Do we have a second?

11          A VOICE: Second.

12          MODERATOR CLARY: Please proceed.

13          MR. LIPSTER: Previous to the electrical  
14          system's ROC meeting last fall, care of a health  
15          care facility was determined to be at two levels:  
16          Critical care areas and general care areas.  
17          Comment 99-6 created a third level of care: Basic  
18          care. The creation of this third level of care was  
19          promulgated entirely in the ROC meeting and has  
20          received no public comment. Comment 99-6 refers to  
21          Proposal 73a which completely reorganizes the  
22          chapter but does not, does not introduce a third  
23          level of care.

24          This is clearly a violation of NFPA

1 regulations governing committee projects,  
2 Sections 4.4.6.4 and 4.4.9.3 and should be returned  
3 to committee. Unfortunately, this is just one  
4 example of the many miscues that occurred during  
5 the ELS Technical Committee.

6 For example, the committee members weren't  
7 able to obtain an entire packet of comments  
8 previous to the meeting. We were shocked to find  
9 we had over 300 comments waiting for us upon  
10 arriving at the meeting. Supporting documentation  
11 was not made available to the committee during the  
12 deliberations. It was forwarded on during the  
13 mobbing crisis. The chairman took an active role  
14 in committee affairs, actually voting on issues;  
15 and when it was brought to the committee's  
16 attention that the significant changes were being  
17 made to the standard without public input, the  
18 attitude seem to be one of, hey, we're kind of  
19 rushed, we need to get this thing done, let's get  
20 it out the door.

21 Brothers and sisters, I urge you to  
22 support the NFPA Code and Standards Process,  
23 support this motion, support good code. You know,  
24 this isn't an us against them kind of scenario.

1 This is a process we all know and love or we  
2 wouldn't be in this room today. And it's a process  
3 that needs to be applied equally across all  
4 standards and all codes. Thank you, Mr. Chairman.

5 MODERATOR CLARY: Thank you. Mr. Erickson.

6 MR. ERICKSON: Once again, I would like to ask  
7 Mr. Vernon, the Chair of the Electrical Systems  
8 Committee, to speak on this.

9 MODERATOR CLARY: Microphone Number 4.

10 MR. VERNON: Thank you, Mr. Chairman. Well, I  
11 guess the committee was not entirely against -- or  
12 in favor of the proposed change, but it was --

13 MODERATOR CLARY: Can we have your name and  
14 affiliation?

15 MR. VERNON: Walter Vernon, Mazzetti Nash  
16 Lipsey Burch, Chairman of the Committee.

17 You know, it is true that we were, as Doug  
18 I think characterized earlier, sort of had our  
19 backs against the wall in terms of timing on  
20 accomplishing much of the rewrite and  
21 reorganization that was required by the Standards  
22 Council. And this particular change, this  
23 definition of basic care general -- sorry, the  
24 three levels of care was introduced at the last

1 meeting. I think there's no question about that.

2 But I think it was not -- there wasn't a  
3 sentiment in the committee that this was a  
4 controversial issue. I think there was general  
5 acceptance that it was in line with where we had  
6 been going throughout the process in terms of  
7 thinking about how to coordinate the electrical  
8 systems chapter with the new categories of risk.

9 And so I think the committee was  
10 overwhelmingly in favor of this particular change,  
11 and so I would urge the members to vote against  
12 this proposal.

13 MODERATOR CLARY: Thank you. And Microphone  
14 Number 5.

15 MR. JOHNSTON: Thank you, Mr. Chair.  
16 Mike Johnston, NECA, rising in support of the  
17 motion.

18 Once again, it's clear. It's a procedure  
19 issue. I believe that to uphold the integrity of  
20 the standards-making process that Mr. Lipster's  
21 certified amending motion should be upheld. As a  
22 member of a Technical Committee, there have been  
23 countless times that our Technical Correlating  
24 Committee flagged this type of issue as new

1 information and sent it back, and sometimes it's  
2 held until the next cycle.

3 This is not happening. And Mr. Lipster  
4 was clear in identifying it early, and his messages  
5 to the committee weren't acted on. So I urge the  
6 body to uphold and maintain the integrity of the  
7 standards development process in accordance with  
8 ANSI's requirements. And the information about the  
9 chair acting on proposals and introducing  
10 information, I have no knowledge of that, but that  
11 shouldn't happen either.

12 So I urge the body to support the motion.  
13 It's a procedure issue again. It's new  
14 information. Thank you, Mr. Chair.

15 MODERATOR CLARY: Thank you. Microphone  
16 Number 2.

17 MR. DANIEL: Thank you, Mr. Chair. My name is  
18 Mike Daniel. I am Chair of the Codes and Standards  
19 Review Committee for the Health Care Section. I am  
20 representing a section on this particular motion.  
21 At our Executive Board and Business Meeting on  
22 Tuesday morning, we voted to oppose the motion on  
23 the floor.

24 Again, to avoid repetition, I will simply

1 state, we support the actions and comments of the  
2 Technical Committee on this particular issue. We  
3 feel that the sections in question are critical to  
4 the overall concepts in the chapter and the  
5 document. Again, I rise in opposition to the  
6 motion. Thank you.

7 MODERATOR CLARY: Thank you. And Microphone  
8 Number 2 again.

9 MR. DAGENAIS: Good morning. My name is  
10 Dave Dagenais. I represent the New England Society  
11 of Healthcare Engineers. I also represent myself  
12 as a member of the ELC committee and I speak in  
13 favor of -- opposed to the motion.

14 The committee had lengthy discussions at  
15 the committee hearings and the committee sessions  
16 and, yeah, there was involvement from the chair,  
17 but that's what the committee expects. The  
18 committee expects the chair to focus us and focus  
19 our efforts in the appropriate direction. If that  
20 was taken as having input into the decision  
21 process, absolutely not. When we counted votes and  
22 we counted what was going on, it had nothing to do  
23 with the chair's involvement.

24 We're talking about something that passed

1 20 to 1 here at the committee level. We had  
2 lengthy discussions on the last topic about the  
3 numbers that were associated in the vote. It was  
4 clear to the committee that there was a clear  
5 consensus. It was where this document was going.  
6 There was only one negative vote in this entire --  
7 with this entire issue.

8 The reality is we need to stand behind the  
9 committee. The committee was challenged with the  
10 efforts to bring this document forward in a  
11 professional and effective manner, and I believe  
12 we've done that. So please oppose.

13 MODERATOR CLARY: Thank you. Microphone 1.

14 MR. LIPSTER: Steve Lipster, representing  
15 myself. Just as a reminder here, this isn't a --

16 MODERATOR CLARY: Are you speaking for or  
17 against the motion?

18 MR. LIPSTER: I am speaking for it as the  
19 maker. Thank you.

20 This isn't a technical issue. This isn't  
21 about who voted for what. It's about whether it  
22 was proper for this to even have action at the ROC  
23 meeting with it not having public comment. I mean,  
24 that's really what it boils down to is simply a

1 procedural issue. The technical merit of this is  
2 really irrelevant. Thank you.

3 MODERATOR CLARY: Thank you. Microphone  
4 Number 5.

5 MR. HIRSCHLER: Marcelo Hirschler, GBH  
6 International, speaking for myself. I have been  
7 struggling with this issue after the first  
8 motion -- I'm in favor of the motion. If we keep  
9 allowing things to go through without proper  
10 procedure, we end up on a slippery slope. I'm very  
11 concerned; and I don't think if this chapter  
12 disappears, 99 will disappear. It's just -- we  
13 need to have the procedure followed the way the  
14 procedure is followed in the rules. New material  
15 cannot be introduced at the comments stage without  
16 proper oversight by the public.

17 So I urge the members to support the  
18 motion. Thank you.

19 MODERATOR CLARY: Thank you. And Microphone  
20 Number 5, again.

21 MR. JOHNSTON: Thank you, Mr. Chair.  
22 Mike Johnston, NECA. Once again, Mr. Lipster  
23 brought the information --

24 MODERATOR CLARY: Speaking for or against the

1 motion?

2 MR. JOHNSTON: Well, I'm at the mic that says  
3 I'm speaking for the motion.

4 MODERATOR CLARY: Unfortunately, for everyone,  
5 in our written report, we can't tell where we're  
6 at.

7 MR. JOHNSTON: I'm speaking for the motion.  
8 It's the right thing to do. If we're going to be  
9 in step with the process, it's the right thing to  
10 do. So it seems -- the information that  
11 Mr. Lipster brought up about comments being brought  
12 to the committee the day of the meeting doesn't  
13 allow for any meaningful input or action on those  
14 comments. I don't know how the committee can do  
15 any meaningful work in that fashion. It just  
16 puzzles me a little bit.

17 But, once again, in support of the motion,  
18 this is a procedure issue, and to not uphold this  
19 certified amending motion provides -- or sets a  
20 precedent for other committees to act in similar  
21 fashion. We all should be held to the same  
22 standard with regard to following NFPA's  
23 regulations governing committee projects. Thank  
24 you, Mr. Chair.

1           MODERATOR CLARY: Thank you. Microphone  
2           Number 4.

3           MR. VERNON: Walt Vernon, Mazzetti Nash Lipsey  
4           Burch again. You know, I guess I just want to say  
5           that although the -- sorry, speaking against the  
6           motion.

7           MODERATOR CLARY: Very good.

8           MR. VERNON: You're getting me trained. You  
9           know, for several years, the Technical Committee  
10          struggled with how to coordinate the electrical  
11          requirements with the risk categories that were  
12          being discussed, and we at one point had a complete  
13          rewrite of the chapter in order to try to  
14          reorganize things to accomplish those, and that was  
15          considered to be too cumbersome.

16                 It is true that, you know, it was at a  
17          committee meeting that we introduced this  
18          particular language and that this particular  
19          language did not go out for public comment. But it  
20          was consistent with the process and the thinking  
21          that had happened all throughout the various  
22          meetings and the various public comment periods.

23                 And so I think that what we did was  
24          important and it is important to coordinate with

1 the rest of the documents; and, again, I would --  
2 the committee I think fully embraced what we did  
3 with one exception, and I would strongly urge that  
4 we support the Technical Committee in this and  
5 reject this comment.

6 MODERATOR CLARY: Thank you. Microphone  
7 Number 2.

8 MR. DAGENAIS: Dave Dagenais representing  
9 myself. What we're talking about here is  
10 eliminating a general care --

11 MODERATOR CLARY: For or against the motion?

12 MR. DAGENAIS: I apologize. I'm against the  
13 motion.

14 What we're talking about here is  
15 eliminating a general care room area which is  
16 fundamental to the basic basis of the risk of the  
17 document. The reality is that the document is  
18 based on risk criteria and, by eliminating this,  
19 you're eliminating a portion of the ability that  
20 you can risk into that location.

21 So it is essential that we maintain this  
22 category or it will create gaps throughout the  
23 document. So I urge everyone, please, oppose this  
24 motion.

1           MODERATOR CLARY: Thank you. Microphone  
2           Number 1.

3           MR. LIPSTER: Yes, Stephen Lipster representing  
4           myself one more time. I promise I won't be up  
5           again, at least on this matter.

6                     Yes, it is absolutely essential. This is  
7           critical -- and I'm speaking for the motion.  
8           Critical. This is essential. This third level  
9           care is very broad. It really changes things which  
10          is why it is so important that it receives public  
11          comment. Thank you, Mr. Chairman.

12          MODERATOR CLARY: Thank you. Microphone  
13          Number 6.

14          DR. EHRENWERTH: Jan Ehrenwerth, American  
15          Society of Anesthesiologists. I'm speaking against  
16          the motion.

17                     Clearly, we've spent an enormous amount of  
18          time on risk levels and risk assessment, and this  
19          is really the way to go. These area locations are  
20          extremely difficult. They're arcane, and they  
21          really -- there's so much overlap of areas and what  
22          you call an area anymore. It just makes no sense.  
23          You can't designate an area as any specific thing  
24          and have it be consistent from one location, one

1 hospital, one outpatient center to the next.

2 Risk assessment, we spent a lot of time on  
3 this. It's a wonderful idea. I'm going to give  
4 credit to Mr. Erickson for engineering this and  
5 spent -- the TCC I believe spent a lot of time  
6 coming up with this concept, and we used a lot of  
7 input, and I think it's a great way of doing  
8 things. I think it received the proper vetting,  
9 and this motion should be defeated.

10 MODERATOR CLARY: Thank you. Thank you.  
11 Seeing no one else at the microphone, Mr. Erickson.

12 MR. ERICKSON: I think all the comments on the  
13 floor speak for themselves.

14 MODERATOR CLARY: Thank you. We will now  
15 proceed to the vote. Again, the motion on the  
16 floor is to return a portion of the report in the  
17 form of Proposal 99-73(a) and related Comment 99-6.  
18 All in favor of the motion, please signify by  
19 raising your hands. Thank you. All opposed.

20 This is a little too close. So I'm not  
21 going to call it. So we're going to proceed to a  
22 standing vote. All in favor of the motion, please  
23 stand. Again, those only with your red membership  
24 badges. You may be seated. All against the

1 motion, you may now stretch those legs. You may be  
2 seated.

3 The vote is 42 for the motion, 50 against,  
4 several abstentions. The motion fails.

5 We'll now proceed with Motion Sequence  
6 99-4. Microphone Number 5.

7 MR. ALLISON: My name is Malcolm Allison. I  
8 represent the National Electric Fuse Association,  
9 and I am the maker of this NITMAM, and I move to  
10 accept Comment Number 99-408.

11 MODERATOR CLARY: Thank you. You are the  
12 authorized maker of this motion. Do we have a  
13 second?

14 A VOICE: Second.

15 MODERATOR CLARY: Thank you. Please proceed.

16 MR. ALLISON: Well, the basis for my motion is  
17 twofold. First, the Technical Committee was not  
18 provided with my entire two-page comment and any  
19 communications prior to the face-to-face meeting,  
20 nor was it distributed at the face-to-face meeting.  
21 The entire comment was not provided until the time  
22 of the written ballot which was way too late for  
23 the Technical Committee to have free and open  
24 discussion regarding my comment.

1           By not providing this supporting  
2 information, there is violation of Section 3.3.2.2  
3 of the regulations governing committee projects  
4 which calls for the distribution of supporting  
5 information at least 14 days before the meeting or  
6 at such time interval before the meeting as the  
7 membership may earlier agree.

8           Second, the because the Technical  
9 Committee was not privy to the detailed explanation  
10 covered in my complete comment, it has made a  
11 serious mistake, in my opinion, by reducing the  
12 safety requirements already found in the National  
13 Electrical Code. These safety requirements in  
14 NFPA 70 are found in Sections 700.27, Emergency  
15 Systems, 701.18, Legally Required Standby Systems,  
16 and 708.54, Critical Operation Power Systems.

17           These sections call for selective  
18 coordination under all overcurrent conditions.  
19 NFPA 99 proposal, 99-93, calls for selective  
20 coordination under only overload conditions. It  
21 does not provide any assurance that in case of  
22 short circuits, ground faults, and arching faults  
23 that multiple levels of overcurrent protection  
24 devices will open.

1           Proposal 99-93 will permit the design of  
2 health care electrical systems without regard to  
3 proper engineering design procedure in the  
4 instantaneous trip region of overcurrent protective  
5 devices. If coordination under short circuit,  
6 ground faults, and arching fault conditions is  
7 ignored, system reliability will be compromised.

8           So I ask the members on this basis to  
9 support this NITMAM. Thank you.

10          MODERATOR CLARY: Thank you. Mr. Erickson?

11          MR. ERICKSON: Once again, I will go to  
12 Mr. Vernon, the chair of the ELS committee.

13          MODERATOR CLARY: Who is at Microphone  
14 Number 4.

15          MR. VERNON: Right. Wall Vernon, Mazzetti Nash  
16 Lipsev Burch, Chairman of the Committee, speaking  
17 against the NITMAM.

18           You know, it is true that not all of the  
19 information that was submitted was handed to the  
20 committee before our meetings and, in fact, I think  
21 I exercised the NFPA staff and probably wore out  
22 the copy machine our first day of our meeting  
23 making sure that everything was brought to the  
24 meeting so we could consider it. And, in fact, we

1 worked hard to ensure that everybody had a chance  
2 to present things.

3 I was approached at the meeting by people  
4 who were in favor of this particular NITMAM, people  
5 who wanted to make a presentation to the committee.  
6 I was advised by staff that I didn't have to allow  
7 them to speak because their request was out of  
8 order; but, in order to make sure that we had a  
9 full and complete hearing on all of the issues, I  
10 allowed them to make whatever presentation they  
11 wanted to make because I did want our committee to  
12 have the benefit of all of the information.

13 Our committee is composed of a lot of  
14 technical experts who even if they didn't have some  
15 of this information ahead of time are designing  
16 electrical systems for hospitals every day and who  
17 are very familiar with these issues and the  
18 technical issues behind them and I think bring  
19 their expertise to the committee. And they did  
20 bring their expertise to the committee and,  
21 notwithstanding, I think having all this  
22 information, there was a clear and unanimous I  
23 believe action by the committee to take the steps  
24 that it did.

1           And so I strongly urge the membership to  
2 support the Technical Committee to reject this  
3 proposal.

4           MODERATOR CLARY: Thank you. Microphone  
5 Number 3.

6           MR. SAPORITA: Vince Saporita, Cooper Bussmann,  
7 member of NEC-making panels 10 and 11 and NFPA 70E.  
8 I speak in favor of the motion.

9           There are two reasons why you should vote  
10 for this motion. The first is for safety reasons.  
11 The second is procedural.

12           This is a pure life safety issue. It  
13 deals with properly isolating all electrical  
14 overloads, short circuits, ground faults, and  
15 arcing faults in the electrical system. Experts  
16 on the National Electrical Code panels began adding  
17 specific requirements to minimize outages of life  
18 safety related loads in the 1993 NEC. They began  
19 with elevator circuits. They added emergency  
20 circuits, legally required standby circuits, and  
21 essential health care circuits two cycles ago and  
22 recently have added critical operations power  
23 systems.

24           In short, the NEC and the existing edition

1 of NFPA 99 require that all electrical problems on  
2 circuits where life safety is a concern be isolated  
3 so that life safety related loads are not  
4 unnecessarily left without power. The proposed  
5 NFPA 99 document you have before you today would  
6 allow unnecessary black-outs caused by short  
7 circuits, ground faults, and arching faults. Yes,  
8 you heard me correctly, only overloads would be  
9 selectively coordinated.

10 Picture yourself or a member of your  
11 family on the operating table when a short circuit  
12 in a lighting ballast in the basement takes out the  
13 whole north wing of the hospital. As you can  
14 clearly see, this is a significant reduction in  
15 safety.

16 It seems bizarre to me that our banking  
17 and computer industry routinely requires isolating  
18 all electrical problems to the lowest possible  
19 point in the system, and now health care is  
20 planning to go in the opposite direction. That's  
21 right. We'll somehow find the resources to assure  
22 continuity of service for ours bank and data  
23 centers, but we won't do the same to protect our  
24 families. Are banks and data centers more

1 important than human life?

2 Now I don't believe the Technical  
3 Committee has purposely put the public in jeopardy  
4 or that they actually understood the severity of  
5 their actions. They didn't have access to a  
6 critical comment.

7 That brings us to the second reason to  
8 support this motion which is purely procedural.  
9 The original Comment 99-408 was not distributed to  
10 the Technical Committee 14 days in advance as  
11 3.3.2.2 of the regulations governing committee  
12 projects requires. For some reason, it was not  
13 distributed to the committee in advance of the  
14 meeting, nor was it given to the committee at the  
15 Technical Committee meeting. It took a telephone  
16 call from me to call NFPA staff before the complete  
17 comment was distributed to the Technical Committee.  
18 That was done so with the written ballot which  
19 precluded a full technical understanding by the  
20 committee.

21 While NFPA staff apologized for the  
22 failure of the process, it was too late for a fair,  
23 open and reasonable discussion by the committee  
24 during its meeting. This is a clear violation of

1 3.3.2.2 of the regs. It will undoubtedly cause  
2 direct and material damage to users of this  
3 document. Failure to follow the NFPA regulations  
4 governing committee projects will endanger the  
5 status of NFPA 99 as an ANSI standard.

6 As for proof that this occurred, please  
7 turn to Page 99-76 in your 2009 Report on Comments  
8 and read the explanation of negative vote. It is  
9 found in the left-hand column about 2 inches from  
10 the bottom of the page. Mr. Lipster states,  
11 "Unfortunately, the supporting documentation for  
12 this proposal was not available during the  
13 Technical Committee meeting."

14 I urge the membership here this morning to  
15 support this motion so that we will have a standard  
16 that does not compromise life safety and meets the  
17 regulations governing committee projects. Thank  
18 you.

19 MODERATOR CLARY: Thank you. Looks like  
20 Microphone Number 2.

21 MR. PETERKIN: James Peterkin representing the  
22 Health Care Section, Codes and Standards Review  
23 Committee. Our section met this Tuesday at the  
24 Annual Business Meeting and voted to oppose this

1 motion. So I am speaking in opposition.

2 Basically, we wanted to indicate that the  
3 committee did hear the proper requirements and was  
4 able to debate the issues and feels that the issue  
5 was properly debated and the correct decision was  
6 made. We've been designing hospitals with circuit  
7 breakers and have been able to do the job properly  
8 for years, and to just introduce this requirement  
9 in the last edition of 70 does not provide the  
10 level of safety that is necessary. So we would  
11 support this -- or oppose this motion.

12 MODERATOR CLARY: Thank you. And Microphone  
13 Number 2 again.

14 MR. MANCHE: Alan Manche, Square D Company,  
15 speaking in opposition to the motion.

16 I would simply like to say that I'm a part  
17 of the NEC technical activity. Also serve on  
18 NFPA 110 for Emergency Systems. I think what we  
19 have to realize here is that the NEC established  
20 that there are selectivity requirements.

21 Unfortunately, there is no performance requirement  
22 there. As we look at -- let's take an example of a  
23 transfer switch. If we put a transfer switch in,  
24 there's a requirement for listing it for safety in

1 the NEC, but NFPA 110 gives us performance  
2 requirements as to where it has to be located in  
3 proximity of service equipment and other equipment.

4 The same thing is going on here. We have  
5 a selectivity requirement in 700 for the emergency  
6 system or any other places that it desires to go on  
7 the NEC, and the health care industry has decided  
8 and settled on a performance requirement that's  
9 necessary based on what's gone on in NFPA 99.

10 I would like to take this time to read --  
11 I think the committee captured it very well in the  
12 last couple of sentences in the committee's  
13 statement. It says, The committee -- there's a  
14 responsibility on the part of the design engineer  
15 to assess several competing factors in selecting  
16 the proper or current protective devices. These  
17 factors include selective coordination, arch flash,  
18 equipment damage, and overall reliability of the  
19 electrical system.

20 So I think that statement is very wise  
21 from the electrical committee in trying to decide  
22 what the right number is for the performance value.  
23 Once again, I speak in opposition to the motion.

24 MODERATOR CLARY: Thank you. Microphone

1 Number 5.

2 MR. JOHNSTON: Mike Johnston, NECA, in support  
3 of the motion.

4 Once again, for the reasons stated by  
5 Mr. Saporita, procedure, inability to have adequate  
6 time for meaningful input and action on the  
7 comment. I believe Mr. Allison's information was  
8 technically adequate to act on appropriately. And  
9 I think the actions of the committee lessen the  
10 current requirements without technical  
11 substantiation.

12 And just as a reminder to the body, this  
13 same issue was addressed in the NEC at the Annual  
14 Meeting in the previous cycle. And it went all the  
15 way to an appeal process by the same -- from the  
16 same group, and the Standards Council rejected that  
17 appeal on the same issue. There should be nothing  
18 different this cycle to reverse that action.

19 I urge the body to vote in favor of this  
20 motion and not lessen the current requirements and  
21 create an inconsistency between NFPA 70 and  
22 NFPA 99. Thank you.

23 MODERATOR CLARY: Thank you. And Microphone  
24 Number 2.

1 MR. DAGENAIS: David Dagenais representing  
2 myself and a member of the Technical Committee.  
3 The question that we are hearing here is --

4 MODERATOR CLARY: For or against the motion?

5 MR. DAGENAIS: I'm sorry. I am against the  
6 motion.

7 The question that we're hearing is whether  
8 or not the Technical Committee had adequate time to  
9 understand thoroughly what the issues were. We  
10 debated this at length during the Technical  
11 Committee meeting. We had presentations on both  
12 sides. It clearly was sent out prior to the ballot  
13 vote. What we're talking about here is the ballot  
14 vote. The ballot vote was 20 to 1.

15 So I urge everyone to stand behind the  
16 committee's actions and reaffirm the committee's  
17 effort and their input. They had the adequate  
18 information that they needed to make the decision,  
19 otherwise they wouldn't have. Thank you.

20 MODERATOR CLARY: Thank you. Microphone  
21 Number 5.

22 MR. NASBY: Thank you. My name is Jim Nasby.  
23 I am representing myself. I am with Columbia  
24 Engineering. I am speaking in favor of this

1 motion. I am a member of NFPA 20. I was a member  
2 of code-making panel 13 of NFPA 70, and I'm a  
3 previous member of NFPA 110. I am speaking to the  
4 technical aspects of the proposal and the comment  
5 in consideration.

6 The proposal and the comment seek to  
7 exempt selective coordination in a most important  
8 area of direct short circuits, bolted faults, and  
9 these can and do occur on a demonstratable basis  
10 and with a history of occurrences, and these do  
11 occur during the service of emergency systems. To  
12 exempt the hundred millisecond area is to allow  
13 bolted faults and heavy short circuits to propagate  
14 upstream in the emergency power supply.

15 What this means is that a short-circuit in  
16 one service such as lighting your elevators will  
17 take out other emergency loads, and this includes  
18 fire protection such as fire pumps which can either  
19 be threatened by other short circuits or themselves  
20 can represent short circuits and take out other  
21 emergency loads.

22 As has been mentioned, this topic has been  
23 subject to a lot of debate and discussion in the  
24 code-making process of NFPA 70 National Electrical

1 Code, and this requirement for a complete selective  
2 coordination including hundred milliseconds has  
3 been in the National Electrical Code since the 2005  
4 edition.

5 I agree that having this discrepancy  
6 between NFPA 99 and NFPA 70 National Electrical  
7 Code will be a severe hardship and handicap to the  
8 field to enforcing agencies and will put the NFPA  
9 organization in a precarious position.

10 There is no reason that this selective  
11 coordination cannot occur. There are plenty of  
12 resources, documentation and methods to show that  
13 it can be done. It's normally done in emergency  
14 circuits. And it's been commented through the  
15 process of NFPA 70 development of the selective  
16 coordination requirements that it can and should be  
17 done. The reasons for not doing it primarily wind  
18 up being economic reasons.

19 The problem with propagating faults  
20 upstream is allowing one emergency circuit or fault  
21 on one circuit to take out other emergency circuits  
22 and resources, and protection is what is at stake  
23 here. There's no particular good reason for doing  
24 this other than people trying to minimize the cost

1 impact of what's already being done in emergency  
2 circuits and also in normal power supply circuits  
3 for years.

4 I am requesting the membership to consider  
5 accepting this comment and not putting in an  
6 exception in this standard which does not exist in  
7 the National Electrical Code. I thank you.

8 MODERATOR CLARY: Thank you. Microphone  
9 Number 1.

10 MR. LIPSTER: Steve Lipster speaking for  
11 myself. You know, I feel compelled to remind the  
12 membership here that out of the --

13 MODERATOR CLARY: Are you for or against the  
14 motion?

15 MR. LIPSTER: I'm sorry. I'm for the motion --  
16 that out of the four certified amending motions  
17 we've had here today involving 99, three, fully  
18 three of them revolve around procedural issues.  
19 And this is just yet another example of throwing  
20 NFPA policy, standards, and rules out the door  
21 totally ignoring them in an effort to get a code  
22 out in a timely manner.

23 And I would submit to you that it didn't  
24 get out in a timely manner. This is just improper,

1 absolutely improper. Please support this motion.  
2 Enough is enough. Let's get back to doing business  
3 the way we should. Thank you, Mr. Chair.

4 MODERATOR CLARY: Microphone Number 2.

5 MR. FINEN: My name is Chris Finen. I'm  
6 representing the Eaton Corporation and I'm speaking  
7 against the motion. I'm also a member of the  
8 Technical Committee on this issue.

9 I will say that the Technical Committee  
10 was very knowledgeable of this issue, even before  
11 the comment period. Additionally, as Walt Vernon  
12 mentioned, we did have several presentations that  
13 all supported the documentation that -- or all the  
14 technical support for this motion that we're  
15 arguing right now.

16 The committee did recognize that from a  
17 reliability standpoint, selective coordination was  
18 but one factor of many, many different competing  
19 factors in the reliability and safety of an  
20 electrical system. So to make a mandate that  
21 mandates only one ingredient in the whole  
22 reliability spectrum was viewed upon as not good  
23 practice by the committee.

24 The other thing that the committee wanted

1 to ensure is that the single most valuable person  
2 or influential person or knowledgeable person in  
3 the safety and reliability of an electrical system  
4 is the design engineer. So we are mandating a  
5 minimum level of selective coordination and leaving  
6 it in the design engineer's hand to take it beyond  
7 that if, after their thorough review of all the  
8 competing factors and reliability, they choose to  
9 do that.

10 There is nothing in the verbiage that  
11 prevents 100 percent selective coordination that  
12 has been argued in this motion. There's absolutely  
13 nothing that prevents that; but we wanted to leave  
14 the design engineer, as it says in the  
15 substantiation, in that decision-making process.

16 So I encourage everyone to vote against  
17 this motion. Thank you.

18 MODERATOR CLARY: Thank you. Microphone  
19 Number 5.

20 MR. CYBART: My name is Ken Cybart and I  
21 represent the National Electric Fuse Association.  
22 I would urge the membership here --

23 MODERATOR CLARY: Are you in for or against?

24 MR. CYBART: I am for the amendment, comment.

1 I would urge the membership to take a moment before  
2 they vote on this to take a look at Comment Number  
3 99-408 on Page 99-74 in the Report on Comments.

4 And I think if the membership reads that, it  
5 clearly shows what can happen if there is a  
6 short circuit that occurs when you're on the  
7 operating table in the basement, as was mentioned  
8 earlier. There's the possibility that that  
9 operating room could be disabled.

10 And so I would urge people to look at this  
11 comment and read it carefully before deciding on  
12 this issue. Thank you.

13 MODERATOR CLARY: Thank you. Microphone  
14 Number 4.

15 MR. HIRSCHLER: Marcelo Hirschler,  
16 GBH International. I call the question.

17 MODERATOR CLARY: We have a motion for closure.  
18 Do we have a second?

19 A VOICE: Second.

20 MODERATOR CLARY: This is a nondebatable item.  
21 We will go immediately to that vote. Again, the  
22 vote is for closure. All in favor, signify by  
23 raising your hand. Thank you. Opposed.

24 The motion carries by two-thirds.

1           We'll now proceed to the motion on the  
2 floor which is to accept Comment 99-408. All in  
3 favor of the motion, please signify by raising your  
4 hands. Thank you. All opposed.

5           And we're going to go to a standing count.  
6 You're just all too spread out. All in favor of  
7 the motion, please stand, those with your red  
8 membership badges. You may be seated. And all  
9 opposed, you may rise. You may all be seated.

10           It was 40 for the motion, 46 against, a  
11 number of abstentions. The motion fails.

12           We'll now proceed with Sequence 99-5. It  
13 looks like Microphone Number 5.

14           MR. ROBITAILLE: I am Simon Robitaille, and I  
15 work for TSO3, sterilizer manufacturer for medical  
16 devices. I propose the motion to accept  
17 Comment 99-434.

18           MODERATOR CLARY: Thank you. You are the  
19 authorized maker of this motion. Do we have a  
20 second?

21           A VOICE: Second.

22           MODERATOR CLARY: Thank you. Please proceed.

23           MR. ROBITAILLE: At this stage of the proposal,  
24 I submitted an amendment to the Piping System

1 Committee, Proposal 99-434, Log 116, Page 99-51 of  
2 the ROP so that the ozone sterilizer can use oxygen  
3 from oxygen central supply system. It was rejected  
4 since the Piping System Committee did not feel it  
5 was their jurisdiction as this is not a pipe gas  
6 system.

7 The proposal was then forwarded to the  
8 Medical Equipment Committee and accepted in  
9 principle. That's Proposal 99-443 on Page 99-52 of  
10 the ROP. A new section, 9.5.3.3, Sterilizers, was  
11 created to define the criteria of a safe apparatus,  
12 not to be permanently attached to the pipe  
13 distribution system is connected to the pipe  
14 distribution system using a wall outlet and a  
15 flexible hose is a medical device which has been  
16 listed with the United States Food and Drug  
17 Administration. It operates at or below 5 psig.  
18 For instance, our sterilizer operates at 2 psig at  
19 the inlet of the ozone generator and minus 7 psig  
20 in the sterilization chamber.

21 The substantiation of the decision, which  
22 can be found on Page 99-52 of the ROP, is in  
23 summary. This sterilizer is a Class II medical  
24 device. It is registered and cleared by the

1 U.S. FDA. It requires identified oxygen USP grade.  
2 The source of oxygen can come from individual high  
3 cylinders or from oxygen controlled supply systems.  
4 The handling, meaning transportation, disconnecting  
5 and reconnecting the cylinders to the manifold has  
6 inherent hazards as movement of every cylinder,  
7 accidental release of the high pressure gas  
8 2000 psig, fire and explosion due to the accidental  
9 contamination of connections during change-out.

10           These hazards do not exist when oxygen is  
11 supplied to the sterilizer from a central supply  
12 system. However, in order to avoid confusion and  
13 to eliminate conflict to the actions taken by the  
14 Medical Equipment Committee, 5.1.3.4.2 should be  
15 modified by accepting to remove the words "to or  
16 used" so it reads, "central supply systems for  
17 oxygen, medical air nitrous oxide, carbon dioxide  
18 and all other patient medical gases shall not be  
19 piped for any other purpose accept patient care  
20 applications."

21           The scope of the Piping System Committee  
22 as it can be read on Page 99-3 of the Report of  
23 Comment is this committee has the primary  
24 responsibility for the performance, maintenance,

1 installation, and testing of medical gas piping  
2 systems.

3 On the other hand, the Medical Equipment  
4 Committee has in its scope the safeguarding of the  
5 patients and health care personnel within the  
6 health care facilities from the hazard of fire and  
7 explosion.

8 In conclusion, the Medical Equipment  
9 Committee after analyzing and weighting the risk  
10 and hazards for the patient --

11 MODERATOR CLARY: One minute.

12 MR. ROBITAILLE: -- and the user has set the  
13 criteria up that the sterilizer shall meet in order  
14 to use oxygen from the oxygen central supply  
15 system. Leaving the words "to or used" in 5.3.4.2  
16 will create confusion since Chapter 9 will accept  
17 the sterilizer to be nonpermanently attached to a  
18 pipe gas system while Chapter 5 will permit it.

19 Therefore, I am asking you to vote for  
20 accepting Comment 99-434.

21 MODERATOR CLARY: Thank you. Mr. Erickson?

22 MR. ERICKSON: I would like to ask Mr. Mohile,  
23 the Chair of the TC on Pipe Gas to speak to this.

24 MODERATOR CLARY: Microphone Number 6.

1 MR. MOHILE: Thank you. My name is  
2 Dave Mohile. I am the Chairman of the Piping  
3 Committee. I am speaking against this proposal.

4 My Technical Committee accepted this  
5 proposal and we've sent it on to a new committee  
6 that would be formed to come up with the standard  
7 for this equipment. Our concern is our  
8 responsibility ends at the medical gas outlet  
9 mounted on the wall. We do not speak to the issue  
10 of the patient care equipment attached to the  
11 medical gas outlet.

12 As I understand it, this equipment is  
13 going to be attached with a flexible piece of hose;  
14 therefore, it is technically out of the realm of  
15 the Piping Committee. Thank you.

16 MODERATOR CLARY: Thank you. And we'll stay at  
17 Microphone Number 6.

18 MR. LYCZKO: My name is Edward Lyczko. I am  
19 against this motion. I am a NFPA member and  
20 principal member of NFPA 99 Technical Committee on  
21 Piping Systems. I am a licensed master plumber in  
22 the State of Ohio, and I have 33 years of  
23 experience in the Facilities Engineering Department  
24 of Cleveland Clinic as well as a plumber and chief

1 plumber supervisor. I am at a clinic, a 1350-bed  
2 hospital.

3 I am speaking to the issue of ensuring  
4 both the continued segregation of piped medical gas  
5 for only direct patient uses such as respiratory in  
6 clinical applications in the enhancement of patient  
7 safety. In reality, this NITMAM would allow the  
8 interconnection of ozone-producing, low-temperature  
9 gas sterilization devices which require  
10 pharmaceutical grade oxygen USP to be connected to  
11 health care facilities' piped O2 USP distribution  
12 system. Until now, this system was reserved  
13 exclusively for patient life supporting respiratory  
14 in clinical applications only.

15 For you to be able to make the most  
16 knowledgeable decision on this proposal, I am going  
17 to explain med gases and low temperature gas  
18 sterilization. Piped gas for distribution systems  
19 that begin at their source and terminate at the  
20 facility's wall outlet, such as oxygen USP, are  
21 considered prescription drugs by the FDA. This is  
22 because the use of these gases is unsafe without  
23 the supervision of a licensed practitioner.

24 Regulations regarding the composition of

1 the purity of these gases are established by FDA  
2 and the United States Pharmacopeia. This is where  
3 USP comes from. Medical gases are actually the  
4 most widely prescribed used drugs in the U.S.A.  
5 health care industry.

6 Low temperature gas sterilization, there  
7 are many types of reusable medical instruments that  
8 must be sterilized for safe patient use. Some  
9 can't take the heat of steam sterilization. Low  
10 temperature gas sterilization is usually used to  
11 sterilize these instruments. There's actually  
12 three types of low temperature gas sterilization:  
13 Ethylene oxide, ozone, and hydrogen peroxide gas  
14 plasma. All of these must be FDA certified.

15 There's currently an extreme amount of  
16 competition among these different types because all  
17 of these methods are FDA-approved and mostly  
18 interchangeable. One accepted practice that  
19 enables the facility to decide which sterilization  
20 practice to use is cost per use.

21 Ozone sterilization requires oxygen USP.  
22 A primary factor that determines ozone method cost  
23 per load is where the source of oxygen comes from.  
24 If the old USP source is from the oxygen's piped

1 medical gas system which patients are breathing out  
2 of, the cost per use is lower. If they use  
3 dedicated cylinders, which they're doing now  
4 throughout the country, the cost is higher.

5 They're making several claims. There's no  
6 potential contamination of the piping system  
7 because it's at a lower pressure than the piping  
8 system. In reality, in today's health care,  
9 there's many shutdowns of the med gas piping system  
10 where it's reduced to zero which would mean that  
11 the ozone sterilizer is operating above.

12 Attention?

13 The second claim is that moving the  
14 connection of high pressure cylinders is dangerous.  
15 These cylinders are moved continually throughout  
16 the hospital anyhow. So the hospital is still  
17 moving cylinders.

18 And the final claim is that it's not a  
19 permanent connection. Actually, these are large,  
20 free-standing instruments, not meant to be used and  
21 they're going to be attached by a hose that oxygen  
22 can dry them up.

23 In conclusion, during my many years of  
24 hospital experience, I have worked with NFPA very

1 often and we always vote for patient safety issues.  
2 I hope you kind of realize that this is a low  
3 temperature gas sterilization industry issue, and  
4 that accepting this NITMAM would place NFPA in  
5 direct conflict with the desire of the Technical  
6 Committee's 5.1.3.4.2 that strictly restricts and  
7 spells out the use of piped medical gases for  
8 direct patient care applications only to enhance  
9 patient safety.

10 And the final and most important  
11 significant issue that we must consider is that if  
12 we allow this interconnection to the facility's  
13 piped support medical gas system for nonpatient  
14 use, we will have opened the door for other  
15 equipment manufacturers to connect --

16 MODERATOR CLARY: 30 seconds.

17 MR. LYCZKO: -- other type of machines and  
18 introduce questionable patient safety practices.  
19 Once this is done for one manufacturer, we'll have  
20 to consider doing the same for all. Patient safety  
21 is the key here. Thank you.

22 MODERATOR CLARY: Thank you. Microphone  
23 Number 3.

24 MR. SUTTER: My name is Robert Sutter. I am

1 speaking for myself in favor of the motion. I sit  
2 on the Medical Equipment Committee that debated  
3 this issue.

4 We felt by the Piping Committee exceeding  
5 the scope of their area of responsibilities that  
6 they created a conflict within the 99 document.  
7 Their responsibility is up to the wall outlet. The  
8 Medical Equipment Committee, when we evaluated this  
9 piece of equipment, we looked at the potential  
10 hazards that were associated with it, felt that by  
11 putting a new section into the document on  
12 controlling the use of that sterilizer, on  
13 eliminating the use of moving high pressure  
14 cylinders and things like that, we were having a  
15 safer environment for the patient's end, for the  
16 staff of the facility itself, and lowering the  
17 chance of accidents through fire and explosion and  
18 movement of high pressure cylinders.

19 So what I would do is encourage you to  
20 take a vote in favor of this comment here and  
21 remove this conflict with those words "or used  
22 for". Those are the words that are causing the  
23 conflict.

24 This instrument is not piped into the

1 system. It does not supply ozone on a continuous  
2 basis. You take away the oxygen from it, it stops  
3 supplying it. You heard what they were talking  
4 about, that it is at below pressure. It's in a  
5 vacuum at times. So we do not have backfeed into  
6 this system. Thank you.

7 MODERATOR CLARY: Thank you. And Microphone  
8 Number 6.

9 DR. EHRENWERTH: Jam Ehrenwerth, American  
10 Society of Anesthesiologists. I'm speaking against  
11 the motion.

12 Well, if you all thought that I was  
13 concerned about electrical safety, it pales in  
14 comparison to medical gas safety. Medical gas  
15 safety is the number one concern of the people in  
16 the operating room and those who take care of  
17 patients in critical care areas and throughout the  
18 hospital.

19 The integrity of the medical gas system,  
20 in particular, the oxygen system, can never be  
21 compromised. There are, unfortunately, a number of  
22 reports in the literature where the oxygen system  
23 has gotten contaminated and has resulted in severe  
24 brain injury and number of patient deaths.

1 Fortunately, not recently.

2 I feel very strongly that we need to  
3 maintain the integrity of the medical gas system  
4 for the patients. We don't allow air, for  
5 instance, to be used for cleaning catheters and  
6 scopes, and we should not be allowing people to  
7 plug devices into the central oxygen system for  
8 anything other than patient care. It may have  
9 unintended consequences down the line, and we won't  
10 find out about it until it's too late and someone  
11 has been injured.

12 Sterilization should be done in a central  
13 area. It's very simple to have that coordinated.  
14 Most hospitals do it, and they can have a separate  
15 system of oxygen if they choose to have ozone  
16 sterilizers that either would not require much in  
17 the way of movement or could have a separate source  
18 of liquid oxygen if that's how they chose to go.

19 So I strongly would encourage you to vote  
20 against the proposed motion. Thank you.

21 MODERATOR CLARY: Thank you. And we'll stay at  
22 Number 6.

23 MR. FERRARI: Thank you, Mr. Chairman good  
24 morning. My name is Keith Ferrari. I'm with

1 Praxair. I am representing the Compressed Gas  
2 Association. We are against this motion. I sit on  
3 the Technical Committees of NFPA 99, PIP, and MED.

4 The submitter suggested a conflict was  
5 created by the actions of the MED Technical Log  
6 116a and PIP Technical Log 142. We disagree with  
7 the substantiation. Log 116a allows sterilizers to  
8 be connected to a pipe distribution system. The  
9 word "patient" was never included in that  
10 statement.

11 Log 142 committee statement explains that  
12 the patient pipe distribution system shall only be  
13 used for patient care applications. Inside the  
14 NFPA 99, there's a number of pipe distribution  
15 systems for nonpatient use, nonmedical, pneumatic,  
16 gas-powered distribution systems.

17 We feel that the sterilizers, if they want  
18 to be hooked up to oxygen in a pipeline network, is  
19 acceptable as long as it's not attached to the  
20 patient care distribution oxygen system. That's  
21 why I ask the members to vote against this motion.

22 MODERATOR CLARY: Thank you. And Microphone  
23 Number 6.

24 MR. MOHILE: Dave Mohile again, Chairman of the

1 Piping Committee. Just to rebut Mr. Sutter's  
2 statement that we have exceeded our authority, we  
3 rejected --

4 MODERATOR CLARY: For or against the motion?

5 MR. MOHILE: Against the motion.

6 We did reject this action because, under  
7 staff liaison recommendation, our statement was the  
8 committee does not feel it has jurisdiction. So  
9 that's why we rejected it. We did not exceed our  
10 authority on that. Thank you.

11 MODERATOR CLARY: Thank you. And Mr. Erickson.

12 MR. ERICKSON: Yes, as the Correlating  
13 Committee Chair, this set of proposals and comments  
14 came before us, and the Correlating Committee made  
15 it very, very, very clear that what gets plugged  
16 into these outlets is the jurisdiction of the  
17 Medical Equipment Technical Committee. The  
18 jurisdiction of the Pipe Gas Committee stops at the  
19 outlet.

20 Therefore, most of the testimony that you  
21 heard today is not appropriate because it is not  
22 talking about what gets plugged into the system  
23 itself. It's about what gets hard-piped to the  
24 system. So I just want to make it extremely clear

1 that it appears as if we are mixing apples and  
2 oranges at this point in time because the Medical  
3 Equipment Committee made it extremely clear that  
4 you could plug this ozone sterilizer into the pipe  
5 gas system as long as it was not hard-piped, and I  
6 think we heard that testimony loud and clear.

7 MODERATOR CLARY: Thank you. We'll now proceed  
8 to the motion on the floor which is to accept  
9 Comment 99-434. All in favor of the motion, please  
10 signify by raising your hands. Thank you. All  
11 opposed.

12 And the motion fails.

13 We'll next move to Sequence 99-6.  
14 Microphone Number 1.

15 MR. LATHROP: I'm Jim Lathrop. I think I asked  
16 earlier this week to have 7 before 6. They're both  
17 mine.

18 MODERATOR CLARY: Can you repeat again?

19 MR. LATHROP: I requested earlier in the week  
20 to have 7 heard before 6. They are both mine.  
21 They said since they're both mine, it wouldn't be a  
22 problem.

23 MODERATOR CLARY: You are correct, and you may  
24 proceed with 99-7.

1 MR. LATHROP: Jim Lathrop, Koffel Associates;  
2 and based on 99-7, I move to return a portion of  
3 the report in the form of returning Proposal 99-446  
4 and all its related comments.

5 A VOICE: Second.

6 MODERATOR CLARY: We have a second. Please  
7 proceed.

8 MR. LATHROP: Okay. First of all, what this  
9 will do is result in the elimination of what is now  
10 being called Chapter 15. In your ROP, it shows as  
11 Chapter X. In discussions with the Technical  
12 Correlating Committee Chair and the Technical  
13 Committee Chair, we did discover one section that  
14 will need to be retained, and that deals with fire  
15 loss prevention and anesthetizing locations that  
16 will be taken care of by subsequent follow-up  
17 motion by one of the Technical Committee members  
18 with regard to Comment 99-583. If, for some  
19 reason, that doesn't happen, I will go ahead and  
20 appeal to the Standards Council so we will maintain  
21 that section. That won't be an issue.

22 The other issue that people have brought  
23 up is cylinders in container storage locations.  
24 That material is repeated elsewhere in the

1 document. In fact, we're actually doing you a  
2 favor by deleting Chapter 15 because we found some  
3 minor differences between the two that weren't  
4 caught during the comment period.

5 Now why do I want to return this entire  
6 chapter? Well, first of all, this chapter creates  
7 some tremendous conflicts with the Life Safety  
8 Code, with NFPA 13, and with NFPA 72. It creates  
9 sufficient enough conflicts that I think would  
10 almost be impossible for 101 to reference this in  
11 the future. And that's my big concern. We need to  
12 maintain a reference of 99 by 101.

13 If you look through the draft chapter --  
14 unfortunately, I just said draft chapter. We don't  
15 have that, do we? If you look through the ROP and  
16 you look at what's called Chapter X, you'll see in  
17 some cases the material is shown as extracts.  
18 Sometimes it's not shown as extracts. I can  
19 identify numerous paragraphs in there that were  
20 lifted directly from 101 that are not identified as  
21 extracts, and I find other ones that are indicated  
22 as extracts but the extracting means changes the  
23 intent.

24 One example: There is an extract in the

1 Life Safety Code with regard to items that do not  
2 have to activate the building fire alarm system  
3 that is listed directly out of Chapter 9. However,  
4 it does not bring in the material from Chapters 18  
5 and 19 of the Life Safety Code to say this is not  
6 acceptable in a health care facility. All right.

7 Some of the extracts are not complete. I  
8 think there's actually, if we look carefully,  
9 there's some fairly significant extract violations  
10 occurring throughout this chapter.

11 One other paragraph that has me a little  
12 concerned, and I know mentioning the IBC in here is  
13 kind of heretic, but, at the same time, Section 2  
14 with construction is going to require that  
15 construction comply with the Life Safety Code.  
16 This is going to make it a little tough for like  
17 the IMC and stuff to refer to NFPA 99 which I think  
18 is a problem.

19 One last thing, and since we've been  
20 talking quite a bit about the lack of ability to  
21 have drafts to review, there's kind of an  
22 interesting, another little anomaly that's occurred  
23 here. Comment 99-598 by Frank Van Overmeiren,  
24 Frank in that particular comment asked to have some

1 materials on sprinklers deleted because it was not  
2 technically justified. Well, the committee turned  
3 around and said, Well, we're going to keep it, but  
4 we're going to put it in Chapter 15.

5 The problem is is when it did that is that  
6 what was going to be a prohibition on wet pipe  
7 sprinklers just in telecommunications areas now  
8 becomes a prohibition of wet pipe sprinklers in  
9 health care facilities. Oops. Little problems  
10 there. Thank you.

11 MODERATOR CLARY: Thank you. Mr. Erickson?

12 MR. ERICKSON: I would like to ask Mr. Crowley,  
13 the TC Chair of Fundamentals, to speak to this.

14 MODERATOR CLARY: Microphone 2.

15 MR. CROWLEY: Mike Crowley, Rolf Jensen &  
16 Associates, TC Chair, Fundamentals, NFPA 99.

17 Chapter 15 is all new and we did bring it  
18 together. Chapter 15 was in the ROP, maybe not in  
19 one piece, but spread out over a number of places.  
20 All I can say at this point in time is we're  
21 standing behind our committee action. Thank you.

22 MODERATOR CLARY: To clarify, you are for or  
23 against the motion?

24 MR. CROWLEY: I like to stand on the edge, but

1 I have to come down against the motion at this  
2 time.

3 MODERATOR CLARY: Thank you. Microphone  
4 Number 5.

5 MR. ISMAN: Thank you, Mr. Chair. Ken Isman  
6 with the National Fire Sprinkler Association. We  
7 rise in support of the motion.

8 What the committee has done here with this  
9 new chapter is they have kind of written their own  
10 sprinkler standard. They have taken bits and  
11 pieces of other documents and cobbled them  
12 together, but these particular rules have never  
13 been applied to health care before, such as the  
14 rule to allow sprinklers to be omitted from closets  
15 which was pulled from the hotel and motel section  
16 of NFPA 101.

17 Now the committee does have the right to  
18 do that as an occupancy group. The Standards  
19 Council actually has given occupancy groups the  
20 right to write their own sprinkler requirements in  
21 violation of the requirements of NFPA 13. However,  
22 the Standards Council has a very specific directive  
23 that says, when you do that, when you're taking  
24 exception to rules that are in NFPA 13, you have an

1 obligation, a requirement to write an annex note  
2 explaining that you are deviating from NFPA 13 and  
3 giving the reasons why your occupancy has been  
4 given the right to -- what your justification is  
5 for deviating from NFPA 13. And the committee has  
6 not complied with that Standards Council directive.

7 So we have here a number of sprinkler  
8 requirements, and you see them in X.8.2 of the  
9 standard, and then they snuck a few more in in  
10 Section X.12.2 where they exempt sprinklers from  
11 walk-in refrigerators and freezers which is another  
12 exception from NFPA 13. NFPA 13 would require  
13 sprinklers in these walk-in freezers and  
14 refrigerators if they're in sprinklered buildings  
15 and, yet, NFPA 99 is going to exempt them.

16 So once again, the Standards Council says,  
17 Well, as an occupancy group, you have the right to  
18 do that, but you have to justify the position. And  
19 we haven't seen any justification for it, and we  
20 have not seen the annex note that explains it  
21 that's required by the Standards Council directive.

22 So I support the motion to send this back  
23 to the committee.

24 MODERATOR CLARY: Thank you. Microphone

1 Number 3.

2 MR. DAGENAIS: Dave Dagenais representing  
3 myself, and I am a member of the TCC Committee and  
4 I stand in support of the motion.

5 The concept of addressing a one-stop shop  
6 theory was a good concept. However, I think based  
7 on the several number of conflicts that would exist  
8 if this went forward, the committee has not done  
9 justice. So I think, effectively, we should send  
10 it back to committee for re-evaluation.

11 MODERATOR CLARY: Okay. Thank you. Seeing  
12 nothing else, Mr. Erickson?

13 MR. ERICKSON: Once again, I believe all good  
14 intentions were had to try and meet the directive  
15 of the TCC by putting together a document that can  
16 be used as a one-stop shop; and, once again,  
17 whether or not we did or did not meet our intention  
18 should be evaluated by the assembly.

19 MODERATOR CLARY: And it looks like Microphone  
20 Number 3.

21 MR. VAN OVERMEIREN: Frank Van Overmeiren,  
22 FP&C Consultants, member of the NFPA 99  
23 Fundamentals Committee, member of the task force  
24 that prepared this chapter and the original author

1 who created Version 1.

2 The reality is that I cut and paste  
3 different sections as the initial working document  
4 for the task force to work with from other NFPA  
5 documents and other documents outside of NFPA  
6 documents as the original version to work from. It  
7 would not and was not our intent to list those as  
8 excerpts of things. I took personal liberty in  
9 some limited sections to change verbiage as a  
10 creation of Version 1, and the Technical Committee  
11 took actions to change verbiage along the way. So,  
12 one, it would not be appropriate for those to be  
13 listed as excerpts.

14 It was not our intent to go and not comply  
15 with the Standards Council's information regarding  
16 providing additional substantiation for where we  
17 were differing from other NFPA standards. We  
18 discussed all of these issues. We have, in the  
19 case of NFPA 13, three fire protection engineers on  
20 our Technical Committee. We feel we have the  
21 expertise to address these issues that are  
22 appropriate for health care facilities, and we will  
23 in the future prepare that documentation. It was  
24 not our intent to not prepare that documentation.

1 I am against this motion and look for this  
2 information to be retained in NFPA 99.

3 MODERATOR CLARY: Thank you. Seeing no one  
4 else, we will proceed to the vote which again, just  
5 to remind you, we are on Sequence Number 7 and the  
6 motion is to return a portion of the report in the  
7 form of Proposal 99-446 and related Comments  
8 99-583, 587, 588, 589, and 596. All in favor of  
9 the motion, please signify by raising your hands.  
10 Thank you. All opposed.

11 And the motion passes.

12 Mr. Lathrop, do you wish to return to  
13 99-6?

14 MR. LATHROP: Jim Lathrop --

15 MODERATOR CLARY: Microphone Number 1.

16 MR. LATHROP: -- Koffel Associates. I will not  
17 pursue 99-6.

18 MODERATOR CLARY: Okay.

19 MR. ISMAN: Point of order, Mr. Chairman.

20 MODERATOR CLARY: Microphone 5.

21 MR. ISMAN: Point of order. Mr. Koffel brought  
22 up an issue on Comment 99-598 which was also in  
23 conflict with NFPA 13 and, we think, the wishes of  
24 the body, but it was not mentioned in Motion

1 Sequence 99-7. Since it was pushed to Chapter 15  
2 as a comment, does that now go back to committee or  
3 do we need to make a follow-up motion to make sure  
4 it goes back to committee?

5 MODERATOR CLARY: Yes, we can look at it, but I  
6 believe there is going to be at least one follow-up  
7 motion related to this whole action that we've been  
8 discussing for the past ten minutes or so.

9 MR. ISMAN: Are you going to take follow-up  
10 motions now or later?

11 MODERATOR CLARY: Later. We still have to get  
12 through the sequence. Give me one moment, please.

13 The next motion which is 99-6 appeared on  
14 our agenda; however, the authorized maker of the  
15 motion or their designated representative has  
16 notified the NFPA they no longer wish to present  
17 this motion. Therefore, in accordance with NFPA  
18 Rules, Convention Rule 2.6, the motion may not be  
19 considered by the assembly and is removed from the  
20 agenda.

21 We will now move to the next motion which  
22 is Sequence 99-8. Microphone Number 3.

23 MR. MUMMOLO: My name is Felix Mummolo. I  
24 represent Smart Tap, Incorporated. I make the

1 motion to return the entire report.

2 A VOICE: Second.

3 MODERATOR CLARY: We have a second. And please  
4 proceed.

5 MR. MUMMOLO: Because I was not aware of the  
6 proposed edition of 5.1.10.10.13 on a timely basis,  
7 I did not present an objection to this proposal  
8 when it was first introduced. In January of this  
9 year, I amended -- I presented a notice of intent  
10 to make a motion objecting to this proposal, but  
11 your procedures dictate that my only course of  
12 action at this time is to request the entire report  
13 be returned to the committees.

14 Section 5.1.10.10.13, Proposal for  
15 Breaching and Penetrating Medical Gas Piping,  
16 appears to be a thinly veiled attempt by the Piping  
17 Committee to make it impossible for Smart Tap,  
18 Incorporated, to conduct business in the United  
19 States. We have been through this exercise, as  
20 some remember, back in 2005 which at that time  
21 there was a direct attack on Smart technology to  
22 return this -- to ban them from working in  
23 hospitals. It was voted down by the membership and  
24 subsequently voted down by two Councils' meetings.

1           The new proposal in effect by banning  
2 Smart Tap takes away a tool for member hospitals to  
3 eliminate medical gas shutdowns on the premise that  
4 we breach the pipe and we create some shavings that  
5 do not get into the patient line but are  
6 subsequently blown out.

7           Now this particular section contradicts  
8 normal installation requirements that 99c Technical  
9 Committee on Piping has adopted over the past 20  
10 years. They have worked very hard on adopting  
11 sections of the code that make medical gas piping  
12 safer, cleaner. They have licensed or they have  
13 forced to certify people in the certification field  
14 and the installation field. They go through a very  
15 elaborate procedure of putting in clean medical gas  
16 pipe, having it inspected and certified.

17           But then comes the final connection into  
18 an existing system; and when it comes to that  
19 point, the hospital, in most cases, if they don't  
20 use Smart Tap procedure, have to shut down the  
21 medical gas system. And when that new piece of  
22 pipe is attached to the existing medical gas  
23 system, it is allowed by the standard, the current  
24 standard and this current standard that's coming

1 into -- that we're reviewing today and the  
2 preceding standards from back into 1990, that that  
3 joint is allowed to be made without a nitrogen  
4 purge so that carbon that you see form on the  
5 outside of the pipe will form on the inside of the  
6 pipe and is then blown out through the first  
7 available oxygen or medical air or nitrous oxide  
8 terminal downstream of that joint.

9 That carbon never leaves that piping  
10 system. You may break loose the particles that are  
11 loosely held to the side of the pipe, but the  
12 carbon is there to stay. So all this new piping  
13 that was just put in was contaminated by the carbon  
14 from this final joint.

15 So the main reason I am here today is to  
16 say that for inconsistency --

17 MODERATOR CLARY: 45 seconds.

18 MR. MUMMOLO: Thank you -- inconsistency and a  
19 contradiction with the existing guidelines already  
20 in effect, additional cost to hospital facilities  
21 without a reasonable justification -- because now  
22 they're going to have to watch how they demo pipe  
23 it, it cannot be done by a common laborer, it's  
24 going to have to be done with a piping cutter which

1 is going to need union personnel or mechanical  
2 contractor to remove -- and failure to consider new  
3 technologies that afford a safe way and a cost  
4 reduction to hospital facilities. Thank you.

5 MODERATOR CLARY: Thank you. Now this is a  
6 motion to return the entire document. So I wish to  
7 be clear. If anyone was considering a follow-up  
8 motion to return the document, this is the time to  
9 have your discussion.

10 With that, Mr. Erickson.

11 MR. ERICKSON: Thank you, Mr. Chair. I would  
12 like to have Mr. Mohile, the Chair of the Pipe Gas  
13 Committee, to address that.

14 MODERATOR CLARY: Microphone Number 6.

15 MR. MOHILE: Thank you. Dave Mohile, Chairman  
16 of the Technical Committee on Piping. I'm speaking  
17 against the motion to return the entire report.

18 Speaking to the specific issues that  
19 Mr. Mummolo brought up, there was no intent inside  
20 Proposal 99-280, Log Number 95, to put Mr. Mummolo  
21 out of business. All we were trying to do was  
22 clarify the procedures used to make tie-ins.

23 The concern that the committee had -- and  
24 the committee vote on this, by the way, was 21 in

1 favor and we had three ballots not confirmed. All  
2 the committee was trying to do was make sure that  
3 nothing wound up in the pipeline in the form of  
4 copper oxides or copper chips. That's all this  
5 proposal was speaking to. It was not an attempt to  
6 put Mr. Mummolo out of business.

7 Paragraph 5.1.10.5.5.10 and also  
8 Paragraph 5.1.10.5.2.3 both speak to the issue of  
9 working on the medical gas pipeline with no  
10 pressure in the pipeline at all. I believe  
11 Mr. Mummolo's procedure is done under a live  
12 pipeline. That is the concern of the Medical Gas  
13 Piping Committee that you can work on a no  
14 pressurized pipeline only and you can get the  
15 material out of it. Thank you.

16 MODERATOR CLARY: Okay. Thank you. Microphone  
17 Number 5.

18 MR. HIRSCHLER: Marcelo Hirschler,  
19 GBH International, speaking for myself on this  
20 issue. And I'm not going to address the technical  
21 issues addressed by the gentleman speaking, making  
22 the motion, that's not -- I'm addressing all the  
23 several --

24 MODERATOR CLARY: Are you for or against the

1 motion?

2 MR. HIRSCHLER: I am for the motion.

3 MODERATOR CLARY: Thank you.

4 MR. HIRSCHLER: I am going to address a number  
5 of technical -- sorry, a number of procedural  
6 issues that have been brought before this body time  
7 and time again today.

8 I need to, first of all, congratulate the  
9 committee, the Correlating Committee, for trying to  
10 do a probably superhuman job in three years. Well,  
11 the fact is they failed. They couldn't get the job  
12 done, so we need to give them a little bit more  
13 time to get the job done properly so that the  
14 public has the opportunity to see everything and  
15 look at everything.

16 And I'm not trying to -- this is not a  
17 question of blame, so-and-so did this or so-and-so  
18 did that. It's a question of all the procedures  
19 for whatever reason haven't been followed. And  
20 we've had vote after vote after vote where the  
21 motions on the NITMAMs have failed by narrow  
22 margins; but it's the accumulation of issues that  
23 just leads me to be convinced that it is  
24 inappropriate to have this document move forward.

1 There are too many errors in the document as  
2 brought up by Mr. Lathrop, and some of the errors  
3 have not been yet corrected as brought up by  
4 Ken Isman. We need to have a follow-up motion  
5 potentially to correct those particular errors.

6 The public has not been informed of a  
7 number of things, and I'm very concerned that if we  
8 don't follow the process -- and we've seen that in  
9 a number of other documents -- then this is going  
10 down a path that we don't want. It shouldn't be a  
11 great difficulty for the committee to start again  
12 at the ROC stage and move forward from there.

13 So I urge the assembly to return the  
14 report to committee, not necessarily for the  
15 reasons that Mr. Mummolo said, but for the reasons,  
16 all the procedural problems that occurred. Thank  
17 you.

18 MODERATOR CLARY: Thank you. Microphone  
19 Number 2.

20 MR. DANIEL: Thank you, Mr. Chair. My name is  
21 Mike Daniel. I am Chair of the Codes and Standards  
22 Review Committee for the Health Care Section. I am  
23 representing a section on this particular issue.

24 At our Executive Board at the Business

1 Meeting on Tuesday morning, we voted to oppose the  
2 motion on the floor. The proposed document  
3 contains critical updates with respect to both  
4 concepts and requirements that are already long  
5 overdue. A delay in the adoption of this updated  
6 document would be detrimental to health care  
7 facilities at this point.

8 As such, I strongly urge the membership to  
9 oppose the motion. Thank you.

10 MODERATOR CLARY: Thank you. Microphone  
11 Number 1.

12 MR. LIPSTER: Stephen Lipster, speaking for  
13 myself. I move to amend the motion as follows.

14 MODERATOR CLARY: That's out of order. You  
15 cannot amend the motion.

16 MR. LIPSTER: Robert's Rules prevail.

17 MODERATOR CLARY: Convention Rules prevail.  
18 You are out of order, sir, on this.

19 MR. LIPSTER: Okay. Then as a point of  
20 privilege, if you would, would you entertain a  
21 motion to return the report after this motion is  
22 acted upon?

23 MODERATOR CLARY: This is the return of the  
24 report. So that motion would also be out of order.

1 MR. PAULEY: This is the return of the report.

2 MODERATOR CLARY: The motion on the floor right  
3 now is to return the entire report to the  
4 committee.

5 MR. LIPSTER: I understand that. Should this  
6 motion fail, will you accept another motion to  
7 return --

8 MODERATOR CLARY: No. I was clear on that as  
9 well. This is the -- this is debate right now,  
10 here and now, to return the motion -- to return the  
11 report.

12 MR. LIPSTER: Very good then. I guess a couple  
13 things spring to mind here, certainly in echoing  
14 what Marcelo said --

15 MODERATOR CLARY: Are you speaking for or  
16 against the motion, sir?

17 MR. LIPSTER: I am speaking for the motion.  
18 Thank you.

19 MODERATOR CLARY: Please proceed.

20 MR. LIPSTER: I do believe that we've got a  
21 very narrow focus on this particular motion that  
22 needs to be widened on a piping incident, but let's  
23 face it, we've got procedures here that, as Marcelo  
24 said, are really rife in this particular thing.

1 We've got seven NITMAMs. Four of them deal with  
2 procedural issues that are significant, very  
3 significant and really go to the base of the  
4 code-making process.

5 This code is very clearly not ready for  
6 publication, and I would like to see it frankly, if  
7 at all possible, returned to committee as an ROP  
8 and go through the ROC stage, open it up for public  
9 comment, and have another meeting, if at all  
10 possible. It certainly would have been I think an  
11 appropriate amendment. Thank you.

12 MODERATOR CLARY: Thank you. Microphone  
13 Number 2.

14 MR. DAGENAIS: Dave Dagenais. I'm representing  
15 myself as well as the New England Society of  
16 Healthcare Engineers, speaking in opposition.

17 This is not a debate about whether Hot Tap  
18 (sic) should be used or not. It's not a debate on  
19 whether procedures were followed or not. Those  
20 were already addressed in previous motions.

21 We are here because, quite frankly, Hot  
22 Tap missed something in the ROC, missed something  
23 in the ROP, and this is the only action that they  
24 have. I'm sorry that that occurred, but that is

1 the process that we use. This is the only motion  
2 to return the entire document. Let's not utilize  
3 this motion for the purposes of trying to make  
4 everyone happy who didn't succeed with the previous  
5 motions.

6 We are addressing the issue of whether or  
7 not the entire document should go back. Clearly,  
8 we've addressed all the procedure issues prior to  
9 this in those votes. So I urge, do not send this  
10 document back. Back up the committee actions that  
11 have occurred. Back up the motions that occurred  
12 today, and let's get this document out on the  
13 street where it can do us some good. Thank you.

14 MODERATOR CLARY: Thank you. Again, I would  
15 like to make it very clear. Debate right now that  
16 we're having is to return the entire report in its  
17 entirety to the committee. So that's what the  
18 motion is on the floor. Microphone Number 1.

19 MR. ERICKSON: Point of order from me. The  
20 point of order is, I think you have to make this  
21 extremely clear. We're not just debating the one  
22 issue on medical gas system piping. We are opening  
23 this up for discussion on the entire document as to  
24 whether that needs to go back to committee.

1 MODERATOR CLARY: That, sir, is correct.

2 MR. ERICKSON: I don't think the assembly  
3 understood that.

4 MODERATOR CLARY: Again, the debate on the  
5 floor right now is to return the entire report, for  
6 whatever reason you may have, to return the entire  
7 report.

8 MR. ERICKSON: Thank you.

9 MODERATOR CLARY: At that, Microphone Number 1.

10 MR. LATHROP: Jim Lathrop, Koffel Associates,  
11 in support of the motion very, very reluctantly.

12 Some people know that I submitted a NITMAM  
13 for return of the report and was convinced  
14 otherwise and I think properly convinced otherwise.  
15 And I think, hopefully, this clarification is now  
16 clear because I definitely have nothing to do with  
17 the NITMAM that was supported. And, by the way, a  
18 motion to return would have been acceptable under a  
19 follow-up motion anyhow at this point, and what  
20 we're trying to prevent is to have two motions to  
21 return which would not be appropriate.

22 I actually think, believe it or not,  
23 returning the report to the committee would be a  
24 favor to the committee because, at this point, what

1 we can do is we can get a complete preprint of the  
2 document, open that up for public comments again,  
3 fix up what needs to be fixed up and come back and,  
4 guess what, it can be done before the next edition  
5 the Life Safety Code comes out which means it can  
6 be referenced in the next edition of Life Safety  
7 Code and maybe, through some luck, will convince  
8 CMS and Joint Commission to finally update their  
9 reference to the Life Safety Code and we'll get the  
10 new 99 recognized.

11 Getting it out at this meeting doesn't  
12 really prove much because it's not going to be in  
13 the 2009 edition of the Life Safety Code. That's  
14 already on the street. 2012 edition, we haven't  
15 even started the ROP yet.

16 So if we can go back with a draft that's  
17 available to the committees and the public, go to  
18 the comment period, and I believe the rules allow  
19 us to go straight to the comment period, I believe,  
20 it gives the Standards Council the option of doing  
21 both, I think it would be doing the committee a  
22 favor. I am standing up here actually supporting  
23 the committee, trying to give the committee the  
24 opportunity to make one last pass at this.

1           MODERATOR CLARY: Thank you. Microphone Number  
2 5. George?

3           MR. OAKLEY: George Oakley, Cooper Bussmann,  
4 speaking for myself, and I speak in support of the  
5 motion for the following reasons:

6           I have had the opportunity to sit through  
7 more of these meetings than I would actually admit  
8 to, and in listening to the debate on a number of  
9 issues and also the comments from the various  
10 committee chairs that were working to put this  
11 document together, I also applaud what they're  
12 trying to do; but there seems to be a plethora of  
13 issues that are procedural in nature and, while it  
14 makes sense to have a document that's timely put  
15 together, I'm wondering whether or not because of  
16 the broad scope of what was attempted at this  
17 document and the time constraints under which the  
18 committees were working that perhaps this is not as  
19 good as it should be.

20           We're working in an environment, ladies  
21 and gentlemen, where health care is the buzz word  
22 of the nation, and I strongly urge this committee  
23 to get it right so that the entire membership feels  
24 comfortable that it is a NFPA consensus document

1 that everyone who's had a chance to get their oar  
2 in the water has been heard properly and that we  
3 keep whatever alleged procedural issues that may  
4 have occurred to a minimum.

5 So I speak in support of returning the  
6 report and in support of this amendment.

7 Semper Fi.

8 MODERATOR CLARY: Thank you. Microphone  
9 Number 6. Number 6, Doctor.

10 DR. EHRENWERTH: Jan Ehrenwerth, American  
11 Society of Anesthesiologists. An unbelievable  
12 amount of effort has gone into fixing and redoing  
13 this document. Is it perfect? Probably not. Are  
14 we ever going to have a perfect document? I doubt  
15 it.

16 But this is a major advance. There are  
17 major issues in this document. There are things  
18 that have been fixed that things have come about.  
19 It's been 25 years since we've been putting  
20 Band-Aids on 99. It has to stop. We have to get  
21 this document out on the street. There will be an  
22 opportunity in a couple of years to fix the things,  
23 the procedural errors, and to fix some of the stuff  
24 that's gone on, but we can't throw the baby out

1 with the bath water. It's really important that we  
2 get this document fixed, that we get it out there,  
3 we get it passed; and, at this point in time, to  
4 return the whole document to committee is, to my  
5 thinking, absurd. Thank you.

6 MODERATOR CLARY: Just to be clear, you are in  
7 opposition to the motion.

8 DR. EHRENWERTH: Opposed to the motion, yes.

9 MODERATOR CLARY: Thank you. Microphone  
10 Number 3.

11 A VOICE: Point of information. If this goes  
12 back to committee, that means the document will  
13 automatically kick into the next revision cycle and  
14 won't be issued for at least that many more years?

15 MODERATOR CLARY: Not necessarily, no.

16 A VOICE: So it could, when they're ready, just  
17 be a special meeting like next year?

18 MODERATOR CLARY: The Council will make that  
19 decision.

20 A VOICE: Thank you.

21 MODERATOR CLARY: You're welcome. Microphone  
22 Number 5.

23 MR. HIRSCHLER: Marcelo Hirschler,  
24 GBH International. I want to clarify.

1 Specifically, after the last gentleman who spoke,  
2 it is the Council's prerogative to issue the  
3 document at the ROC stage -- sorry, not to issue  
4 the document -- to permit the document to start  
5 again at the ROC stage. Other documents have done  
6 that, and that tends to help the committee get  
7 involved with some of the things they couldn't see  
8 and allow potentially more comments to come in from  
9 the public who has now seen what the committees are  
10 doing.

11 The issue here as the other gentleman --

12 MODERATOR CLARY: Are you for or against the  
13 motion?

14 MR. HIRSCHLER: I am speaking for the motion.

15 The gentleman who spoke against the motion  
16 said we need to get this out no matter what. No, I  
17 don't think so. I think we have a need to follow  
18 the procedures of NFPA. If we don't follow the  
19 procedures, we have seen in other documents the  
20 problems that happen when things just get lost  
21 along the way.

22 Please, let us continue being proud of  
23 NFPA. I support this motion. Thank you.

24 MODERATOR CLARY: Thank you. And Mr. Erickson?

1 MR. ERICKSON: Well, putting me in a little bit  
2 of a difficult situation as far as the TCC and all  
3 the TC chairs and all the volunteers that worked so  
4 hard to put this document out. I know we've heard  
5 a lot about the NITMAMs and the fact that we may  
6 not have gotten it directly correct.

7 I do have to say that there is one thing  
8 that I was extremely disturbed about within this  
9 whole process and that was the lack of a preprint.  
10 Not having a preprint I believe has caused a lot of  
11 the angst that we have. It may have caused some of  
12 the problems that we had at the comment period.  
13 People trying to navigate from the ROP to the ROC  
14 to try and figure out what was going on was very,  
15 very difficult.

16 And so, here again, I'm not going to throw  
17 my committees under the bus or the TCC under the  
18 bus. I think it's up to the assembly to decide  
19 whether or not this does need to go back or not.  
20 So I think at this point in time, put it to a vote.

21 MODERATOR CLARY: Thank you. And just to  
22 follow up on the point of information that was  
23 raised earlier, I would like to read into the  
24 record from the regulations governing committee

1 projects, Section 4.7.3, "Further processing of  
2 documents that have been returned to committee.  
3 When a Technical Committee report is returned to  
4 the responsible TC or TCC in accordance with  
5 4.6.2(c) and 4.6.C(c)(1) of that subparagraph, the  
6 applicable TC or TCC shall make a recommendation to  
7 the Standards Council which revision cycle it  
8 wishes to pursue. The TC or TCC shall take into  
9 consideration the discussion that took place at the  
10 Association Meeting in preparing its amendment  
11 report. The Standards Council shall direct" -- and  
12 there's a series of options which I will not read  
13 into the report. Thank you.

14 With that, we'll now proceed with the  
15 voted. Again, it is to return the entire document  
16 to the committee. All in favor of the motion,  
17 please signify by raising your hands. Thank you.  
18 Those opposed.

19 We're going to play it safe on this one.  
20 So we're going to do a standing count. So all in  
21 favor of the motion, please stand. Again, red  
22 membership badges. You may be seated. And all  
23 opposed, please do the same. You may be seated.

24 The vote was in the affirmative, 73;

1 opposing, 50. The motion carries.

2 And this concludes our action on NFPA 99.  
3 Thank you, Mr. Erickson.

4 MR. ERICKSON: I will say one thing. Happy  
5 birthday. It's my birthday. Just say happy  
6 birthday.

7 MODERATOR CLARY: Happy birthday. We're going  
8 to take a ten-minute break. Again, a ten-minute  
9 break. Thank you.

10 (Recess taken at 10:56 a.m.)

11 (On the record at 11:13 a.m.)

12 MODERATOR BELL: Good morning, ladies and  
13 gentlemen. I ask that everybody take their seat.

14 My name is Kerry Bell, and it's my  
15 distinct privilege to be a member of the  
16 Standards Council, and I will be the presiding  
17 officer for the remainder of the reports that we  
18 will be processing this morning and perhaps this  
19 afternoon.

20 I did want to let you know that we will --  
21 as our normal procedure, we will not be breaking  
22 for lunch. So if you need to get a lunch, I wanted  
23 to make you aware that we will be not setting aside  
24 time for lunch and ask that you -- if you need to

1 go out and get something, a bite to eat, I wanted  
2 to provide some advanced notice to you in that  
3 regard.

4 I also wanted to give you a -- provide you  
5 a reminder that when you come to the microphone,  
6 please state your name, your affiliation, and  
7 whether or not you're speaking in support of or  
8 against the motion on the floor. I know that when  
9 you come to the microphone, you have a lot on your  
10 mind, but if you could remember to provide those  
11 three pieces of information, that will help us move  
12 along efficiently and, in the eloquent words of our  
13 previous presiding officer, it's needed for the  
14 record.

15 So with that, we'll move into the next  
16 report. Next report this morning is that of the  
17 Technical Committee on Fixed Guideway Transit  
18 Systems. Here to represent the committee is  
19 Committee Chair William Kennedy of Parson  
20 Brinckerhoff Quade & Douglas located in New York,  
21 New York. The committee report can be found in the  
22 blue 2009 Annual Revision Cycle ROP and ROC. The  
23 certified amending motions are contained in the  
24 motions committee report and behind me here on this

1 screen.

2 Mr. Kennedy will be stepping down as Chair  
3 due to the ten-year policy. I would like to  
4 express our sincere thanks to him for the excellent  
5 leadership that he has provided to this committee.  
6 Mr. Kennedy?

7 MR. KENNEDY: Mr. Chair, ladies and gentlemen,  
8 the report of the Technical Committee on Fixed  
9 Guideway Transit and Passenger Rail Systems is  
10 presented for adoption and can be found in the  
11 Report on Proposals and the Report on Comments for  
12 the 2009 Annual Meeting Revision Cycle.

13 The Technical Committee report proposes a  
14 partial revision of NFPA 130, Standard for Fixed  
15 Guideway Transit and Passenger Rail Systems. The  
16 presiding officer will now proceed with a certified  
17 amending motion.

18 MODERATOR BELL: Thank you, Mr. Kennedy. I  
19 would like to proceed with the certified amending  
20 motions on NFPA 130. Microphone 5.

21 MR. HIRSCHLER: Marcelo Hirschler,  
22 GBH International. I move to accept  
23 Comment 130-11.

24 MODERATOR BELL: The motion on the floor is to

1 accept Comment 130-11. Is there a second?

2 A VOICE: Second.

3 MODERATOR BELL: Please proceed.

4 MR. HIRSCHLER: Thank you. I am the Chairman  
5 of the NFPA Glossary Advisory Committee on  
6 Terminology, and it's our objective as set up by  
7 the NFPA Standards Council to provide uniform  
8 terminology throughout the NFPA documents.

9 NFPA 130 deals with obviously trains and  
10 train stations and underground -- and underground  
11 stations and trainways and so on. Within NFPA 130,  
12 there is no definition of the term "plenum". The  
13 term "air plenum" and "plenum" are used within the  
14 document. The term "air plenum" is used referring  
15 to the trainway.

16 Well, we don't know what an air plenum is.  
17 It's not used within the NFPA system. It's not  
18 defined in the NFPA system; and, in fact, I can't  
19 see any reason why there would be a water plenum or  
20 a gas plenum or something. We're talking about  
21 living in air, so it's obviously a plenum. The  
22 section under consideration says, "The trainway is  
23 not an air plenum." Okay, since we don't know what  
24 air plenum is, it doesn't tell us anything.

1           On the other hand, if it told us it's not  
2 a plenum where plenum is defined and is a common  
3 term used in a whole set of NFPA documents, it  
4 makes sense. We get consistency within the NFPA  
5 terminology within all NFPA documents and we know  
6 what we're talking about.

7           So I urge you to support the motion and to  
8 put NFPA 130 on this aspect in line with other  
9 documents. Think about it the following way: A  
10 station is a building. Although it's a station, it  
11 has its own characteristics. In a way, it's a  
12 building like any other building. So a plenum in a  
13 station is a plenum.

14           So the concept of plenums is a generic  
15 concept throughout our system, and if saying that  
16 something is not a nondefined term doesn't tell us  
17 anything because we don't know what it means.  
18 Thank you.

19           MODERATOR BELL: Thank you. Mr. Kennedy.

20           MR. KENNEDY: Yes, I have some comments to make  
21 in rebuttal to Mr. Hirschler's motion.

22           By trade, that is what I do for a living,  
23 I'm a tunnel ventilation engineer and deal with the  
24 fire life safety aspects thereof. I have been

1 doing that work for about 38 years.

2 In this particular proposal that  
3 Mr. Hirschler put forward, the committee voted  
4 27 against with 3 people not voting during the ROP  
5 stage and 28 against with 2 people not voting in  
6 the ROC stage. So certainly the committee has  
7 consensus against Marcelo's proposal.

8 But the reason why they have consensus I  
9 think is a good thing to bring forward. First of  
10 all, what I did was, after the NITMAM came out in  
11 April, I did a poll of the committee to find out  
12 why they voted, and basically slightly more than  
13 half of them did not agree with the proposed  
14 wording that Marcelo's committee was putting forth.  
15 Sorry, Marcelo.

16 Also, a significant number did not agree  
17 procedurally with the way this committee on  
18 language was going about it. What NFPA 130 has  
19 been doing since I have been committee chair is  
20 we've had four meetings per cycle. The meetings --  
21 the first two meetings are the task groups all  
22 meeting in one place to discuss and draft out  
23 changes so that when they get to the ROP stage,  
24 hopefully, there's, at the beginning, a consensus

1 of what's going on. And then we have our ROP and  
2 the ROC stage.

3 Now in the 2003 cycle, we had a committee  
4 that was a manual style and SI units and that sort  
5 of thing to deal with issues of terminology, and  
6 the predecessor to this committee came in with a  
7 whole bunch of changes. But the way they came in  
8 was, they said, What do you think of this and sort  
9 of stuff? And we noticed that they came with up a  
10 little table and they noticed that a number of  
11 standards are using different things and they  
12 wanted to make them common as Mr. Hirschler is  
13 trying to do.

14 But we had input to this. It wasn't  
15 something that somebody was, quite frankly, saying  
16 my way or the highway. And, quite frankly, I have  
17 to say that just coming to us and saying do it this  
18 way without asking us what we thought should be in  
19 our standard many of the people in the committee  
20 found objectionable.

21 One of the things our standard does do is  
22 it refers to standards published by ASHRAE which  
23 has a lot of ventilation terminology in it. Also,  
24 we refer to the standards by the American Air

1 Moving and Control Association which has the  
2 testing standards for fans and this sort of stuff.  
3 And we often, quite frankly, use them.

4 In closing, I would like to say that I  
5 have been involved with this committee since 1975,  
6 first being -- supporting the principal from our  
7 firm, being an alternate in 1994, and then  
8 beginning as principal in 1998 and then finally  
9 chairman since 2000. I have not known the fact  
10 that this -- our standard does not particularly  
11 define plenum to be an issue. It has never come up  
12 with the fire department where there's been an  
13 argument as to whether the -- what the exact  
14 definition is or anything like that.

15 So what I would like everyone to do is to  
16 vote against this change and let us -- let our  
17 committee take it up and try to work with  
18 Mr. Hirschler in coming up with something that  
19 might be added to our standard or, then again,  
20 there may not be a reason at all. Thank you.

21 MODERATOR BELL: Thank you, Mr. Kennedy.  
22 Microphone 2.

23 MR. KOVACIK: Thank you, Mr. Chairman. I am  
24 John Kovacik, Underwriters Laboratories, speaking

1 on behalf of the Electrical Section of the National  
2 Fire Protection Association and speaking in  
3 opposition to the motion on the floor.

4 The Electrical Section met earlier this  
5 week; and, at that meeting, the section voted to  
6 oppose the motion on the floor. In summary, the  
7 Electrical Section does not support, does not  
8 support Certified Amending Motion 130-1. Thank  
9 you, Mr. Chairman.

10 MODERATOR BELL: Thank you. Microphone 5.

11 MR. HIRSCHLER: Thank you. Marcelo Hirschler,  
12 GBH International, in support of the motion. I'm  
13 disappointed the Electrical Section does not  
14 support this, but it's interesting, the concept of  
15 plenum is a concept that goes beyond the electrical  
16 world. The concept of plenums is a concept that is  
17 in our building codes, NFPA and IBC Building Codes.  
18 It's in a whole series of NFPA documents, 54, 17,  
19 90B, 90A, 90, 7, 101, and 5000.

20 Now more important than the actual  
21 definition of plenum which I put in here which is  
22 the one that's used throughout the NFPA system is  
23 the opposite. What they document, the 130 document  
24 has in it, it says that the trainway shall not be

1 considered an air plenum, but there's nothing  
2 explained in 130. What is an air plenum? And what  
3 they really mean is that the trainway shall not be  
4 considered a plenum which they are correct. It's  
5 not a plenum. But they say it's not an air plenum.  
6 What is an air plenum? We don't know. It's not  
7 defined in the NFPA system. Please support the  
8 motion.

9 MODERATOR BELL: Thank you. Any final comment,  
10 Mr. Kennedy?

11 MR. KENNEDY: Well, the -- yes, excuse me. The  
12 one thing I would say is we're going to begin our  
13 next cycle next year, and I hope that this  
14 committee that Marcelo -- Mr. Hirschler is chair of  
15 puts forth its issues early on so that we can have  
16 input to these changes instead of being, quite  
17 frankly, forced to accept them. Thank you.

18 MODERATOR BELL: We'll move to the vote on the  
19 motion on floor which is to accept Comment 130-11.  
20 All those in favor of the motion, please raise your  
21 hand. Thank you. All opposed. Thank you.

22 The motion fails.

23 Thank you, Mr. Kennedy.

24 MR. KENNEDY: Thank you.

1           MODERATOR BELL: The next report under  
2 consideration this morning is that of the Technical  
3 Committee on Fire Doors and Windows. Here to  
4 represent the committee is Committee Chair  
5 Bruce Campbell of Hughes Associates located in  
6 Broomfield, Colorado.

7           The committee report is presented in two  
8 parts and can be found in the blue 2009 Annual  
9 Revisions Cycle ROP and ROC. The certified  
10 amending motions are contained in the motions  
11 committee report and behind me here on this screen.  
12 Mr. Campbell?

13           MR. CAMPBELL: Mr. Chair, ladies and gentlemen,  
14 the report of the Technical Committee on Fire Doors  
15 and Windows is presented for adoption in two parts.  
16 Documents can be found in the Report on Proposals  
17 and Report on Comments for the 2009 Annual Meeting  
18 Revision Cycle. Part 1 of the Technical  
19 Committee's report proposes a partial revision of  
20 NFPA 80, Standard for Fire Doors and Other Opening  
21 Protectives. The presiding officer will now  
22 proceed with the certified amending motions.

23           MODERATOR BELL: Thank you, Mr. Campbell.  
24 Let's proceed with the discussion on the certified

1 amending motion on NFPA 80. Microphone Number 1.

2 MR. ELVOVE: Hi. I am Josh Elvove with the  
3 U.S. General Services Administration out of Denver,  
4 Colorado. Hi, Bruce, and I am the maker of  
5 Motion 80-1. And my motion is to accept  
6 Comment 80-10 as presented in the ROC on Page 80-6.

7 MODERATOR BELL: Motion on the floor is to  
8 accept Comment 80-10. Is there a second?

9 A VOICE: Second.

10 MODERATOR BELL: Please proceed.

11 MR. ELVOVE: To follow this along, the best  
12 place for you to view this is if you go to the ROP  
13 on Page 80-9. That's where the Technical Committee  
14 has proposed new text to basically add verbiage  
15 that permits the use of fire protection glazing  
16 wherever fire resistance glazing is currently  
17 required in fire windows. And they have said that  
18 you can use fire protection glazing in interior  
19 windows with a rating of one hour or less or on  
20 exterior windows with two hours or less. And their  
21 justification was to clarify confusion out there.

22 I guess I'm questioning the confusion  
23 that's out there and why this particular text is  
24 necessary. To me, when you initiate some code

1 provision, there really should be some grounds for  
2 it. I don't know if this particular text is going  
3 to help or not.

4 But, beyond that, I think what happens  
5 here now is you have got language in a standard  
6 that -- the intent here is to complement some  
7 standard, some language in codes like NFPA 101,  
8 NFPA 5000, and maybe even the I codes. Why does  
9 NFPA 80 really need to get involved with doing that  
10 type of work when the codes dictate what type of  
11 glazing goes in where? The NFPA 80 is really a  
12 standard that tells you, once the glazing is  
13 required, you know, basically the requirement is  
14 for the glazing.

15 I'm also concerned that this could be  
16 misconstrued. There is a test out there and  
17 there's a product that's represented by a  
18 manufacturer, who's probably here, with sprinklers  
19 where you can use sprinklers on a glass that  
20 doesn't even carry a fire protection rating. So,  
21 in essence, if someone were to read this too  
22 clearly, they may think, oh, I can no longer use a  
23 fire protection class in this particular assembly.

24 For that reason, I don't believe this code

1 provision is necessary; and even if it were to --  
2 if I were to succeed or fail, you have got this in  
3 the 101, and the performance is already out there.  
4 So I think 80 should stay out of this business.  
5 Thank you.

6 MODERATOR BELL: Thank you. Mr. Campbell.

7 MR. CAMPBELL: Mr. Chair, I stand on the  
8 committee's action. Again, all we were trying to  
9 do was provide clarification within the standard.  
10 Quite frankly, during our deliberations, there was  
11 some confusion among the committee members. We  
12 wanted to make sure that we had the definitions  
13 correct. And for the record, we had 24 people  
14 eligible. 23 voted affirmative and one -- a ballot  
15 was not returned. Thank you.

16 MODERATOR BELL: Microphone 5.

17 MR. HIRSCHLER: Marcelo Hirschler,  
18 GBH International, speaking for myself and in  
19 support of the motion.

20 This is clearly not something that has  
21 anything to do with the installation of what fire  
22 doors and windows are in NFPA 80. This is a code  
23 issue. Whether it's the building code or whether  
24 it's NFPA 5000 or IBC or whatever, they decide at

1 the end of the day what goes in each application.  
2 Whether it's fire protection glazing or fire  
3 resistance glazing, it's their decision.

4 So saying that unless prohibited by the  
5 code, well, you still have to go to the code. So  
6 how does that help you? What it says is go to the  
7 code and see if the code allows you. It doesn't  
8 help you anyway, and it potentially conflicts with  
9 a code if the code happens to be silent on a  
10 particular thing.

11 So I urge you to support the motion.

12 MODERATOR BELL: Thank you. Microphone 1?

13 MR. CROWLEY: Thank you. Mike Crowley,  
14 Rolf Jensen & Associates, fire protection engineer,  
15 speaking for myself. I vote -- I am in agreement  
16 with this proposal by Mr. Elvove.

17 I think there is some clarity that is not  
18 there with the proposal that the committee put  
19 together. It does cause some confusion when you  
20 get into the more performance-oriented systems that  
21 might be prohibited by a different read of this  
22 section. So I vote in favor of the proposal.  
23 Thank you.

24 MODERATOR BELL: Thank you. Any additional

1 comments, Mr. Campbell?

2 MR. CAMPBELL: No, sir.

3 MODERATOR BELL: We'll move to the vote on  
4 NFPA 80 here, and the motion on the floor is to  
5 accept 80-10. All those in favor of the motion,  
6 please raise your hand. Thank you. All those  
7 opposed.

8 Motion passes.

9 MR. CAMPBELL: Part 2 of the Technical  
10 Committee's report proposes a partial revision of  
11 NFPA 105, Standard for the Installation of Smoke  
12 Door Assemblies and Other Opening Protectives. The  
13 presiding officer will now proceed with the  
14 certified amending motion.

15 MODERATOR BELL: Thank you. Microphone 1.

16 MR. ELVOVE: Good morning. Josh Elvove with  
17 the U.S. General Services Administration, the maker  
18 of Motion 105-1, which proposes to accept an  
19 identifiable part of Proposal 105-4.

20 MODERATOR BELL: Motion on the floor is to  
21 accept an identifiable part of Proposal 105-4 as  
22 indicated in your motions committee's report. Is  
23 there a second?

24 A VOICE: Second.

1           MODERATOR BELL: Please proceed.

2           MR. ELVOVE: To track this history, you should  
3 be familiar with the ROP 105-4 on Page 105-2 as  
4 well as the ROC. In the ROC, I think it's 105-2.

5                       Basically what I have done, this is my  
6 third attempt at trying to resolve a conflict that  
7 I perceive with 105 and 72. And I say third  
8 attempt not to say I keep getting it wrong or I'm  
9 striking out and this is my last time at bat.

10                      I think, admittedly, my first attempt,  
11 which is what you are looking at right now,  
12 basically 105.4, that's the proposal I initially  
13 submitted that went a little bit too far. In that  
14 proposal, I tried to resolve a conflict with 72 and  
15 105 with respect to testing smoke detectors  
16 associated with dampers. And the issue that I  
17 particularly have is in 105-652, there's a criteria  
18 for testing dampers on a cycle of either four or  
19 six years if you're hospitals. And the reference  
20 in 655 as it currently exists right now basically  
21 also says you have to test your dampers in  
22 conjunction with testing of your duct smoke  
23 detectors. And I say dampers and I know there's a  
24 change to make it actuators. I believe the intent

1 is the actuator and not the damper, and we'll get  
2 into that in a little bit.

3 So my initial proposal basically  
4 unfortunately removes some language which is very  
5 necessary. So what this particular motion is doing  
6 is putting in that one language back, and that  
7 language has to do with testing damper/actuators in  
8 accordance with the manufacturer's requirements.  
9 So if a manufacturer does say, My actuator needs to  
10 be tested annually, 105 covers that. If it says I  
11 have to test it every six months, 105 covers it.  
12 If it says I never have to test it, well, guess  
13 what, 105 covers it and you don't have to test it  
14 if the manufacturer doesn't say so, but then you  
15 default back to the four-year requirement.

16 The way the language is now in the  
17 existing text and as accepted in principle by the  
18 committee, it basically still leaves in the  
19 mandatory reference to 72 which basically now says  
20 that you must test the actuator -- and it's clear  
21 now, it's clear it's the actuator -- in accordance  
22 with the cycles established by 72, and I feel  
23 that's inappropriate.

24 105 owns the damper requirement.

1 105 should depend -- and the actuators associated  
2 with the damper, 105 should say what the  
3 requirements are. If 105 truly wants an annual  
4 test of the actuator, 105 should say so. 105 right  
5 now has a four- and six-year requirement for  
6 testing, and it also has a reference back to 72,  
7 and also it has this manufacturer's recommendation.

8 So it's very, very confusing. I think  
9 this is confusing to us as building owners and  
10 other communities who have to adopt 105.

11 So my intent basically by this motion is  
12 to remove the mandatory reference. What you see in  
13 the proposal is I have taken language that's  
14 already existing in 655 that says, You shall test  
15 your damper in accordance with 72 to an annex note  
16 that says, You may test that such that if you  
17 choose to test your duct smoke detector for  
18 whatever reason, then you are welcome to test the  
19 actuator.

20 But it doesn't take away the requirement  
21 the manufacturers already have. I haven't taken  
22 that away. You still have to do that. If a  
23 manufacturer feels strongly about that, you've got  
24 that covered. I haven't taken that away.

1 I respect the fact what the committee did  
2 in respect to my comment which I think went also  
3 too far, but in the annex note which I think  
4 people, they agree it belongs there, but I think it  
5 doesn't remove the conflict because you still have  
6 the language with 72 and 105. It still refers you  
7 back to the 72 requirement which says to test the  
8 smoke detector annually which, again, is really I  
9 think abdicating 105's role.

10 A couple other concerns that I can raise.  
11 What if you have an actuator or damper that's not  
12 even tied into a 72 system? You have pointed to  
13 72. 72 doesn't even govern it. So you have an  
14 actuator out there flowing around that has to go  
15 somewhere, so it's back in 105 after all. So you  
16 got the requirement. So why are we pointing to 72?

17 By the way, I'm a member of the NFPA 70  
18 Testing and Maintenance Standard. What if we did  
19 something crazy and said, you know something, we  
20 think duct detectors need to be tested every month?  
21 Well, because of this tie-in that you have with 105  
22 to that, that would mean you would have to test  
23 your actuators every month. That's not  
24 appropriate. You guys own it. You should have it.

1 Thank you.

2 MODERATOR BELL: Thank you. Mr. Campbell.

3 MR. CAMPBELL: I stand on the committee's  
4 action as chair. However, as speaking for myself,  
5 I do tend to agree with Josh.

6 MODERATOR BELL: Thank you. Microphone 3.

7 MR. DAGENAIS: My name is Dave Dagenais, and I  
8 speak on behalf of the NFPA Health Care Section.  
9 We speak in support of this motion.

10 At our Health Care Section Board Meeting  
11 earlier this week, the Board of Directors voted  
12 unanimously to support this motion. We feel that  
13 by supporting this motion, we will eliminate a  
14 conflict and provide the AHJ the clarity and the  
15 direction that they need.

16 So, again, the Health Care Section, we  
17 support this motion and we urge the body to support  
18 it as well.

19 MODERATOR BELL: Thank you. Seeing no one at  
20 the microphone, we'll move to the vote on this  
21 motion, Motion Sequence Number 105-1, and the  
22 motion of the floor is to accept an identifiable  
23 part of Proposal 105-4 as indicated in the motions  
24 committee's report. All those in favor of the

1 motion, please raise your hand. Thank you. All  
2 those opposed.

3 Motion passes.

4 Is there any further discussion on  
5 NFPA 105? Seeing none, we'll move on to the next  
6 report.

7 The last report under consideration this  
8 morning is that of the Technical Correlating  
9 Committee on Signaling Systems for the Protection  
10 of Life and Property. Here to represent the  
11 committee is Correlating Committee Chair,  
12 Robert Schifiliti of R. P. Schifiliti Associates in  
13 Reading, Massachusetts. The committee report can  
14 be found in the blue 2009 Annual Revisions Cycle  
15 ROP and ROC. The certified amending motions are  
16 contained in the motions committee report and  
17 behind me here on this screen.

18 We have several chairs that will be  
19 stepping down due to the ten-year policy. They are  
20 Art Black, Chair of the Supervising Station Fire  
21 Alarm Systems Committee; Kenneth Dungan, Chair of  
22 the Initiating Devices for Fire Alarm Systems  
23 Committee; Daniel Gottuk, Chair of the Single- and  
24 Multiple-Station Alarms and Household Fire Alarm

1 Systems Committee; J. Jeffrey Moore, Chair of the  
2 Protected Premises Fire Alarm Systems Committee;  
3 and Timothy Soverino, Chair of the Testing and  
4 Maintenance of Fire Alarm Systems Committee.

5 I would like to thank each of these  
6 gentlemen for their excellent leadership of these  
7 committees. (Applause.)

8 Mr. Schifiliti.

9 MR. SCHIFILITI: Mr. Chair, ladies and  
10 gentlemen, the report of the Technical Correlating  
11 Committee on Signaling Systems for the Protection  
12 of Life and Property is presented for adoption and  
13 can be found in the Report on Proposals and the  
14 Report on Comments for the 2009 Meeting Revision  
15 Cycle.

16 The Technical Correlating Committee's  
17 report proposes a partial revision of NFPA 72,  
18 National Fire Alarm Code. The document to be  
19 retitled National Fire Alarm and Signaling Code.  
20 The presiding officer will now proceed with the  
21 certified amending motion.

22 MODERATOR BELL: Thank you. Now let's proceed  
23 with the discussion on certified amending motions  
24 on NFPA 72. We'll proceed in the order of the

1 motions sequence number that's presented in the  
2 motions committee's report. The first motion  
3 sequence number is 72-1. Microphone 1.

4 MR. FRABLE: Thank you, Mr. Chairman. I am  
5 Dave Frable with the U.S. General Services  
6 Administration. I am the maker of the motion, and  
7 I move to reject an identifiable part of  
8 Comment 72-30 on Page 72-10.

9 MODERATOR BELL: The motion on the floor is to  
10 reject an identifiable part of Comment 72-30 as  
11 referenced in the motions committee report. Is  
12 there a second?

13 A VOICE: Second.

14 MODERATOR BELL: Please proceed.

15 MR. FRABLE: The effect of this motion is that  
16 the proposed 15 new reserved chapters would not  
17 appear in the 2010 edition of NFPA 72. It should  
18 be noted that, in concept, we are not against  
19 inserting reserved chapters in any NFPA document  
20 if the reason statements are sufficiently detailed  
21 so as to convey the rationale for such action by  
22 the Technical Committee or the Technical  
23 Correlating Committee and that they are also  
24 properly documented and available for review by

1 NFPA membership or general public either in the ROP  
2 or ROC.

3           However, in this specific situation, the  
4 TCC's action to revise the Technical Committee's  
5 intent, which was to not include reserved chapters,  
6 was done without the Technical Correlating  
7 Committee providing the necessary clarification  
8 either within the ROP or ROC to convey to the NFPA  
9 membership the rationale for the inclusion and the  
10 position and placement of the 15 new reserved  
11 chapters.

12           In addition, it should also be noted that  
13 during the ROP the TCC submitted Proposal ROP  
14 72-25(b) to the Technical Committee on Fundamentals  
15 with the recommendation to add reserved chapters.  
16 The subject proposal was rejected by the Technical  
17 Committee.

18           Then again, during the ROC, the TCC again  
19 submitted Comment ROC 72-30 in which I'm making the  
20 motion to the Technical Committee on Fundamentals  
21 with a recommendation to add reserved chapters.  
22 The subject proposal was once again rejected by the  
23 TC in which they stated place holders should not be  
24 used in the 2010 edition of the code.

1           The Technical Correlating Committee then  
2           stated that any recommendations regarding the  
3           organization of the document are the responsibility  
4           of the Technical Correlating Committee and not the  
5           Technical Committee. In addition, the TCC also  
6           stated and did not accept the organization proposed  
7           by the Technical Committee and directed the  
8           organization to include the 15 reserved chapters.

9           It should, however, be noted that  
10          Paragraph 3.4.2 in the regulations governing  
11          committee projects, it states that the TCC directs  
12          the activities of the Technical Committees that  
13          have primary responsible for the development and  
14          revision of the documents assigned to them, that  
15          being the Fundamentals Committee.

16          While the TCC has the ultimate  
17          responsibility for the content and format of the  
18          document, I would argue that they also have a  
19          responsibility to substantiate the reasons for  
20          taking any action that is contrary to a Technical  
21          Committee action especially when they ask for the  
22          specific input on this matter from that committee  
23          and, in this case, the Fundamentals Committee.

24          Therefore, based on the lack of necessary

1 information in the ROP and ROC to convey to the  
2 NFPA membership the rationale for the inclusion of  
3 these 15 new reserved chapters as well as the  
4 confusion surrounding the procedural issues, we  
5 encourage the NFPA membership to support our motion  
6 to reject Comment 72-30. Thank you.

7 MODERATOR BELL: Thank you. Mr. Schifiliti.

8 MR. SCHIFILITI: Yes, sir. The Technical  
9 Correlating Committee opposes this motion. The  
10 motion will remove the chapters reserved for  
11 possible future development. The TCC asserts that  
12 it's within the scope of the TCC to determine the  
13 number and order of chapters in the document in  
14 order to correlate the work of the individual TCs  
15 and to organize their work into a meaningful and  
16 usable format.

17 The scope for the Fundamentals Committee  
18 is for the responsibility for documents on common  
19 system fundamentals of systems. It has nothing to  
20 do with the document organization. The reason the  
21 TCC submitted the proposal and comment to the  
22 Fundamentals Committee was so that it could be  
23 published in the ROP and the ROC to receive the  
24 light of day because TCC has no other means to

1 provide the visibility to those actions of the TCC.

2 In meeting with NFPA staff, the desire to  
3 establish a chapter order that would prevent future  
4 renumbering was discussed. If passed, this motion  
5 will result in future renumbering of chapters  
6 within NFPA 72.

7 The TCC entertained and discussed several  
8 different ways of organizing the final document,  
9 and consensus was reached to group the chapters  
10 together with similar scopes. The major categories  
11 include administrative chapters in the 10s, 1 to 9.  
12 Support chapters are assigned the numbers 10 to 19;  
13 system chapters are 20 to 29; and usability annexes  
14 are at the end.

15 The TCC chose to use the numbering of  
16 chapters in the groups of 10s to differentiate the  
17 groups and to allow their unused chapters, in other  
18 words, reserved chapters that would permit possible  
19 future changes without having to renumber chapters  
20 which causes usability issues in the future.

21 This was done knowingly in much the same  
22 manner as master specification formats in the NEC.  
23 And it should be noted that the concept of reserved  
24 chapters is not new and is also done in NFPA 101,

1 99, 1, 5000, and NFPA 30.

2 It's the express intent of the TCC to  
3 increase usability of NFPA 72 by not having to  
4 renumber chapters again in the future. So, again,  
5 the Correlating Committee opposes this motion and  
6 we look for your support.

7 MODERATOR BELL: Is there any further  
8 discussion on this? If not, we'll move directly to  
9 vote on Motion Sequence Number 72-1 which is the  
10 motion on the floor is to reject an identifiable  
11 part of Comment 72-30. All those in favor of the  
12 motion, please raise your hand. All those opposed.  
13 Thank you.

14 Motion fails.

15 The maker of the motion for Sequence  
16 Number 72-2 and 72-3 has notified NFPA that they no  
17 longer wish to pursue these motions; therefore,  
18 we're going to move directly to Motion Sequence  
19 Number 72-4.

20 Is there a motion on 72-4? Last call for  
21 motion on 72-4? Okay. Seeing no one at the  
22 microphone, we'll move to Sequence Number 72-5.  
23 The maker of the motion for Sequence Number 72-5  
24 has notified NFPA that they no longer wish to make

1 this motion. So we're going to move on to Motion  
2 Sequence Number 72-6.

3 I want to point out that Motion sequence  
4 Numbers 72-6 and 72-7 are related motions. So as  
5 noted in the motions committee report, actions on  
6 one of these motions will serve as the  
7 representative motion for the other related motion.  
8 Microphone 1.

9 MR. FRABLE: Dave Frable, U.S. General Services  
10 Administration. I am also the duly authorized -- I  
11 am also duly authorized to speak for Dan Decker on  
12 Comment 72-145. I am also the maker of both  
13 certified amending motions, and I move to reject  
14 Comment 72-150 on Page 72-42.

15 MODERATOR BELL: The motion on the floor is to  
16 reject Comment 72-150. Is there a second?

17 A VOICE: Second.

18 MODERATOR BELL: Please proceed.

19 MR. FRABLE: Okay. This is the big enchilada,  
20 probably one of the biggest ones out here today on  
21 72 anyway.

22 The intent of the motion is to retain the  
23 current code language in the 2007 edition of  
24 NFPA 72, Section 4.4.5, Protection of Fire Alarm

1 Systems, specifically, the language in Exception 2  
2 which permits and recognizes the building protected  
3 throughout by automatic sprinkler system installed  
4 in accordance with NFPA 13 provides an acceptable  
5 cost-effective alternative to installing a smoke  
6 detector at the location of each fire alarm control  
7 unit, each notification appliance circuit power  
8 extender, and a supervising station transmitting  
9 equipment within a building.

10 It should be noted that this issue has  
11 been debated by the Technical Committee over  
12 numerous code development cycles and involves much  
13 more than eliminating or installing one smoke  
14 detector directly over one fire alarm control unit  
15 since it also addresses the installation of smoke  
16 detectors at each notification appliance circuit  
17 power extender and supervising station transmitting  
18 equipment.

19 As I stated, this has been a hotly debated  
20 issue by the Technical Committee over numerous code  
21 development cycles. However, in the 2006 code  
22 development cycle, an accord was finally reached by  
23 the members of the Technical Committee, and it was  
24 agreed upon that a building protected throughout by

1 an automatic sprinkler system provided an  
2 acceptable alternative in lieu of installing a  
3 smoke detector at the locations I noted before.

4 The basis for this alternative was that  
5 the installation of smoke detection over the  
6 subject equipment only offered limited value in  
7 terms of detecting all threats to a fire alarm  
8 system from a fire and that fire growth would be  
9 limited in a fully sprinklered building.

10 In addition, the Technical Committee  
11 informed the NFPA Standards Council as well as the  
12 NFPA membership that they developed a plan of  
13 action to remove Section 4.4.5 from NFPA 72 since  
14 the protection of the fire alarm system is  
15 inconsistent with Section 1.2.4 and that the  
16 protection requirements for the fire alarm system  
17 should reside in NFPA 1, 101, 5000 and other  
18 building codes across the country, not NFPA 72.

19 Section 1.2.4 specifically states that  
20 this code shall not be interpreted to require a  
21 level of protection that is greater than -- which  
22 would otherwise be required by the applicable  
23 building or fire code.

24 The Technical Committee then stated that

1 Section 4.4.5 would remain in the NFPA 72 for at  
2 least one more code development cycle due to the  
3 possible delays in the option processes of the  
4 model codes.

5 Following the publication of the 2000  
6 edition of NFPA 72, representatives from the fire  
7 industry, the gentleman behind me sitting,  
8 developed code language to the protection of fire  
9 alarm systems and submitted proposed code changes  
10 to NFPA 1, 101, 5000, the IBC and the IFC.  
11 Subsequently, the subject proposed code changes  
12 were approved. And now the language in the  
13 building codes are consistent with language in the  
14 2007 edition of NFPA 72.

15 Therefore, we are really strongly opposed  
16 to the action taken by the TC during the ROC to  
17 remove Exception 2 in Comment 72-150 for the  
18 following reasons:

19 No technical documentation has been  
20 provided to the Technical Committee to warrant the  
21 removal of Exception 2. No evidence has been  
22 provided on failures of fire alarm control units,  
23 notification appliance circuit extenders,  
24 supervisor station transmitting equipment to detect

1 fire in a fully sprinklered building because no  
2 smoke detectors have been installed.

3 Number three, no solutions have been  
4 developed regarding the conflicts that will be  
5 caused by the deletion of Exception 2 and the other  
6 NFPA documents. If Exception Number 2 is deleted,  
7 NFPA 72 will be in conflict with a number of  
8 occupancy chapters in NFPA 101, 5000, as well as  
9 the IFC and IBC.

10 Last, but not least, the requirements of  
11 the protection of fire alarm systems are outside  
12 the scope of NFPA based on Paragraph 1.2.4. In  
13 addition, the appendix of 1.2.4 states -- it makes  
14 clear that the protection requirements are derived  
15 from the applicable building codes, not NFPA 72.

16 Based on these concerns and based on the  
17 fact we are only trying to retain an existing,  
18 effective design alternative and not create any  
19 conflicts among NFPA documents, we encourage the  
20 NFPA membership to support our motion to reject  
21 Comment 72-50. Thank you.

22 MODERATOR BELL: Thank you. Mr. Schifiliti.

23 MR. SCHIFILITI: Yes, thank you. The Technical  
24 Correlating Committee asked that I comment on just

1 the issue of correlation between other system  
2 chapters and the Fundamentals chapters which has  
3 jurisdiction over this particular issue, and the  
4 Technical Correlating Committee accepts and  
5 supports the Technical Committee action on this  
6 issue.

7 The Technical Correlating Committee  
8 reviewed the action of the Technical Committee on  
9 both the proposal and the comment and determined  
10 that the Technical Committee acted within its  
11 scope. The Technical Correlating Committee also  
12 expresses its position that the functional  
13 reliability of the fire alarm and signaling system  
14 is the responsibility of NFPA 72 and that the  
15 requirements of this section affect the minimum  
16 functional reliability of systems required by the  
17 Building and Life Safety Codes and addressed and  
18 correlated with other chapters of this code.

19 That particular detector in question is  
20 for the protection of the function of this system,  
21 not for the protection of the occupancy and is  
22 therefore within the jurisdiction of NFPA 72.

23 It is the job of this NFPA 72 Technical  
24 Committee and the others to anticipate possible

1 failure modes and effects and to debate and  
2 ultimately determine the minimum level of  
3 functional reliability and performance to be  
4 prescribed by NFPA 72. The Technical Correlating  
5 Committee accepts the action of the TCC which has  
6 been correlated with the other chapters' needs in  
7 this code edition.

8 And I would defer any further technical  
9 comments to the Chair of the Committee of  
10 Fundamentals, Dr. Shane Clary.

11 MODERATOR BELL: Thank you. Microphone 2.

12 MR. CLARY: Yes, thank you, Mr. Chairman.  
13 Shane M. Clary, Bay Alarm Company, Pacheco,  
14 California, and Chair of the Technical Committee on  
15 Fundamentals for NFPA 72. I thank my good friend,  
16 Mr. Frable, for his motion, but as chair of the  
17 Technical Committee, I cannot support it. So I  
18 stand in opposition to the motion on the floor.

19 The Technical Committee did have debates  
20 on this issue during the past two sessions. So  
21 Mr. Frable was correct that this is probably the  
22 hottest item that we have on our committee, but for  
23 the letter ballot which is indicated in the ROC,  
24 that's the blue book, the vote was, with 29

1 eligible voters, 24 were affirmative to remove the  
2 exception, three were negative, and then there were  
3 two not returned.

4           Regarding trying to get this one item  
5 within all the model codes, we did during the past  
6 three years submit proposals both to various NFPA  
7 documents and also to the International Building  
8 Code, the International Fire Code; and, while most  
9 did adopt this provision, we were unable to get  
10 NFPA 1, the Uniformed Fire Code, to adopt the  
11 proposal that we submitted to put it into the UFC.  
12 In fact, it was the UFC's Technical Committee's  
13 substantiation that the protection of the control  
14 panel belongs -- is a part of NFPA 72. Thank you.

15           MODERATOR BELL: Thank you. Microphone 1.

16           MR. BEEBE: My name is Chad Beebe. I'm with  
17 the Washington State Department of Health. I also  
18 am the Secretary of the Codes and Standards Review  
19 Committee of the Health Care Section.

20           In our Annual Business Meeting the other  
21 day, we voted to support the motion on the floor  
22 because we don't feel that there's technical  
23 justification for this change. So I urge your  
24 support for this motion.

1 MODERATOR BELL: Thank you. Microphone 6.

2 MR. McNAMARA: Hi. My name is Jack McNamara.  
3 I am employed by Bosch. I am a member of NEC  
4 CMP 16, NFPA 101. I am on 72, Technical Committee  
5 for Fundamentals, and I am also a member of the TCC  
6 for NFPA 72. I am speaking in opposition to the  
7 motion and I'm in support of the action of the  
8 Technical Committee.

9 What we're talking about here is  
10 survivability and we're talking about preservation  
11 of the alarm signal. And I hope I can give the  
12 health care section some technical documentation  
13 that will help sway their vote.

14 A sprinkler to protect the fire alarm  
15 system for survivability and reduce the  
16 preservation alarm signal for the following reasons  
17 is not justified: Underwriters Laboratories and  
18 ANSI UL 864 for fire alarm control panels states in  
19 65.3.1, An indoor dry product, which a fire alarm  
20 system is, intended for indoor use dry locations  
21 shall operate as intended following an exposure to  
22 air at the higher of the following temperatures:

23 So it's 120 degrees as a maximum  
24 temperature plus or minus 3 degrees F. For anyone

1 who is foreign in here, about 49 degree C plus or  
2 minus 2 degrees C or highest published temperature  
3 described in the manufacturer's published  
4 instructions. All standard electronic components  
5 used in the manufacture of fire alarm systems are  
6 all rated to a maximum of 120 degrees.

7 Also in 864, in 65.4.1, An indoor dry  
8 product intended for indoor use, dry locations,  
9 shall operate in the intended manner having been  
10 exposed for 24 hours to moist air having a relative  
11 humidity of 93 percent plus or minus 2 percent at a  
12 temperature of 90 degrees F, plus or minus 3 F, or  
13 32 degrees C, plus or minus 2 C. UL 864 also  
14 states that an indoor dry panel is not subjected to  
15 steam or direct water. It is not built for that  
16 process.

17 Second, I would like to provide  
18 information to the Research Foundation. In a study  
19 described in Fire Technology in May of 1984, a  
20 comparison was done between smoke alarms and  
21 fast-acting sprinklers with flaming fire scenarios.  
22 In all the cases, the sprinkler was in closer  
23 proximity to the fire than the smoke detectors. In  
24 all cases, the smoke detector nearest to the fire

1 was triggered within 30 seconds to 2 minutes 30  
2 seconds before the fast-acting sprinkler had  
3 activated allowing increased escape time for  
4 occupants activating a control panel -- missed  
5 Page 2 -- so that's that, technically adding  
6 10 seconds to the control panel time of those times  
7 there.

8 So the 30 seconds, the 2 minutes and 30  
9 seconds. If it was connected to a control panel,  
10 the control panel by UL is supposed to activate  
11 within 10 seconds. So now at least you have a  
12 signal to occupants and a signal to first  
13 responders of being able to get to that location or  
14 start exiting before the sprinkler system even --  
15 before the head activates. If you wait with the  
16 sprinkler system and you have the sprinkler system  
17 activate, you start basically up to a 90 second  
18 timer.

19 I have to move forward, okay. So adding  
20 that extra time before the alarm plus 10 seconds,  
21 now adds 100 seconds to that time of being able to  
22 egress people.

23 There's also been articles provided by the  
24 recent recipient of the Standards Medal and NFPA

1 Journal that opposes this motion on the floor. I  
2 support the action of TC and hope that the rest of  
3 the committee here will reject this motion.

4 MODERATOR BELL: Thank you. Microphone 2.

5 MR. FRASER: My name is Bruce Fraser. I am  
6 with Fraser Fire Protection. I speak against the  
7 motion on the floor.

8 I think I will simplify things I hope.  
9 The requirement for the smoke detector at the  
10 control unit is a crucial element of system  
11 reliability. Its purpose is to initiate signals to  
12 the fire department and building occupants prior to  
13 the disabling of the control unit if there's a fire  
14 in the vicinity of the control unit and taking away  
15 its ability to initiate those critical signals.

16 The fact is that even in a fully  
17 sprinklered building, a fire in close proximity to  
18 the fire alarm control unit could incapacitate the  
19 unit prior to sprinkler operation.

20 I urge support of the Technical  
21 Committee's position and to vote against the motion  
22 on the floor. Thank you.

23 MODERATOR BELL: Thank you. Microphone 2.

24 MR. HAMMERBERG: I am Tom Hammerberg with the

1 Automatic Fire Alarm Association. I am opposed to  
2 the motion as well.

3 I am not going to repeat what the others  
4 have said already in the interest of saving time,  
5 but I wanted to address a couple of other issues.  
6 One, Dave was right. Yes, there was discussion  
7 about taking this out of 72 and putting it in the  
8 Building Codes and Life Safety Code and NFPA 1. In  
9 fact, originally I was in support of that.

10 Really, though, this is more appropriate  
11 in 72 because this is equipment protection feature  
12 more so than an occupancy protection feature, and  
13 it should be NFPA 72.

14 And to address Mr. Frable's comment about  
15 if this is accepted and the exception stays out it  
16 will be in conflict with the International Building  
17 Code and Fire Code and 101, for the moment, it  
18 would be, but I was the original proponent of  
19 putting this thing in the IBC in the first place  
20 and I proposed it without the exception, and we  
21 were very close to succeeding with that until it  
22 was brought up that that would be in conflict with  
23 72.

24 The I codes are in process again right

1 now, and I have a proposal in there to remove the  
2 exception again so it will match this version of  
3 NFPA 72. This is important. This is not a good  
4 application for a sprinkler exception because of  
5 the points that have already been brought up, the  
6 delay time. We can delay fire department response,  
7 and it is much better to use a smoke detector at  
8 those locations. Thank you.

9 MODERATOR BELL: Thank you. Microphone 2  
10 again.

11 MR. KOVACIK: Thank you, Mr. Chairman.  
12 John Kovacik, Underwriters Laboratories, speaking  
13 on behalf of the Electrical Section of the National  
14 Fire Protection Association and speaking in  
15 opposition to the motion.

16 Earlier this week, the Electrical Section  
17 met and, at that meeting, voted to oppose the  
18 motion on the floor. In summary, the Electrical  
19 Section does not support certified amending motion  
20 72-6. Thank you.

21 MODERATOR BELL: Microphone 6.

22 MR. LARRIMER: My name is Pete Larrimer. I  
23 work for the Department of Veteran Affairs. I am  
24 speaking for myself in support of the motion on the

1 floor.

2           What you're hearing here is a discussion  
3 that doesn't really address the issue. Everybody  
4 that's speaking against this motion is comparing a  
5 smoke detector to protect a panel to a sprinkler to  
6 protect a panel. That's not what the exception  
7 says.

8           The exception says, in a fully sprinklered  
9 building, the risk to the panel is not that  
10 significant where we need to go and install a smoke  
11 detector at that location. The exception is for  
12 not only for the control panel, but it's also for  
13 notification of appliance extender units and  
14 off-premises transmission equipment. So everywhere  
15 you place a component that is deemed necessary to  
16 respond in a fire by this fire alarm system, they  
17 want a smoke detector to protect that piece of  
18 equipment so it operates. That's fine and good in  
19 a nonsprinklered building.

20           The fallacy with that argument, though, is  
21 that as soon as that panel has a smoke detector in  
22 it right back here in the room and you run the  
23 wires up and into the next room, every wire coming  
24 out of that panel goes into the next room. It's

1 not in conduit. It's not required to be in conduit  
2 and it's exposed to the fire. Every wire burns.  
3 Nothing works anyhow. So all they're doing is  
4 protecting a couple piece of equipment with a smoke  
5 detector.

6 Next thing I want to address is that they  
7 continue to say that the sprinkler is not  
8 equivalent to the smoke detector. That's fine. We  
9 agree with that. We're talking about a fully  
10 sprinklered building is what the exception says.  
11 But if you look at Exception 1 to the same  
12 paragraph, they allow you to eliminate the smoke  
13 detector and protect the panel with a heat  
14 detector. A heat detector instead of a smoke  
15 detector with no water behind it.

16 So if they're going to allow a heat  
17 detector to protect the panel, but not a sprinkler,  
18 I just have a hard time understanding the logic of  
19 that. Thank you.

20 MODERATOR BELL: Microphone 6 again.

21 MR. LAKE: John Lake, City of Gainesville,  
22 speaking in the opposition to the motion.

23 I looked at this from the beginning and  
24 looked at all the Report on Proposals and Report on

1 Comments and saw a lot of the discussion, and one  
2 of the things that I looked at at the very end was  
3 what's the cost of this?

4 I deal typically with customers that bring  
5 in plans for buildings that need to put alarm  
6 systems inside of buildings, and I'm thinking,  
7 well, I'm going to protect that panel? Am I going  
8 to protect it with a smoke detector or am I going  
9 to have to put in -- put the panel in a cover  
10 that's going to protect it from a sprinkler head?  
11 Because if that panel does get wet from that  
12 sprinkler head, it will take it out. So what I'm  
13 going to do is I'm going to look at protecting that  
14 panel.

15 If this goes through, I am going to  
16 protect that panel with a NEMA cover. Now I've got  
17 the choice of \$1500 for a NEMA cover or \$100 for a  
18 smoke detector. That's reality. Thank you.

19 MODERATOR BELL: Thank you. Microphone 1.

20 MR. ELVOVE: Josh Elvove with U.S. General  
21 Services Administration, speaking for the motion.

22 I keep hearing about the Technical  
23 Committee. I want to emphasize the word Technical  
24 Committee. They should be making this decision

1 based on technical data. Mr. Frable earlier  
2 challenged the Technical Committee to come up with  
3 fire incident data in a fully sprinklered building  
4 where the fire alarm panel was actually put out of  
5 process.

6 If you read the justification by  
7 Mr. Clary, he said he was in the panel -- I think I  
8 have right one, Shane -- he's been in a situation  
9 where maybe that has happened. Sorry if I have the  
10 wrong issue. But we need to see the technical  
11 justification before we substantiate something like  
12 this where it's going to be a cost.

13 We can all debate whether it's a  
14 significant cost or not. But, you know, I'm an  
15 owner. It's costing me money and whether it's \$10  
16 or a thousand dollars, justify it before you put it  
17 in there technically. Give me the data and then we  
18 can go from there.

19 There's absolutely no exceptions. Every  
20 scenario is the same. If I have a fire panel or an  
21 extender, I have to put a smoke detector in there.  
22 Aren't there any extenuating circumstances where I  
23 have maybe some performance elements? I mean, I  
24 got sprinklers. I may have smoke control. I may

1 have a bunch of other things in place where the  
2 detector may not be necessary.

3 We're going to get into another CAM I  
4 guess later on on installation. I don't know if  
5 folks realize, but when you got this fire alarm  
6 panel in a very high ceiling area, there's a  
7 consideration that to install the smoke detector  
8 that's going to be protecting this panel within  
9 6 feet of the panel. I mean, what's -- is that  
10 really going to do anything? I mean, in a high  
11 ceiling scenario, are you going to have any  
12 protection?

13 So what's the point? You're making us --  
14 you're making owners put in a device that may  
15 actually never do anything in the first place. So  
16 if this is going to go forward, at least consider  
17 some of the exceptional situations where maybe this  
18 is not appropriate; but, in this case, it's all or  
19 nothing.

20 MODERATOR BELL: Thank you. Microphone 2.

21 MR. FRASER: Bruce Fraser, Fraser Fire  
22 Protection and, again, I am speaking against the  
23 motion on the floor.

24 I just wanted to address a couple things

1 from the last speakers. One was having to do with  
2 no justification, technical justification to this  
3 cycle. I just want to say there was no technical  
4 justification during the last cycle to put the  
5 exception in. But that's an aside.

6 What one of the speakers was saying was  
7 you can lose the wires and still lose that  
8 protection. I think that's -- that's a very good  
9 point and that's in fact correct; but I say don't  
10 throw the baby out with the bath water. Let's fix  
11 that, and let's harden that the next time around.  
12 Thank you.

13 MODERATOR BELL: Thank you. Microphone 2  
14 again.

15 MR. McNAMARA: My name is Jack McNamara. I'm  
16 representing Bosch, and I am speaking against the  
17 motion.

18 Two things. Yes, the wiring can get on  
19 fire, but it's also going to cause a trouble in the  
20 system if the wire gets on trouble at a bare  
21 minimum. So the system is at least triggered in  
22 some point.

23 Another note I would like to read is a  
24 comment from the ROC 72, 75 by Factual Mutual

1 Research. It is a well-recognized, nationally  
2 recognized testing laboratory, and it's well versed  
3 in both sprinklers and fire alarm panels. And they  
4 say, "The fire alarm equipment covered by the  
5 standard is not designed nor tested and cannot be  
6 expected to operate under the harsh environmental  
7 conditions necessary for sprinkler activation as  
8 well as resultant water spray from its operation.  
9 It is irresponsible not to include a practical  
10 early warning means of detection in close proximity  
11 to the control equipment intended for occupant  
12 evacuation of off-premise signaling and of  
13 protected property." Thank you.

14 MODERATOR BELL: Thank you. Microphone 1.

15 MR. FRABLE: Dave Frable, U.S. General Services  
16 Administration. I'm not going to rebut any -- just  
17 bring up some new information to rebut.

18 Regarding the proponents in --

19 MODERATOR BELL: Speaking for the motion?

20 MR. FRABLE: Speaking for the motion, yes, sir.

21 The proponents have noted that activation  
22 from a sprinkler could spray water on the fire  
23 alarm equipment and disable the equipment. That's  
24 regardless of a smoke detector being above --

1 6 feet above the control unit or at an NAC panel.

2 With regard to the evidence in  
3 substantiation, the submitters have not provided  
4 any substantiation that a realistic problem has  
5 been created with this exception. There has been  
6 no technical documentation submitted that  
7 substantiates that the insulation of a smoke  
8 detector will increase the reliability. None  
9 whatsoever.

10 I urge the membership to accept this  
11 comment. Thank you.

12 MODERATOR BELL: Microphone Number 6.

13 MR. PAPIER: My name is Isaac Papier. I am  
14 employed by Honeywell Life Safety. We manufacture  
15 fire detection, fire alarm, and smoke control  
16 actuation equipment.

17 There are a number of comments that have  
18 been made that really need some clarification. The  
19 fire alarm system is a life safety device. Its  
20 primary purpose is to alert the occupants of an  
21 emergency situation and allow them to evacuate the  
22 building. The secondary function is to alert the  
23 emergency response services.

24 Smoke detectors have been shown

1 consistently that they will operate well before any  
2 sprinkler, whether it's a fast-response or any  
3 other gizmo that is out there. During a fire  
4 situation, there is precious little time for the  
5 occupants to get out. We need to assure that that  
6 signal is provided and that signal persists for a  
7 period of time that will get everyone out of there.

8 It has been stated that water and  
9 electricity do not mix, and a sprinkler going off  
10 all over a fire alarm system will assuredly put  
11 that fire alarm system to sleep.

12 There was also a discussion that we have  
13 the sprinklers in conjunction with smoke control  
14 systems. Well, the smoke control system is part of  
15 the fire alarm. If the fire alarm dies, the smoke  
16 control system never works.

17 It is important to understand that the  
18 fire alarm system is the first line of defense to  
19 protect the occupants; and, therefore, we must make  
20 every provision to assure the functionality and  
21 survivability of the fire alarm system. Yes, I do  
22 speak against the motion.

23 MODERATOR BELL: Thank you. Microphone 3.

24 MR. KERR: David Kerr, Plano Fire Department,

1 representing NFPA Fire Service Section speaking in  
2 favor of the motion.

3 Over the year, sprinklers have proven to  
4 be very effective as well as smoke detectors as  
5 well. The fire service realizes that the  
6 importance of both of these products for life  
7 safety and for protection of property is very  
8 important.

9 However, in this case, we believe that the  
10 sprinkler system would activate prior to the system  
11 failing. The smoke detector in the room would not  
12 alleviate the sprinkler system protection for that  
13 room. Therefore, if you are concerned about water  
14 on the panel, you have to protect all panels from  
15 water because sprinklers cannot be removed from  
16 this.

17 Also, most of these are in very small  
18 rooms or they're in areas with very high ceilings  
19 or in areas that are not conducive to the  
20 atmosphere, therefore, heat detectors have to be  
21 placed in there. We are in support of the motion.  
22 Thank you.

23 MODERATOR BELL: Thank you. Microphone 5.

24 MR. LARRIMER: Pete Larrimer with the

1 Department of Veterans Affairs again. I want to  
2 thank Mr. Fraser for agreeing with me that the  
3 failure modes outside of the equipment area are in  
4 fact real. And I don't debate the issue that it  
5 might provide something in a nonsprinklered  
6 building, but in a sprinklered building, the risk  
7 is not there.

8 I just wanted to bring one more point up.  
9 There is a chapter in this code that talks about  
10 survivability of the system, and that's exactly  
11 what we're talking about. It's been brought up by  
12 the man from Bosch there that this is a  
13 survivability issue. You want your system to work  
14 when it needs to work, for however long that needs  
15 to be. It needs to be survivable. There's a whole  
16 chapter on survivability. If the panel needs to be  
17 survivable, it should be survivable under that  
18 chapter. As it stands now, it's just not a  
19 requirement necessary for a control panel in a  
20 sprinklered building. Thank you.

21 MODERATOR BELL: Thank you. Any additional  
22 comments, Mr. Schifiliti?

23 MR. SCHIFILITI: I have no comments concerning  
24 correlation.

1           MODERATOR BELL:   Microphone 4.

2           MR. BUNKER:   Merton Bunker, U.S. Department of  
3 State, also a member of the Technical Correlating  
4 Committee and the Technical Committee on Inspection  
5 Testing and Maintenance, speaking against the  
6 motion, speaking on behalf of myself.

7           I just wanted to relay a quick story that  
8 happened to me last summer. My house is fully  
9 sprinklered. My house also has a commercial fire  
10 alarm system. I had a water leak at the service  
11 which acted very similarly to a sprinkler. It was  
12 spraying water all over my fire alarm panel and  
13 other equipment. The fire alarm panel essentially  
14 died in less than a minute.

15           Water and electricity don't mix especially  
16 when we're talking about a fire alarm panel which  
17 contains sensitive electronic components. This  
18 panel did not even provide me with a trouble signal  
19 for more than about 3 seconds before it just quit  
20 working. It's not anything against the panel.  
21 It's a good panel, but it's only made for dry  
22 indoor locations. We spray water on it, it's not  
23 going to work.

24           Again, I urge you to vote against this

1 motion. Thank you.

2 MODERATOR BELL: Thank you. Mike 2.

3 MR. FRASER: Bruce Fraser, Fraser Fire  
4 Protection, again speaking against the motion on  
5 the floor.

6 I just wanted to respond or remind. This  
7 is not a sprinkler versus smoke detection issue.  
8 This is the essence of making the fire alarm system  
9 more reliable so it will be able to transmit signal  
10 off-premises to get the fire department responding  
11 and initiate at least the start of notification  
12 prior to, and it works in conjunction with the  
13 sprinklers. Thank you.

14 MODERATOR BELL: Thank you. Mike 1.

15 MR. ELVOVE: Josh Elvove with the U.S. General  
16 Services Administration, speaking for the motion.

17 We heard that fire alarm systems are life  
18 safety systems. Absolutely, but not in all  
19 applications. The life -- in some applications,  
20 you're using the fire alarm system just for  
21 property protection. I may have a full station. I  
22 may have a detected area somewhere over there,  
23 whatever, but it's not necessary for life safety.  
24 As much as we'd like to say our fire alarm panels

1 do that, not necessarily. That should be a  
2 risk-based decision.

3 The Life Safety Code itself, the governing  
4 code for life safety in this organization, allows  
5 the sprinkler exception. If the Life Safety Code  
6 allows that and we've got an application for life  
7 safety is not even an issue, why are we making this  
8 mandatory in every single case for every single  
9 fire alarm control panel in every single NAC  
10 extender?

11 MODERATOR BELL: Thank you. Mic 6.

12 MR. KEY: Hall Key, Mesa Fire Department. I am  
13 speaking for myself.

14 There's two issues that I just heard in  
15 the discussion that I wanted to address. One was  
16 the leaking plumbing system where they're equating  
17 it to a sprinkler system. We're going to have  
18 plumbing throughout the building anyway, and if  
19 you're going to be worried about water damage, then  
20 that's more an issue than the sprinkler system will  
21 be.

22 Second, when it comes to notifying the  
23 fire department with an alarm system only, that  
24 doesn't occur. Let me tell you why. At least in

1 one of the codes, there's no requirement for alarm  
2 system only application to be monitored so that it  
3 sends a signal to the fire department. There is a  
4 requirement for a sprinkler system, but not for an  
5 alarm system.

6 MODERATOR BELL: Thank you. Mic 6 again.

7 MR. PFEFER: Joseph Pfefer, Jade Alarm,  
8 speaking against the motion.

9 Quick story. We installed the Bosch  
10 system at a commercial premise. It was not  
11 designed for life safety. It had to work, and the  
12 smoke detector above the panel saved the panel  
13 prior to being destroyed by the water.

14 MODERATOR BELL: Thank you. I see no one else  
15 at the microphones. We'll move directly to the  
16 vote on Motion Sequence Number 72-6. The motion on  
17 the floor is to reject Comment 72-150. All those  
18 in favor of the motion, please raise your hand.  
19 Thank you. All those opposed.

20 Motion fails.

21 The next motion sequence is Number 72-8.  
22 Microphone Number 1.

23 MR. HAMMERBERG: Thank you. I am  
24 Tom Hammerberg with the Automatic Fire Alarm

1 Association. I am the maker of Motion 72-8 to  
2 accept Comment 72-164.

3 MODERATOR BELL: Motion on the floor is to  
4 accept Comment 72-164. Is there a second?

5 A VOICE: Second.

6 MODERATOR BELL: Please proceed.

7 MR. HAMMERBERG: 72-164 has to do with the  
8 section in the Fundamentals Chapter,  
9 Paragraph Number 4.4.7.1.16. We were asking just  
10 for some additional language to be inserted in  
11 there to make this requirement clearer to make sure  
12 that notification appliance circuits would work in  
13 many conditions.

14 The committee came back and said that it  
15 was already adequately covered in this paragraph,  
16 and we did not feel that it was for a couple of  
17 reasons. We had asked that a trouble signal be  
18 provided if we have a short on the circuit either  
19 before or after the notification appliance circuit  
20 was activated, and that is the part that's not  
21 covered in there. It doesn't isolate the circuit  
22 in any means.

23 UL currently, as I understand it, does not  
24 test under alarm condition. They only test in a

1 nonalarm condition. So we felt it was important to  
2 add this in there to ensure that these notification  
3 appliance circuits would work if a short should  
4 occur or, at a very minimum, get a trouble signal  
5 if a short should occur so that someone trying to  
6 make a voice message out to one of the remote  
7 floors would have some indication of whether it's  
8 working or not. Thank you.

9 MODERATOR BELL: Thank you. Mr. Schifiliti?

10 MR. SCHIFILITI: Yes. Again in terms of  
11 Correlating Committee, I have only correlation  
12 comment on this, and that is that the effects of  
13 this do carry on to other chapters which rely on  
14 the operability of the systems; and also that  
15 during our Technical Correlating Committee  
16 conference call to discuss this, it was noted that  
17 there was a misunderstanding or a difference of  
18 opinion as to what the current code does say in  
19 that UL was interpreted differently than what  
20 the committee stated in their committee statement  
21 when they said we already do cover it. UL, in  
22 fact, said that they did not think it meant the  
23 same thing.

24 So this may clarify. Technical issues are

1 up to the committee. I will leave the committee  
2 action to Dr. Shane Clary.

3 MODERATOR BELL: Microphone 2.

4 MR. CLARY: Thank you, Mr. Chairman.  
5 Shane M. Clary, Bay Alarm Company, Pacheco,  
6 California, and Chair of the Technical Committee on  
7 Fundamentals of NFPA 72.

8 I find myself kind of in an interesting  
9 position here, so I'm speaking as the Chair of the  
10 Fundamental Technical Committee and on that point  
11 that I'm standing in opposition to the motion  
12 before us. The Technical Committee looked at this  
13 both during the proposal stage and the comment  
14 stage and, on the comment stage, we did vote to  
15 reject the comment from Mr. Hammerberg. The vote  
16 was, of the 29 eligible to vote, 26 affirmative,  
17 one negative, and two were not returned. And I  
18 will stand on the action of the committee.

19 MODERATOR BELL: Thank you. Mic 5.

20 MR. REISWIG: Hello. My name is  
21 Rodger Reiswig. I am with Simplex Grinnell, and I  
22 stand in support of the motion on the floor.

23 Currently, within the language of the  
24 NFPA 72, it states that a wire-to-wire

1 short-circuit fault on any alarm notification  
2 appliance circuit shall result in a trouble signal.

3 What we're asking for or what's being  
4 asked for in this motion is a wire-to-wire  
5 short-circuit fault on any voice notification  
6 appliance circuit before or after the circuit is  
7 activated. And that's the key point because right  
8 now within UL 864, the test for the fire alarm  
9 control units, right now they do not test after the  
10 circuit has been activated. They only check to  
11 indicate if a short-circuit occurs on the  
12 notification appliance circuit before the circuit  
13 activates.

14 So what we're really looking for is when a  
15 responder approaches a panel -- remember, we're  
16 using these a lot more now than just fire alarm  
17 systems. These are being used for mass  
18 notification emergency communication systems. So a  
19 system's been activated. A responder walks into a  
20 facility. He doesn't know that the wiring has  
21 become impaired in the facility. He grabs a  
22 microphone -- or she -- grabs a microphone, starts  
23 giving out instructions across the facility. You  
24 do not know currently is that message going out or

1 not.

2 MODERATOR BELL: Thank you. Mic 3.

3 MR. HILL: Yes. Bob Hill, Centex Fire  
4 Protection, also AFA, and a member of the Chapter 4  
5 Committee on 72.

6 I would like to review something here just  
7 briefly for those here that are not that familiar  
8 with the section of the code, and that is  
9 4.4.7.1.16 states that the failure of one  
10 notification appliance circuit, that is a  
11 short-circuit, an open or a ground, shall not  
12 affect the operation of any other notification  
13 appliance circuit.

14 Now this -- we supervise for all these  
15 functions. I think the question lies in an  
16 assumption that we're supervising for these  
17 failures during activation. And some of the  
18 research that I did, once I discovered this, I  
19 talked with several of the major equipment  
20 manufacturers, fire alarm manufacturers, and they  
21 stated that they did not supervise voice circuits  
22 after activation. I asked why, and the reason  
23 given was because UL does not require.

24 My next stop was UL, and their answer was

1 it is not part of UL 864 and they do not test for  
2 that.

3 If I may, just a couple of minutes in a  
4 brief scenario on what happens in a building when  
5 this occurs. Let's assume we have a fire condition  
6 in the janitor's closet on the 29th floor of a  
7 high-rise. The fire starts. It's a quick-moving  
8 fire. It burns through the insulation conductors  
9 of the notification appliance circuits that  
10 happened to be going through that same space.

11 The short occurs on the notification  
12 appliance line, compromising that signal circuit,  
13 that voice circuit for that space. Now the  
14 compromise mean it could completely fail or it  
15 could reduce the volume considerably.

16 Now depending on how far this  
17 short-circuit occurred away from the riser, the  
18 voice riser, audio riser proceeding up to the  
19 building, will depend on how the balance of this  
20 system is affected. If that janitor's closet is,  
21 say, 250 feet away from the riser through the  
22 building, the additional wiring resistance between  
23 the riser -- excuse me, the circuit resistance  
24 between the riser and the short might allow the

1 balance of the system, although degraded, to still  
2 operate.

3 If that short-circuit, however, occurred  
4 at the control module or at the amplifier or  
5 whatever in close proximity to the rise of the  
6 audio riser, it could affect the entire voice  
7 evacuation system of a building; and, in the case  
8 of a bulk amplifier system, where we use one  
9 amplifier for the entire voice evacuation system  
10 for the property, it could totally degrade and  
11 render that system useless.

12 I highly recommend that we pass this  
13 motion so that UL can get on with this and add this  
14 to UL 864. Thank you.

15 MODERATOR BELL: Microphone 1.

16 MR. REISWIG: Rodger Reiswig with Simplex  
17 Grinnell in support of the motion on the floor.

18 Again, just to complement what was just  
19 said. UL is looking for a proposal or something to  
20 correlate with 72, and the reason that it's not on  
21 the document currently is because it is not in 72.  
22 And speaking with key players within UL, they are  
23 actively looking for a proposal to add this into so  
24 that they will test for a short circuit on the

1 extender or the notification appliance circuits  
2 before or after the circuit is activated. So thank  
3 you.

4 MODERATOR BELL: Thank you. Microphone 4.

5 MR. LARRIMER: Pete Larrimer, Department of  
6 Veterans Affairs. I don't really have a strong  
7 opinion on this, but I just wanted -- I am speaking  
8 in opposition to this because all the arguments on  
9 the floor here are dealing with the voice circuit.  
10 I think this has an unintended consequence on  
11 notification appliance circuits that aren't the  
12 speakers where they go into alarm and we're going  
13 to have people coming out trying to put a bell  
14 circuit or a horn circuit into the alarm mode and  
15 then try to go back and start getting all the other  
16 trouble signals after the fact. I think -- I don't  
17 know if that's something that the panels would  
18 provide right now.

19 So if we change the circuitry now, the  
20 things in the alarm will report the trouble signals  
21 after the fact while it's activated in the alarm  
22 mode.

23 MODERATOR BELL: Thank you. Mic 1.

24 MR. McNAMARA: I am Jack McNamara from Bosch,

1 and I'm speaking in favor of the motion.

2 Whether it be a voice circuit or whether  
3 it be a notification circuit, a short on the  
4 circuit will take out that circuit. It doesn't  
5 matter what kind it is.

6 So what you want to protect is that the  
7 short on that circuit doesn't feed back into the  
8 system and stop other circuits from operating. You  
9 want to keep the maximum amount of system operating  
10 at one time. I think that's what this motion is  
11 all about. And I urge the section to vote this  
12 motion. Thank you.

13 MODERATOR BELL: Thank you. Any additional  
14 comments, Mr. Schifiliti?

15 MR. SCHIFILITI: I can only make one technical  
16 comment perhaps to answer Peter's question, that on  
17 conventional circuits, that circuit would  
18 essentially be isolated. It doesn't affect other  
19 circuits on the systems. That's the way those  
20 systems are built right now. So it shouldn't be an  
21 issue.

22 MODERATOR BELL: Thank you. Seeing no one else  
23 at the microphones, we'll move to the vote on  
24 Sequence Number 72-8. The motion on the floor is

1 to accept Comment 72-164. All those in favor of  
2 the motion, please raise your hand. Thank you.  
3 All those opposed.

4 Motion passes.

5 The next two motions, Sequence 72-9 and  
6 72-10, are related motions. So as noted in the  
7 motions committee report, action on one of these  
8 motions will serve as the representative motion on  
9 the other related motion. Microphone 1.

10 MR. ELVOVE: Josh Elvove with the U.S. General  
11 Services Administration, maker of Motion 72-9. For  
12 record purposes, I will move 72-9 which is to  
13 reject Comment 72-223.

14 MODERATOR BELL: The motion on the floor is to  
15 reject Comment 72-223. Is there a second?

16 A VOICE: Second.

17 MODERATOR BELL: There's a second. Please  
18 proceed.

19 MR. ELVOVE: This one we're talking about a  
20 manual pull station installed adjacent to the fire  
21 control panel. The code currently requires it,  
22 NFPA 72 currently requires this. During the ROP,  
23 there was proposal to basically remove that  
24 requirement which was voted on affirmatively 29

1 to 0. During the comment section, it was proposed  
2 to reinstate the requirement with some  
3 modifications, and that vote came in 28 to 1 which  
4 I was the one negative.

5 Let me emphasize that I am a member of the  
6 Protected Premises Technical Committee. And as the  
7 lone naysayer, if you read in my comment, I  
8 basically said I was voting in principle why this  
9 change should not have been made, why the proposal  
10 should have stood.

11 It's more than principle now. I mean, to  
12 me, it's a principle issue, a code issue, but I  
13 think we just debated that protection of the panel.  
14 I'm sure it's going to be coming up in some of the  
15 rebuttal statements, so I will leave that lie.

16 But the purpose of this device apparently  
17 is to provide a means so if the system goes down,  
18 you can pull this and then notify emergency forces.  
19 There's nothing here about notification. So it's  
20 not even a life safety device. It's a device to  
21 notify emergency forces should you have the alarm  
22 system set up to do such.

23 The Life Safety Code and the Building  
24 Codes do address the same requirement. So, once

1 again, we have this chicken/egg thing with the  
2 Building Code and the Life Safety Code addressing a  
3 requirement that's going to be found in a  
4 code/standard and having to make sure that  
5 reconcile.

6 But to my knowledge, both the Life Safety  
7 Code and the Building Codes do require that device,  
8 that pull station, to notify the occupants. So now  
9 you have got a requirement in the Building and Life  
10 Safety Code that says notify the occupants, but now  
11 you got 72 that says you don't have to do that.  
12 Obviously, the more strigent would probably win;  
13 but, once again, we've got a conflict. We're  
14 chasing our tails. This is already in place so I  
15 don't see the need why for 72.

16 If the cost issue comes up, admittedly --  
17 what, is it one device? I think we can all eat the  
18 one device I guess in this case. But, again, I'd  
19 like to see the technical justification. I believe  
20 this needs to go -- my motion needs to be supported  
21 because I think the new text which is changed from  
22 the existing text, the new text that you will find  
23 I think causes a conflict, and I think the last  
24 thing we want to do is add language that causes a

1 conflict. So I think in that light, we need to  
2 accept my motion. Thank you.

3 MODERATOR BELL: Thank you. Mr. Schifiliti?

4 MR. SCHIFILITI: The Correlating Committee has  
5 nothing to say on this issue, and I would defer to  
6 the committee chair, Mr. Jeff Moore.

7 MODERATOR BELL: Microphone 2.

8 MR. MOORE: My name is Jeff Moore. I am a fire  
9 protection engineer with Hughes Associates,  
10 Chairman of the NFPA Technical Committee on  
11 Protected Premises Fire Alarm Systems where this  
12 requirement resides.

13 I just want to give you the history behind  
14 this.

15 MODERATOR BELL: Speaking against the motion?

16 MR. MOORE: I'm sorry. I'm speaking for the  
17 motion -- I'm sorry, I'm speaking against the  
18 motion, yes, correct.

19 MODERATOR BELL: Correct.

20 MR. MOORE: I'm speaking against the motion.

21 I just wanted to give you the history  
22 behind this. This requirement resides in  
23 Chapter 6. It came from the combination of the  
24 NFPA 72 Alphabet Standards. It came from either

1 the Protected Premises or the Central Station Alarm  
2 Requirements. I forget which one it actually came  
3 from. When it was combined all together, that  
4 requirement that applied to one of those types of  
5 systems became applicable to all types of systems.

6 The history behind it was that when we had  
7 watchmen making reported rounds with a watch clock  
8 through an industrial facility or a commercial  
9 facility, if the sprinklers or the fire detection  
10 system was out of service, then the one manual fire  
11 alarm box was a means for the security guard to  
12 turn the alarm on. And typically, although it was  
13 not requirement in 72, the insurance companies  
14 asked for it to be wired in ahead of all the other  
15 devices so if they rerouted service, the fire alarm  
16 service still worked.

17 That requirement became applicable to all  
18 types of systems when the combination of the  
19 standards occurred. There was a lot of debate in  
20 every cycle; and, in the 2007 cycle, the  
21 requirement was removed. It was added back in on  
22 the floor by this body at the 2007 meeting by floor  
23 action. So it was put back in.

24 One of the reasons it was originally taken

1 out by the Technical Committee was there was no  
2 guidance on where it should be or any place -- or  
3 anything else. Then it was added back in by floor  
4 action by the membership.

5 For the 2010 edition, what we did was  
6 added some additional information in the annex to  
7 provide information on, if you're going to put this  
8 in or if we have to put this in, here's how it  
9 should be arranged. So that's the history of where  
10 it came from and where we stand today.

11 MODERATOR BELL: Thank you. Mic 2.

12 MR. HAMMERBERG: Tom Hammerberg representing  
13 the Automatic Fire Alarm Association. And Jeff  
14 covered a lot of what I was going to bring up here,  
15 so we can make this a little bit shorter. Yes, it  
16 was originally --

17 MODERATOR BELL: Speaking for or against the  
18 motion?

19 MR. HAMMERBERG: I am against the motion.  
20 Thank you. Sorry.

21 Yes, it was originally going to be taken  
22 out of 72 and put in the other codes like the Life  
23 Safety Code and the International Building and Fire  
24 Codes. And, yes, there's been a lot of confusion

1 about what the purpose of this is for.

2 In the 2010 version of NFPA 72, I believe  
3 that's been clarified very well. And to address  
4 Josh's point about, you know, there being a little  
5 bit of a conflict, once we get this fixed in here,  
6 this is the end of it. This isn't going to change  
7 again. We can fix the language in the Building  
8 Code and in the NFPA 101 to make sure it's all  
9 consistent.

10 The whole purpose of this is to notify the  
11 supervising station. It's not intended to notify  
12 the occupants. It should be quite clear. I mean,  
13 the new language now supports it very well. Thank  
14 you.

15 MODERATOR BELL: Mic 4.

16 MR. LARRIMER: Pete Larrimer, Department of  
17 Veteran Affairs. I speak in support of the motion.

18 From a health care perspective, if we have  
19 a connection through a supervising station, this  
20 would require a pull station to be provided so that  
21 we can initiate an alarm to the fire department.

22 Two issues. One is the health care  
23 committee actually put in a requirement to make a  
24 phone call to the fire department because the

1 response by the fire departments to automatic  
2 alarms was less than they wanted, let's put it.  
3 Because a lot of the fire receiving stations  
4 receive an alarm as an automatic alarm and it does  
5 not distinguish between smoke alarm or pull station  
6 or what have you, the receiving station just  
7 receives an automatic alarm and they respond  
8 accordingly, often not as fast as we in health care  
9 would like them to.

10 So the health care committee in their  
11 section has actually added a requirement that even  
12 with the automatic alarm or to get on the phone and  
13 make a phone call to the fire department, because  
14 when they get people calling on the phone, they  
15 know it's a fire and they respond. So this is  
16 actually detrimental to what we've done in health  
17 care by actually requiring a phone call.

18 Secondly, in the VA, we have some inhouse  
19 people who do drills all the time. And the way we  
20 shut the fire alarm system off from the remote  
21 station is to hit the city-off switch. When you  
22 hit the city-off switch, it turns that manual pull  
23 station off as well. And I understand that there's  
24 some verbiage in the back that suggests that maybe

1 the city-off switch ought to be relabeled as the  
2 city-off switch except for the manual pull stations  
3 over here, but right now, that's just not the way  
4 it's done. We shut the whole system down.

5 I understand it can be done that way, and  
6 that might provide benefits especially to highly  
7 protected risks where they're actually protecting  
8 property. But just to require this manual pull  
9 station is -- it's not necessary with the invention  
10 of the phone especially with a cell phone. I think  
11 it's an unnecessary requirement. Thank you.

12 MODERATOR BELL: Thank you. Mic 2.

13 MR. HAMMERBERG: Tom Hammerberg, representing  
14 the Automatic Fire Alarm Association, against the  
15 motion.

16 Two issues, one argument that I hear often  
17 is that everybody carries a cell phone now, they  
18 can just make the call to call in rather than  
19 activating a pull station. I don't know about you,  
20 but I have been in many, many buildings where my  
21 cell phone doesn't work worth a darn. If that's my  
22 only choice, I'm not in very good shape.

23 With this manual pull station, it is there  
24 to notify the supervising station.

1           Pete brings up a good point. This a  
2 learning curve that the industry is going to have  
3 to go through. Yes, a lot of times when the system  
4 is down for repair or being tested, the whole  
5 system is shut down. The pull station needs to be  
6 on a separate zone that will not be put in the test  
7 mode. So if the sprinkler system is being  
8 repaired, that portion of the system would be on  
9 test, but not the manual pull station. So we still  
10 have a viable means of notifying the supervising  
11 station. Thank you.

12           MODERATOR BELL: Thank you. Mic 1.

13           MR. ELVOVE: Josh Elvove with the U.S. General  
14 Services Administration. As I mentioned, this  
15 isn't really a big deal to us especially since we  
16 put manual pull stations throughout our buildings  
17 anyway, so we're going to -- we don't need this  
18 when we're going to have them everywhere else. So  
19 we're already covered.

20           In response to Tom's comment about, you  
21 know, again this is chicken/egg, which goes first,  
22 the code, the Building Codes versus 72 and who's  
23 going to get it right and who's responsible,  
24 realize what I said earlier that the Life Safety

1 Code and the Building Codes now require -- don't  
2 distinguish between notification even though that's  
3 the -- and notifying the supervising station even  
4 though the intent here has clearly said the  
5 supervising station.

6 So what Tom and his group are going to  
7 have to do is convince a bunch of building and fire  
8 officials what the intent is and to remove  
9 something that they may perceive as necessary even  
10 though it's not the intent here. They may believe  
11 that this device needs to notify the occupants  
12 because that's life safety. We talked about life  
13 safety trumps everything.

14 So it's not a slam-dunk. And if it's not  
15 a slam-dunk, you have a conflict. So who drives  
16 the ship here? Do we do it with the installation  
17 standard here or do we do it with the codes? I say  
18 do it with the codes. Leave it as it lies. The  
19 conflict is more prevalent now than there was with  
20 even existing language. So even if I fail here and  
21 it goes to ballot, we go to ballot and it fails,  
22 the ballot goes back to the previous edition,  
23 probably that language is better than what's  
24 proposed here now even though you lose some annex

1 material.

2 MODERATOR BELL: Thank you. Any additional  
3 comments, Mr. Schifiliti?

4 MR. SCHIFILITI: The Correlating Committee has  
5 no comment.

6 MODERATOR BELL: We'll move directly to the  
7 vote on Motion Sequence Number 72-9. The motion on  
8 the floor is to reject Comment 72-223. All those  
9 in favor of the motion, please raise your hand.  
10 Thank you. All those opposed.

11 Motion fails.

12 Next motion sequence is Number 72-11.

13 Mic 5.

14 MR. HUMM: My name is Vic Humm, Vic Humm &  
15 Associates, and I am the submitter of this NITMAM  
16 and move for acceptance.

17 MODERATOR BELL: So the motion on the floor is  
18 to accept Comment 72-235; is that correct?

19 MR. HUMM: Yes.

20 MODERATOR BELL: Is there a second?

21 A VOICE: Second.

22 MODERATOR BELL: There's a second. Please  
23 proceed.

24 MR. HUMM: Yes. In the other chapters in the

1 household, the low frequency signal is being  
2 proposed and carried through, and when people are  
3 traveling in the sleeping occupancy, particularly  
4 in the lodging, this needs to be provided there  
5 also for the mass notification. I will leave it  
6 open for discussion.

7 MODERATOR BELL: Thank you. Mr. Schifiliti?

8 MR. SCHIFILITI: The Correlating Committee has  
9 no comment technically except to say that we could  
10 have done a better job correlating between the  
11 notification appliances chapter and the emergency  
12 communications chapter on this issue. On our  
13 conference call, the Correlating Committee supports  
14 the concept, but there's some issues with the way  
15 it's currently worded and there may be a TIA and  
16 not sure exactly where to go on this one.

17 So I will defer to the Committee Chair of  
18 ECS, Mr. Wayne Moore, where this currently resides.

19 MODERATOR BELL: Mic 4.

20 MR. MOORE: Thank you, Mr. Chairman. My name  
21 is Wayne Moore. I am with Hughes Associates. I am  
22 currently the Chair of the Emergency Communications  
23 Systems chapter. I will speak in favor of the  
24 comment, although --

1           MODERATOR BELL: I want to make sure you're at  
2 the microphone that's against the motion. You want  
3 to speak for or against the motion?

4           MR. MOORE: I'm sorry. I didn't know. I'm for  
5 it. Do you want me to move?

6           MODERATOR BELL: You're for the motion. I  
7 wanted to make sure. That's okay. You're fine. I  
8 wanted to make sure.

9           MR. MOORE: They should have it on the back as  
10 well. Note to some people on the table up there.

11                   We realize the correlation issue here, but  
12 we see no injurious issue with accepting this for  
13 voice communication systems. Although my committee  
14 failed to accept this comment, the justification  
15 may not be exactly the way I feel it should have  
16 been, but I don't see that the correlation issue  
17 causes -- is a reason for us not to accept this.  
18 And it will allow us to use the signal in the areas  
19 that need it with the voice signal. So I speak in  
20 favor of it despite what the mic says.

21           MODERATOR BELL: Thank you. Mic 5.

22           MR. LARRIMER: My name is Pete Larrimer. I'm  
23 with the Department of Veteran Affairs, and I  
24 didn't realize this affected me until we looked at

1 it.

2 MODERATOR BELL: Speaking for or against?

3 MR. LARRIMER: I'm sorry. I am speaking  
4 against the motion.

5 During the TCC conference call, I didn't  
6 notice that this affected me in health care, but it  
7 basically writes a requirement that says, In  
8 occupancies where sleeping accommodations are  
9 provided, we're going to provide this low frequency  
10 sound to wake up hearing-impaired people.

11 And in health care, we install more often  
12 than not private operating mode fire alarm systems,  
13 and the only thing that we want to do is to notify  
14 staff where the fire is so that they can go to the  
15 fire and help do what's necessary to help the  
16 patients. The last thing we want to do is to put  
17 in voice systems with a tone alert that actually  
18 wakes patients up.

19 So I speak against the motion to accept  
20 this.

21 MODERATOR BELL: Okay. Just a friendly  
22 reminder to everybody. We do have green signs for  
23 mics where you speak for the motion on the floor  
24 and red signs where you're speaking against the

1 floor. Mic 4.

2 MR. GRILL: Thank you, Mr. Chair. My name is  
3 Ray Grill. I'm with Arup Fire. I'm also the Chair  
4 of the Notification Appliances Committee of  
5 NFPA 72. I am speaking against the motion, and the  
6 reason being is I would like to bring the  
7 membership's attention to Comment 72-301a and  
8 Comment 72-301b which is located on Page 72-140 and  
9 72-141 of the ROC.

10 In these two comments that were written by  
11 the committee, we did put a requirement into the  
12 standard for low frequency sound to be produced  
13 where audible appliances are provided to produce  
14 signals for sleeping areas.

15 Now the difference, if this motion is  
16 approved, it would put us in conflict with this  
17 because we gave the industry time to implement this  
18 requirement, okay. If you look at 301b, we put a  
19 requirement that this -- that the audible  
20 appliances be capable of this performance  
21 January 1, 2014. So if we approve this, we would  
22 be in conflict with the action that the  
23 Notification Appliances Committee took. Thank you.

24 So I would urge that the membership vote

1 no to this amendment or proposal.

2 MODERATOR BELL: Thank you. Mic 3.

3 MR. VAN OVERMEIREN: Frank Van Overmeiren, FP&C  
4 Consultants. I speak in favor of the motion.

5 This is a technical issue that, in  
6 substance, we would gain positive ground by making  
7 a change and accepting this motion. This is also  
8 an issue that creates some conflict, as  
9 Mr. Larrimer from the VA pointed out.

10 In addition to his comments regarding the  
11 health care occupancy that utilizes private mode  
12 signaling systems, we should also address this as  
13 those that have defend-in-place configurations and  
14 would also include correctional detention  
15 facilities. This is an excellent opportunity for a  
16 TIA to be addressed to address that particular  
17 situation and have the benefit of the low hertz  
18 signal within the code but yet address it through  
19 the TIA to correlate and correct the conflict that  
20 we have for private mode signaling systems in  
21 defend-in-place occupancies of health care and  
22 correctional detentions.

23 MODERATOR BELL: Thank you. Mic 5.

24 MR. MOORE: Thank you, Mr. Chairman.

1 Wayne Moore from Hughes Associates, Chairman of the  
2 Emergency Communications System chapter. I just  
3 wanted to remind everyone that this relates to --

4 MODERATOR BELL: Speaking for the motion,  
5 correct?

6 MR. MOORE: Yes. I am now at the right mic. I  
7 am for the motion.

8 I just wanted to remind you that this  
9 pertains to mass notification systems and may not  
10 be an issue with Mr. Larrimer's issue only because  
11 we require a risk analysis when we're dealing with  
12 mass notification. So, in his case, we would  
13 probably make some changes. I vote in favor of it.

14 MODERATOR BELL: Thank you. Seeing no one else  
15 at the microphone, we'll move to vote.

16 MR. SCHIFILITI: Excuse me, can I make an  
17 additional comment?

18 MODERATOR BELL: Sure.

19 MR. SCHIFILITI: Now that the technical issues  
20 have been debated, I will let you in on what went  
21 on in the conference call and on the floor in the  
22 past few days.

23 First of all, with the issue of the  
24 conflict, Ray wasn't able to be on the call, but

1 these are for speaker systems only which can  
2 generate this tone today. So it's not an issue.  
3 The 2014 date was to give the solid state  
4 appliances time to adopt.

5 In terms of the TIA, to address  
6 Mr. Larrimer and the other points made by Frank,  
7 that is the intent of the Correlating Committee is  
8 to do the TIA to fix this; but our issue is a TIA  
9 on this issue alone would almost certainly not  
10 muster up the ballots for emergency nature.

11 So if it passes here on the floor and then  
12 we do the TIA but still fail the emergency nature,  
13 we're hoping that the Standards Council will look  
14 at this as something wanted by the membership.

15 MODERATOR BELL: Thank you, Mr. Schifiliti.  
16 Seeing no one else at the microphone, we'll move to  
17 vote on Motion Sequence Number 72-11. The motion  
18 on the floor is to accept Comment 72-235. All  
19 those in favor of the motion, please raise your  
20 hand. Thank you. All those opposed.

21 Motion passes.

22 The next motions, 72-12, 72-13, and 72-14  
23 are related motions. So as noted in the motions  
24 committee report, action on one of these motions

1 will serve as the representative motion on the  
2 other related motions.

3 MR. EDWARDS: Mr. Chairman, my name is  
4 Scott Edwards, and I am the submitter of 72-303,  
5 and I move to accept my original proposal on 72-303  
6 on Proposal 72-340.

7 MODERATOR BELL: I just want to make sure I  
8 understand your motion here, and that's to accept  
9 Comment 72-303?

10 A VOICE: Point of order.

11 MODERATOR BELL: Is the motion on the floor to  
12 accept Comment 72-303?

13 MR. EDWARDS: Yes, it is.

14 MODERATOR BELL: Okay.

15 MR. EDWARDS: My original proposal was to  
16 eliminate --

17 MODERATOR BELL: I need to get a motion on the  
18 floor here. So is there a second?

19 A VOICE: Point of order.

20 MODERATOR BELL: Point of order. Mic 2.

21 A VOICE: The document shows that it's not been  
22 signed in.

23 MODERATOR BELL: It's a technical glitch.  
24 Sorry about that. Thank you. Is there a second?

1           A VOICE:    Second.

2           MODERATOR BELL:   Please proceed.

3           MR. EDWARDS:   Thank you, Mr. Chairman.   First  
4 of all, let me just clarify one point of contention  
5 that seems to be out there.   I, nor Gentex  
6 Corporation, has a dog in this hunt.   I'm only  
7 doing what I think is right for this industry, and  
8 whether I win or lose here today, you know, I say  
9 that I have already won because NFPA has already  
10 started out now with opening up every meeting with  
11 a patent disclosure policy of NFPA which is also  
12 the ANSI policy.   And people have asked me why I am  
13 so passionate about this and I'm only passionate  
14 about this because I think it's right.   It's the  
15 rule of law.   It's the policy of NFPA to disclose  
16 patents.   If you don't disclose a patent, there's  
17 certain consequences.

18                        So it's not an issue between  
19 manufacturers.   I would do this same very issue  
20 with my best friend in the industry.   So it's not  
21 an issue between manufacturers.   It's a matter of  
22 policy.

23                        Mr. Chairman, this patent disclosure issue  
24 is not something new, even though NFPA has just

1 recently started disclosing and bringing this to  
2 the attention of every Technical Committee. This  
3 patent policy has been around since 1932.

4 And there's two basic functions, there are  
5 two basic issues before us today, and that is, one  
6 is the disclosure of patents and what is the  
7 process of properly disclosing patents; and then  
8 the second one is what is the essential patent  
9 claim. That I think is the biggest issue because  
10 ANSI, the accrediting body of NFPA, has one  
11 definition, and we have documentation that NFPA has  
12 a totally different interpretation of what  
13 essential is.

14 I guess we really need to start with  
15 disclosure. And disclosure can be done by  
16 virtually anyone. If you look at the history of  
17 this, it goes back to the last cycle. I notified  
18 the Technical Committee on this issue, and the TCC  
19 rejected my motion and my proposals, and their  
20 rationale behind it was is that there was multiple  
21 sources for this.

22 Well, I can't disagree with a Technical  
23 Correlating Committee that there was multiple  
24 sources for this. However, the fact remains,

1 Mr. Chairman, that the patent was never disclosed.  
2 And that was the issue. It wasn't that there was  
3 multiple sources, because there may have been  
4 multiple sources, but still the patent was not  
5 disclosed.

6 Then it goes on even further. Then we go  
7 into this cycle. I get totally blown out the first  
8 go-around. Now this cycle it comes up. So then  
9 what happens is that people see that I'm on to  
10 something here. So then what happens is that two  
11 letters are submitted and they're submitted to an  
12 SDO that's not NFPA. They are letter assurances  
13 disclosing this patent, this exit marking or  
14 directional sounders to Underwriters Laboratories.

15 So what I do is I say to myself, okay,  
16 this can't be right. So I write Patty Griffin,  
17 who's the Vice President and General Counsel of  
18 ANSI, and I ask Ms. Griffin, is this proper -- is  
19 this the proper technique? Does disclosure to one  
20 SDO constitute disclosure to all SDOs, standard  
21 development organizations? And her comment was,  
22 absolutely not. Giving assurances to one SDO does  
23 not constitute giving assurances of patent to  
24 another SDO which is NFPA.

1           However, Mr. Chairman and members of NFPA,  
2 those letters were accepted by the TC on NFPA 72  
3 Notification Appliances. They were accepted. So  
4 virtually what happened, Mr. Chairman, is that for  
5 77 years, it was done one way, but then now, all of  
6 a sudden, they have accepted two letters of  
7 assurances to the Technical Committee.

8           I see that my time is running short,  
9 Mr. Chairman, so what I want to do is quickly tell  
10 you that on the essential issue is that ANSI has  
11 one definition and NFPA has a totally different one  
12 indicating that it's a supplemental device and,  
13 therefore, doesn't need to be installed. That's  
14 totally in contradiction of what ANSI has  
15 indicated. Thank you, Mr. Chairman.

16           MODERATOR BELL: Thank you. Mr. Schifiliti?

17           MR. SCHIFILITI: The Technical Correlating  
18 Committee reviewed the action of the Technical  
19 Committee on Notification Appliances at both the  
20 proposal stage and the comment stage and has  
21 determined that the Technical Committee acted  
22 appropriately and within its scope, and I defer any  
23 comments on the actual actions of the committee to  
24 the chair, Mr. Ray Grill.

1 MODERATOR BELL: Mic 4.

2 MR. GRILL: Ray Grill, Arup Fire, speaking as  
3 Chair of the Notification Appliances Technical  
4 Committee. The committee --

5 MODERATOR BELL: Speaking for or against the  
6 motion?

7 MR. GRILL: I am replying as the chair so I'm  
8 not --

9 MODERATOR BELL: Are you speaking for or  
10 against the motion on the floor?

11 MR. GRILL: I speak against the motion.

12 MODERATOR BELL: Thank you.

13 MR. GRILL: Basically the committee deliberated  
14 ad nauseam on these issues both at the ROP stage  
15 and at the ROC stage. We solicited input from  
16 staff as well as TCC. So we did the best we could  
17 and got as much direction as we possibly could in  
18 dealing with this issue relative to the  
19 requirements. Thank you.

20 MODERATOR BELL: Thank you. Thank you. Mic 4.

21 MR. KLEIN: My name is Jeff Klein. I am  
22 Technical Committee member on Chapter 7,  
23 Notification Appliances, and I also work for  
24 Honeywell International, part of their Life Safety

1 Fire Alarm Business.

2 I am voicing opposition to the motion to  
3 remove Section 7.4.6, Exit Marking Audible  
4 Notification Requirements, because this code  
5 language makes building safer. This language  
6 should stay in the code because 15 years of  
7 scientific research has proven that fire and  
8 emergency evacuation times can be reduced with  
9 technology that uses directional sound.

10 Directional sound added to current exit and egress  
11 methods can improve/reduce evacuation times by  
12 helping people find the closest exit during an  
13 emergency.

14 We, the NFPA community, including the  
15 proponent of this motion should be advocates for  
16 reducing emergency evacuation times. The concept  
17 is based upon decades of study of the human ear and  
18 brain response to sound. Certain sounds have been  
19 proven to be directional.

20 The code language as written in Chapter 7  
21 both in the last cycle and as exists in this cycle  
22 generically codifies these concepts to mark  
23 building exits. You heard from the committee  
24 chair. The committee worked very hard to make sure

1 that the requirements were generic.

2           Unfortunately, the motion on the floor, as  
3 you just heard, is not about reducing evacuation  
4 times. Instead, the motion is about removal due to  
5 an opinion that proper patent disclosure procedures  
6 were not followed. In terms of patent disclosures  
7 -- and, by the way, I will say that the information  
8 submitted from opinions had to do with intent to  
9 disclose. So while proper to the letter of the law  
10 procedures may not have been followed, the intent  
11 was to disclose the patent and the patent was  
12 disclosed in Comment 72-283 in the 2007 cycle.

13           The committee's reaction to that comment  
14 was to reject the comment but dramatically change  
15 the language in the code, and the substantiation  
16 given was, The TC refrains from considering  
17 proprietary products and requirements. The code  
18 intends to make generic references. And the vote  
19 on that was affirmative 20, negative zero.

20           Also in Comment 72-286, the criteria has  
21 been modified to create a more generic description  
22 and the specific frequencies for the argued  
23 patented technology have been added to the annex as  
24 an example. And that, again, was a vote of 18

1 affirmative, one negative.

2 During this current cycle, the committee  
3 again responded to comments and proposals with  
4 comments on 72-303, 72-304, and 72-305, Proprietary  
5 technology is not necessary to meet the  
6 requirements of the code. Annex Section 7.4.6.2  
7 contains examples of alternate methods to meet the  
8 code requirement.

9 To further the concept of alternate  
10 methods, multiple -- for multiple approaches, a  
11 proposal was made by myself representing Honeywell  
12 with a second technology that will be published in  
13 the annex of the code. That second technology does  
14 not require a patent.

15 So in conclusion, the patents were  
16 disclosed. The Technical Committee took necessary  
17 actions to make the code language generic so that  
18 the patents were not essential to meet the  
19 requirements. But what if the Technical Committee  
20 had it wrong? Well, according to ANSI NFPA patent  
21 disclosure rules that were cited by the proponent,  
22 if a technology is essential, then patent holders  
23 must notify NFPA in writing that they would license  
24 the technology. The holders of relevant patents

1 have complied with this requirement for the 2010  
2 cycle, and these letters which I have in my hand  
3 are now on file with NFPA addressed directly to the  
4 Standards Council of NFPA.

5 MODERATOR BELL: 30 seconds.

6 MR. KLEIN: I see that. In closing, the rules  
7 have been followed to satisfy the proponent, and I  
8 ask again for a vote against this motion because a  
9 vote against this motion continues the NFPA  
10 community's efforts to make buildings safer by  
11 speeding up emergency evacuations. Thank you.

12 MODERATOR BELL: Thank you. Mic 6.

13 MR. KERR: David Kerr, Plano Fire Department,  
14 member of Chapter 10, NFPA 72, speaking in support  
15 of the motion.

16 Patent disclosure was not discussed at the  
17 committee level during our deliberations and during  
18 our discussions on this topic through the Testing  
19 and Maintenance Committee. And I'm somewhat  
20 concerned as an AHJ also that we may be creating a  
21 sole source, and any time there's a sole source out  
22 there, it creates a problematic issue for those of  
23 us as AHJs. Thank you.

24 MODERATOR BELL: Thank you. Mic 3.

1 MR. EDWARDS: Mr. Chairman, Scott Edwards,  
2 Gentex Corporation again. You know, I don't  
3 disagree with what Microphone Number 4, you know,  
4 had to say. You know, but it's a process. And the  
5 process -- you know, I know what Mr. Klein, you  
6 know, he submitted a proposal and the Technical  
7 Correlating Committee rejected Mr. Klein's proposal  
8 just as well as you rejected mine. My original  
9 proposal indicated that this was patented  
10 technology.

11 But the form of a notification to an SDO,  
12 ladies and gentlemen, is not a proposal. It is a  
13 letter of assurance written by the patent holder to  
14 the standards development organization indicating  
15 that they have patented technology that is going to  
16 be used in this standard, and if it's going to be  
17 used, then they have to either make it available to  
18 you as a free license or a reasonably and  
19 nondiscriminatory type of basis.

20 That was not done. This was not done,  
21 ladies and gentlemen, until May 7, 2009, when QEB  
22 bought the business assets of Sound Alert  
23 Technology. So they obviously know that I'm on to  
24 something because an intellectual property rights

1 company is not going to tell you about this unless  
2 they realize that it's an essential patent claim.  
3 Thank you, Mr. Chairman.

4 MODERATOR BELL: Mic 6.

5 MR. PIRR: I'm Pete Pirr. I represent  
6 Honeywell and Life Safety. I am not a member of  
7 the chapter.

8 MODERATOR BELL: Speaking against the motion?

9 MR. PIRR: I am speaking against the motion.

10 MODERATOR BELL: Thank you.

11 MR. PIRR: I am not a member of the Technical  
12 Committee, but I have actively participated in the  
13 activities. I have actively followed this issue.

14 It has been clearly stated by Mr. Klein  
15 that in the 2007 cycle of the standard, it was  
16 disclosed to the committee that there was a patent  
17 that had been licensed to Honeywell and their  
18 committee had the opportunity to deal with that  
19 issue. There was absolutely no hidden agenda.  
20 There was no misinformation and no  
21 misrepresentation that the information was  
22 available. It was actually made available to  
23 virtually every manufacturer in the U.S., and we  
24 have a record that that information was sold or

1 being offered for sale to every manufacturer. Some  
2 chose to go and purchase a patent. Some chose not  
3 to purchase a patent. But, clearly, that  
4 information was available to the committee.

5 When it became necessary to provide that  
6 information, the initial patent holder provided a  
7 disclosure statement and affirmed the availability  
8 of a license to that patent on a fair, equitable  
9 nondiscriminatory basis. Any manufacturer today  
10 can pursue that.

11 As far as the question about essential  
12 patent, it should be understood that the  
13 information that is the basis for this goes back  
14 well over 100 years in the literature and there is  
15 more than one way to provide the directional sound.  
16 So the question of essential patent to comply with  
17 the requirements of the standard is a nonissue.  
18 There is no such thing.

19 Again, I ask the body here to reject this  
20 frivolous, frivolous proposal.

21 MODERATOR BELL: Thank you. Mic 4.

22 MR. KLEIN: Jeff Klein, again, from  
23 Notification Committee as well as from Honeywell.  
24 I am against the motion.

1           I just want to clarify a couple of things  
2 that were said recently by the proposer of the  
3 motion. One is regarding QED who is now the owner  
4 of the patent and the reason that why all of a  
5 sudden did they submit the letter. Just everybody  
6 should be clear, the company that was the original  
7 holder of the patent, Sound Alert, actually was in  
8 receivership in the U.K. So at the time when the  
9 comment phase was happening, they actually didn't  
10 exist. So it wouldn't have been possible to find  
11 anybody to contact to have them write the letter.  
12 That's number one.

13           Number two, I want to remind everybody  
14 that in the annex -- which, by the way, any  
15 reference to information pertaining to patents  
16 exists in the annex with the words "an example".  
17 There was a second example of technology that has  
18 been proven to be directional. There is no patent  
19 required to use that technology. In fact, we  
20 essentially provided the recipe to develop a  
21 directional sounder, and it is in the annex  
22 material.

23           And then lastly, if it is decided that  
24 essential technology is needed, following the

1 letter of the law is the letters from the holders  
2 of the patent declaring availability of a license  
3 free from discrimination, both of those patent  
4 holders have submitted those letters to the NFPA.  
5 I know they are on record there. So we are  
6 following what is required.

7 So if the mission here was to get people  
8 who hold patents to follow the requirements of the  
9 ANSI standard, you have succeeded; and, frankly, I  
10 continue to vote against this motion.

11 MODERATOR BELL: Thank you. Mic 3.

12 MR. EDWARDS: Mr. Chairman, Scott Edwards,  
13 again Gentex Corporation.

14 First of all, I take great exception to  
15 the fact that, you know, this is called a frivolous  
16 action because it's not a frivolous action. This  
17 action has to do with the rule of law. It has to  
18 do with the rule of policy.

19 I greatly respect what Mr. Klein is  
20 saying. However, the letters that were received,  
21 ladies and gentlemen, the letter that Mr. Klein is  
22 referring to is a letter that was submitted by  
23 Honeywell Corporation to NFPA on directional  
24 sounders of voice messaging. Ladies and gentlemen,

1 voice messaging and directional sound is not in the  
2 code. And I want to preface "yet". You'll see me  
3 back at this mic, Mr. Chairman, if it does come up  
4 in the code and they don't disclose that patent.  
5 So this isn't frivolous.

6 And then furthermore, maybe people just  
7 don't understand. There's not even a UL standard  
8 for this, Mr. Chairman. Because when they tried to  
9 get a UL standard written around this technology,  
10 the other manufacturers and the STP members around  
11 the UL table can't even come to any sort of  
12 agreement as to what the standard should be. So  
13 there's not even a standard for this thing to be  
14 listed to, but yet we continue on.

15 And, Mr. Chairman, everybody is talking  
16 about these multiple licenses. To my knowledge,  
17 Mr. Chairman, there's one license out there right  
18 now, and that is held by Honeywell Corporation. So  
19 you have a patent that hasn't been properly  
20 disclosed, and then you have the only license out  
21 there, Mr. Chairman, and it belongs to Honeywell.

22 MODERATOR BELL: Thank you. Mic 4.

23 MR. KLEIN: Jeff Klein, Notification Committee  
24 as well as Honeywell. I want to address the

1 comment about there is only one license. That is  
2 not true. Honeywell International is a  
3 nonexclusive licensee of the technology. We know  
4 of several others. There is one that people in  
5 this country I'm sure are familiar with. A company  
6 named Apollo is a holder of a license for the  
7 technology, and so it's not true. We are the  
8 nonexclusive licensee of the technology.

9 And then in terms of addressing the  
10 Honeywell patent having to do with voice messaging,  
11 it is true that there is nothing in the code that  
12 says exit marking audible notification with voice  
13 messaging exists in the code, so even furthering  
14 the argument that the patent that Honeywell holds  
15 isn't related to essential technology to meet the  
16 requirements.

17 We submitted that letter to cover the  
18 intent of the ANSI standard disregarding whether  
19 there was going to be a determination of essential  
20 or not essential. I am against the motion.

21 MODERATOR BELL: Thank you. Mic 5.

22 MR. HIRSCHLER: Marcelo Hirschler,  
23 GBH International. I call the question.

24 MODERATOR BELL: There's a motion on the floor

1 to call the question. Is there a second?

2 A VOICE: Second.

3 MODERATOR BELL: We'll move directly to vote.

4 I will note for information purposes that there's  
5 one individual at a microphone. All those in favor  
6 of calling the question, please raise your hand.

7 Thank you. All those opposed.

8 Motion passes.

9 We'll move directly to the vote on  
10 Sequence Number 72 --

11 MR. SCHIFILITI: Can I make a comment?

12 MODERATOR BELL: No. We're going to go right  
13 to the vote. 72-12, and the motion on the floor is  
14 to accept Comment 72-303. All those in favor of  
15 the motion, please raise your hand. Thank you.  
16 All those opposed.

17 Motion fails.

18 We're going to move on to the next motion  
19 sequence which is Number 72-15. Is there anyone to  
20 make a motion on 72-15? Microphone 5.

21 MR. DECKER: I am Dan Decker with Safety  
22 Systems. I make a motion that we accept  
23 Comment 72-328.

24 MODERATOR BELL: The motion on the floor is to

1 accept Comment 72-328. Is there a second?

2 A VOICE: Second.

3 MODERATOR BELL: There's a second. Please  
4 proceed.

5 MR. DECKER: Comment 72-328 recommended  
6 rejecting Proposal 72-382 for a number of reasons.  
7 Proposal 72-382 was a proposal to mandate  
8 third-party verification for remote station  
9 systems.

10 The Technical Committee received a number  
11 of comments on that proposal and the Technical  
12 Committee action on the comment was to accept in  
13 principle. It does not address all of the concerns  
14 raised in the comment and the committee action is  
15 fundamentally the opposite of the intent of the  
16 submitter.

17 The subject matter of committee  
18 Comment 72-337a is fundamentally that of  
19 inspection, testing, and maintenance which is not  
20 part of the scope of this Technical Committee. I  
21 recommend acceptance of Comment 72-328 which will  
22 keep the inspection, testing, and maintenance  
23 requirements together in the chapter designated for  
24 this purpose formerly known as Chapter 10 and

1 provide a more user-friendly document.

2           There's three specific issues that were  
3 raised in Comment 72-328 that were not addressed by  
4 the TC. Number one, there's been no substantiation  
5 provided that the authority having jurisdiction is  
6 incapable of enforcing the requirements currently  
7 found in Chapter 10. Chapter 10 currently requires  
8 inspection, testing, and maintenance of all fire  
9 alarm systems. If the requirements of Chapter 10  
10 are currently being enforced in a jurisdiction, the  
11 proposed modifications accomplish nothing further.  
12 If the requirements in Chapter 10 are not being  
13 enforced in the jurisdiction, there's no  
14 substantiation indicating that putting language in  
15 Chapter 8 is going to change anything.

16           Number two, there's been no substantiation  
17 why remote station systems are required to comply  
18 with the unique provision concerning testing and  
19 maintenance. Chapter 10 mandates inspections,  
20 testing, and maintenance for all fire alarm  
21 systems. Both the original proposal and the  
22 committee comment failed to address why remote  
23 stations systems should be treated differently from  
24 local, auxiliary or proprietary systems.

1 Adding additional testing and maintenance  
2 requirements for a specific means of all premises  
3 monitoring and putting those requirements outside  
4 of the testing and maintenance chapter only invites  
5 confusion and makes NFPA 72 less user friendly.

6 The committee comment continues to  
7 incorporate a reference to a third-party  
8 certification program, despite the committee  
9 statement indicating the recognition of the  
10 impracticality of third-party certification. This  
11 can be perceived as yet another attempt to  
12 introduce a requirement from third-party  
13 certification of remote station systems.

14 To be fair, both the incoming president of  
15 the Central Station Alarm Association and the chair  
16 of the Supervising Station Technical Committee have  
17 both assured me that it's not their intent to  
18 eventually make this a requirement, but including  
19 the reference to a third-party certification  
20 certainly raises a concern.

21 I'm all in favor of motherhood, apple pie,  
22 and testing fire alarm systems. Let's just keep  
23 all these requirements in the same spot, in  
24 Chapter 10. I recommend acceptance of

1 Comment 72-328.

2 MODERATOR BELL: Thank you. Mr. Schifiliti.

3 MR. SCHIFILITI: The Correlating Committee has  
4 no comment, and I would just refer you to the  
5 committee chair, Mr. Art Black, for committee  
6 action.

7 MODERATOR BELL: Mic 4.

8 MR. BLACK: Thank you, Mr. Presiding officer.  
9 On this particular certified amending motion --

10 MODERATOR BELL: Speaking?

11 MR. BLACK: I'm speaking on behalf of the  
12 Technical Committee against the motion.

13 MODERATOR BELL: Thank you.

14 MR. BLACK: Comment 328 relates to the ROP  
15 Proposal 382 which was approved in principle,  
16 accepted in principle at the ROP meeting.

17 However, because of Mr. Decker's comment,  
18 among others, at the ROC meeting, the Technical  
19 Committee agreed in principle with Mr. Decker and  
20 completely revised the wording of 8.5.2, basically  
21 tossing out any reference other than an option to  
22 use a third-party verification organization.

23 The proposed revised language in 8.5.2  
24 does not require third-party verification. It

1 simply requires a declaration that the requirements  
2 that are in ITM, formerly known as Chapter 10, are  
3 being accomplished by a duly qualified organization  
4 or individual.

5 MODERATOR BELL: Thank you. Mic 6.

6 MR. BONIFAS: Hi. I'm Ed Bonifas and I am with  
7 Alarm Detection Systems here in Chicago and I am  
8 the President-Elect of the Central Station Alarm  
9 Association.

10 This concept has been one of the highest  
11 goals of the Central Station Alarm Association to  
12 try to provide some ongoing support of the systems  
13 after they're installed. At the time of initial  
14 installation, there's a lot of attention on the  
15 process of putting the fire alarm in. The design  
16 is reviewed. The system is installed. There's an  
17 acceptance test at the end that's very detailed  
18 that makes sure that the right thing is done. And  
19 then the service providers, like the central  
20 station companies and the National Burglar and Fire  
21 Alarm Association members, are responsible to take  
22 care of those systems over the long haul, over  
23 perhaps the next 20 years.

24 This is where we found an incredibly

1 difficult time in keeping the owners of the  
2 buildings heads in the game.

3           Why does this belong in Chapter 8? Well,  
4 Chapter 8 already describes the need for  
5 third-party certification of the process of  
6 providing repair and maintenance on central station  
7 type systems. But on remote station type systems,  
8 it doesn't -- it has not had that requirement in  
9 the past. And as a result, the vast majority of  
10 systems installed today are migrating towards  
11 remote stations systems because, in many cases, the  
12 owners of the buildings choose not to pay for the  
13 ongoing testing and repair of the system.

14           In my own company's example, and this was  
15 given to the Technical Committee at the time, we  
16 monitor 16,000 commercial fire alarm systems in the  
17 Chicago region. We test only 6,000 of them which  
18 leaves some 9,000 systems virtually untested.  
19 We've had comments from end users that we would be  
20 glad to test the system if somebody just made us do  
21 it, but until the fire department comes and says  
22 you have to, we won't.

23           We believe that this language that is  
24 proposed in the code will, in fact, provide for a

1 declaration of who's responsible. We don't feel  
2 it's in conflict with 10 because we are not  
3 providing any additional requirements for the  
4 testing and maintenance. We're merely asking for a  
5 declaration of who's responsible for it. We're  
6 asking for one of three choices: Either the  
7 service provider themselves sends a letter to the  
8 fire department saying I'm doing it in accordance  
9 with Chapter 10 or a third-party certification  
10 process such as UL, ETL or FM could work as well;  
11 or any form provided by the authority having  
12 jurisdiction that creates the same declaration.

13 So we are speaking and asking to defeat  
14 this motion. Thank you.

15 MODERATOR BELL: Thank you. Any additional  
16 comments, Mr. Schifiliti?

17 MR. SCHIFILITI: No.

18 MODERATOR BELL: Seeing no one at the  
19 microphone, we'll move to the vote on Motion  
20 Sequence Number 72-15, and the motion on the floor  
21 is to accept Comment 72-328. All those in favor of  
22 the motion, please raise your hand. Thank you.  
23 All those opposed.

24 Motion fails.

1 A VOICE: Point of order.

2 MODERATOR BELL: Microphone 5?

3 A VOICE: I would like to request a standing  
4 count.

5 MODERATOR BELL: It was obvious that it failed.

6 A VOICE: Okay.

7 MODERATOR BELL: Thank you. We're going to  
8 take a ten-minute break and then we'll move on to  
9 further motions. Thank you.

10 (Recess taken at 1:29 p.m.)

11 (On the record at 1:41 p.m.)

12 MODERATOR BELL: 72-16 is the next motion  
13 sequence. Mic 1.

14 MR. ELVOVE: Josh Elvove of U. S. General  
15 Services Administration, maker of motion of 72-16,  
16 and that motion asks to accept Comment 72-388.

17 MODERATOR BELL: The motion on the floor is to  
18 accept Comment 72-388. Is there a second?

19 A VOICE: Second.

20 MODERATOR BELL: Please proceed.

21 MR. ELVOVE: I mentioned earlier about three  
22 times is a charm. This one actually I went in with  
23 the same motion all three times. The difference  
24 between this one and my second time at the comment

1 stage is that the committee actually took an action  
2 on my comment that resulted in an annex note that  
3 you can find in your ROC.

4 As much as I would like to give deference  
5 to the committee -- by the way, I am now a member  
6 of the Maintenance and Testing Committee. I wasn't  
7 at the time. I thank the chair for giving me an  
8 opportunity to speak at the meeting. I did  
9 participate.

10 Though the annex note does do things to  
11 potentially enhance the document, this is really  
12 part two of my previous motion that was accepted by  
13 this body on NFPA 105. My concern is that there is  
14 a conflict and that we're working on between  
15 NFPA 72 and 105, and I think we nailed it with 105  
16 action earlier.

17 However, what I'm trying to do to  
18 eliminate what I perceive is a conflict in 72 is  
19 delete three words in Table 10.4.2.2(23) which is  
20 basically a description of the fire safety  
21 functions and the method -- and the method of  
22 testing from NFPA 72, Chapter 10 table. What I am  
23 proposing to do and I proposed it for the third  
24 time here is to remove the term "smoke damper

1 operation".

2 My concern is by leaving the term "smoke  
3 damper operation" in the table, when you go to --  
4 what basically the table intended to do is you test  
5 your fire safety function commensurate with the  
6 frequency required by the initiating device. So,  
7 once again, we're back to the smoke dampers, and we  
8 all know that smoke dampers are initiated by a duct  
9 smoke detector which NFPA 72 requires rightfully as  
10 an annual test.

11 So now you have got a requirement to test  
12 the duct smoke detector annually, and if this  
13 remains, I believe the intent of 72, Chapter 10,  
14 whether this is specified in the scope or not, it  
15 may be debated, would then be to actually operate  
16 the actuator in the damper. So what you still  
17 have, even though we made a correction in 105, is  
18 you still have a requirement in 72 now that  
19 continues the requirement as I test my duct smoke  
20 detector, I now have to test the damper and its  
21 actuator on that same frequency.

22 So we haven't really removed the conflict  
23 in my opinion until you take action on this to  
24 delete those three terms.

1           Again, the action taken by the Technical  
2           Committee during the ROC to edit an annex note, the  
3           annex note is a nice annex note, and I know there  
4           may be some concern about losing the annex note  
5           because, if you vote for this motion, the annex  
6           note goes away but, bear in mind, it's an annex  
7           note. Okay. I am pointing out the problem with  
8           the standard that there's a conflict, and I think  
9           that needs to take a higher -- trump the issue  
10          regardless of whether you like the annex note or  
11          note. I think the fact that there's a conflict  
12          needs to be reconciled here.

13                 So the annex note, to me, we can catch up  
14          to that at a different time. The conflict we need  
15          to resolve now because if we don't resolve it now,  
16          we'll have the same problem even though we resolved  
17          the NFPA 105 issue. Thank you.

18                 MODERATOR BELL: Thank you. Mr. Schifiliti.

19                 MR. SCHIFILITI: The Correlating Committee has  
20          no comment and I would ask that the Chair of the  
21          Inspection Testing and Maintenance Committee,  
22          Mr. Tim Soverino, comment on the committee actions.

23                 MODERATOR BELL: Mic 2.

24                 MR. SOVERINO: Thank you, Mr. Chairman.

1 Tim Soverino, Technical Committee member and  
2 Chairman of Testing and Maintenance representing  
3 the committee. As you heard --

4 MODERATOR BELL: Speaking against the motion?

5 MR. SOVERINO: Speaking against the motion,  
6 yes, sir.

7 MODERATOR BELL: Thank you.

8 MR. SOVERINO: As you heard from the previous  
9 speaker, we gave him much opportunity at our  
10 committee to make his case; and, after listening to  
11 Mr. Elvove on several occasions through the cycle,  
12 the committee contends that it is still necessary  
13 to verify that interface equipment be tested at the  
14 same frequency as the respective initiating device.

15 Further, the committee has also added  
16 annex material to provide guidance to the user.  
17 So, again, I speak in opposition. Thank you.

18 MODERATOR BELL: Thank you. Mic 6.

19 MR. VAN OVERMEIREN: Frank Van Overmeiren, FP&C  
20 Consultants, member of the Chapter 10, Inspection  
21 Testing and Maintenance Technical Committee. To  
22 address the comment of the content of this annex  
23 note that's been referred to --

24 MODERATOR BELL: Speaking for or against the

1 motion?

2 MR. VAN OVERMEIREN: I am speaking against the  
3 motion.

4 To address the content of the annex note,  
5 for everybody's information, the annex note was put  
6 in to try and clarify in regards to enforcement  
7 that an impairment of an interface piece of  
8 equipment is not a failure of the fire alarm  
9 system. That is not -- in that case as part of  
10 enforcement would not require the fire alarm system  
11 to be red tagged; would not, depending upon the  
12 authority having jurisdiction, require a risk  
13 assessment; would not require a fire watch for the  
14 building.

15 So we were trying to make it better for  
16 the general industry to address these minor  
17 impairments of smoke damper operations, door  
18 closure or other interface pieces of equipment were  
19 not failures of the fire alarm system.

20 Again, I speak in opposition of the  
21 motion.

22 MODERATOR BELL: Thank you. Mic 3.

23 MR. DAGENAIS: My name is Dave Dagenais, and I  
24 speak on behalf of the NFPA Health Care Section.

1 We are in support of the motion.

2 At the Health Care Section Codes and  
3 Standards Review Committee, the Health Care Section  
4 Executive Board Committee meeting and through the  
5 membership, we have voted to support this motion.  
6 We feel that by supporting this motion, we will  
7 eliminate a conflict that clearly will provide more  
8 clarity to users and AHJs in a similar fashion as  
9 we did with 105-1. The Health Care Section urges  
10 the membership to support this motion.

11 MODERATOR BELL: Thank you. Mic 1.

12 MR. ELVOVE: Josh Elvove with the U.S. General  
13 Services Administration, speaking in favor of the  
14 motion.

15 I said earlier I have no issue with the  
16 annex note itself. It does a fine job with what  
17 it's intended to do. However, it is not what I  
18 intended it to do. I submitted a comment. The  
19 committee took an action. It was a good action,  
20 but it didn't address my concerns. So although it  
21 was accepted in principle, as the motion maker of  
22 the comment, it didn't address my concern, and  
23 that's why I am standing in front of you here  
24 today.

1           They have not in their descriptions  
2 heretofore rebutted my issue about the conflict. I  
3 ask you all here of the membership to consider the  
4 conflict and forego the annex note, although it's  
5 important. I think the conflict, unless you feel  
6 it's resolved here, it needs to be dealt with by  
7 accepting this motion. Thank you.

8           MODERATOR BELL: Thank you. Any additional  
9 comments, Mr. Schifiliti?

10          MR. SCHIFILITI: No.

11          MODERATOR BELL: We'll move to the vote on  
12 Motion Sequence Number 72-16. The motion on the  
13 floor is to accept Comment 72-388. All those in  
14 favor of the motion, please raise your hand. Thank  
15 you. All those opposed.

16                 Motion fails.

17          MR. HIRSCHLER: Count, please.

18          MODERATOR BELL: I will grant that request.  
19 We'll go to a standing count. All those with red  
20 badges, individual red badges, please stand. If  
21 you are in favor of the motion, I'm sorry. All  
22 those in favor of the motion, please stand. Thank  
23 you. All those opposed to the motion, please  
24 stand. Thank you.

1 Motion fails. 66 to 50.

2 Next sequence is 72-17. Mic 1.

3 MR. ELVOVE: I am Josh Elvove with the U.S.  
4 General Services Administration presenting my last  
5 certified motion. Thank you for your indulgence  
6 this afternoon and morning. My Motion 72-17 is to  
7 reject an identifiable portion of Comment 72-394.

8 MODERATOR BELL: Motion on the floor is to  
9 reject an identifiable part of the Comment 72-394  
10 as indicated in the motions committee report. Is  
11 there a second?

12 A VOICE: Second.

13 MODERATOR BELL: I hear a second. Please  
14 proceed.

15 MR. ELVOVE: One particular portion, this could  
16 be found on Page 72-189 of your ROC, and I  
17 encourage you to go there to see what action was  
18 taken by the Technical Committee. The Technical  
19 Committee did a great job on this one.

20 There's always been some question about  
21 what a supervisory device is, and this whole thing  
22 started in a proposal that addressed duct smoke  
23 detectors and what to do with duct smoke detectors.  
24 A lot of us treat those a supervisory devices, and

1 there was a misconception by treating those as  
2 supervisory devices that we now have to test it  
3 quarterly, and that was never the intent.

4 So the public comment proposal came in.  
5 The committee addressed it, but didn't quite get it  
6 right. So another comment came in, and then the  
7 committee dove into this. And what they tried to  
8 do here is basically take a table, this is the  
9 Table 10.4.4.15(L) which you can find on Page 108  
10 if you have the 2007 edition with you.

11 What they tried to do and actually what  
12 they have done is create a list of what these  
13 supervisory devices are because under 15(L), it  
14 basically says "supervisory signal devices", and it  
15 was left to the user to figure out what they are.

16 So the committee came up with a list of  
17 eight items. And what I'm here to do today  
18 basically is to remove Item Number 6. Item  
19 Number 6 pertains to the fire pump supervisory  
20 indicating devices. Basically we understand the  
21 fire pump is required to have some testing, but the  
22 governing code or standard for fire pump testing is  
23 really NFPA 25. It's not NFPA 72. In fact,  
24 NFPA 72 doesn't talk about fire pumps whatsoever.

1           But Items 1 through 5 on that list of  
2 eight you'll see come right out of Chapter 5. It's  
3 actually a laundry list right out of Chapter 5 for  
4 Items 1 through 5. And so what we've done is the  
5 committee basically has taken those five items out  
6 of Chapter 5 in 72 and listed them 1 through 5  
7 which is great. We added Number 6 because, you  
8 know, people thought about we got to put fire pumps  
9 in there. But really by putting in 6, we were out  
10 of scope. It's really not our place to do that.

11           And actually fire pumps -- fire pump  
12 controllers, which is really an interface device,  
13 is already covered by the table already. So you  
14 don't even need this language. I think this  
15 language is confusing. And I'll tell you why I'm  
16 really up here to stand today.

17           If one construes a fire pump controller as  
18 a supervisory device, if you actually hook up the  
19 controller with multiple modules and then you  
20 enforce the fire NFPA 20 requirements, NFPA 20  
21 requires electric fire pumps, for example, to be  
22 alarmed for pump running, loss of power, loss of  
23 face, alternate source. If you extrapolate that  
24 into NFPA 25 which says those are annual

1 requirements, those need to be tested, and then you  
2 go to 72 and you read this requirement that says  
3 quarterly, you might be construed that now I have  
4 to do those four electric fire pump controller  
5 tests four times a year which means I have to do a  
6 phase reversal test four times a year instead of  
7 annually which is really what 25 is saying. 25  
8 says test all my pump alarms annually, so that's  
9 the expectation.

10 By putting it in 72 this way, now you have  
11 to do that test four times. And I don't think we  
12 want people opening up the fire pump controller  
13 four times unless they're qualified. And you know,  
14 the pump operating, that's going to happen. We  
15 test our pumps weekly. 52 times a year you are  
16 going to get that signal. The other three tests  
17 that are under 20, the loss of power, we're going  
18 to have to do that annually for 25 right now. I  
19 don't want the individual who typically just turns  
20 the pump on to have to go inside the controller  
21 four times a year. I don't think that's expected  
22 of 25, and I don't think 72 should go there.

23 So in summary, all I'm asking here is to  
24 leave it alone. It's a great fix except I think

1 we're a little overzealous in the committee action  
2 by putting in Number 6, just to leave the fire  
3 power supervisory indicating device from this  
4 table. The requirement for testing the fire pump  
5 will still be there because of the requirement for  
6 interface device testing. So we haven't lost  
7 anything. I haven't thrown this out. It's not  
8 like I'm not going to do it anymore. You still got  
9 to do it.

10 And if you do install a monitor device, if  
11 you do want to enunciate your four signals from  
12 your fire pump controller, you can still do so and  
13 still test those devices per Number 8. So those  
14 will still be tested. Thank you.

15 MODERATOR BELL: Thank you. Mr. Schifiliti.

16 MR. SCHIFILITI: The Correlating Committee has  
17 no comment, and I would ask the Committee Chair for  
18 Inspection Testing and Maintenance, Mr. Soverino,  
19 to comment on the committee actions.

20 MODERATOR BELL: Mic 2.

21 MR. SOVERINO: Thank you, Mr. Chairman. I  
22 speak in opposition. Tim Soverino, for the record,  
23 Chairman of Testing and Maintenance of Fire Alarm  
24 Systems.

1           The committee agreed with the submitter of  
2 the original proposal, and this is what happens  
3 when you are trying to bring clarity. The  
4 committee did revise the language in the original  
5 proposal and made changes for clarity, and although  
6 Mr. Elvove doesn't agree with us, we would like it  
7 to stay the way the committee work was presented.  
8 Thank you.

9           MODERATOR BELL: Thank you. Mic 3.

10          MR. VAN OVERMEIREN: Frank Van Overmeiren,  
11 FP&C Consultants, member of the Chapter 10  
12 Inspection Testing and Maintenance Committee. I  
13 speak in favor of the motion.

14           In this particular case, what we put in  
15 our committee statement that no testing frequencies  
16 were changed as a result of this comment, that is  
17 incorrect. While our chairman cannot make comment  
18 to that because he has to support the consensus of  
19 the Technical Committee, we, in fact, did err. In  
20 my opinion, we did err because we are, in fact,  
21 increasing the testing requirements for fire pumps  
22 as listed in Item Number 6. That was not our  
23 intent.

24           Our intent was for interfaced equipment

1 that we go through where we have interfaced  
2 equipment into a fire detection alarm system that  
3 we match and we are consistent with the other NFPA  
4 standards that mandate different testing methods  
5 and frequencies for that interfaced equipment.  
6 Again, it is my opinion that that is correct for  
7 interfaced equipment as it is for fire safety  
8 functions where we go point to point, and we take  
9 jurisdiction for that because we are controlling  
10 the signal for that particular device.

11 So in this case, again, I speak in favor  
12 of the motion. Supporting the motion would remove  
13 Item Number 6 from this and still leave in the  
14 requirement to follow other NFPA standards  
15 requiring the testing of fire pump supervisory  
16 devices on an annual basis.

17 MODERATOR BELL: Thank you. Mic 3 again.

18 MR. DAGENAIS: My name is Dave Dagenais. I  
19 speak on behalf of the Health Care Section. We had  
20 our Executive Board meeting that voted to support  
21 this motion. It was confirmed by the membership.  
22 We urge you to support this motion.

23 MODERATOR BELL: Thank you. Any additional  
24 comments, Mr. Schifiliti?

1 MR. SCHIFILITI: No.

2 MODERATOR BELL: We'll move to the vote on  
3 Motion Sequence Number 72-17. The motion on the  
4 floor is to reject an identifiable part of  
5 Comment 72-394 as indicated in the motions  
6 committee report. All those in favor of the  
7 motion, raise your hand. Thank you. All those  
8 opposed.

9 Motion passes.

10 Next motion sequence is Number 72-18.

11 Mic 1.

12 MR. DRUCKER: Good afternoon. My name is  
13 John Drucker. I am the Fire Subcode Official in  
14 the Borough of Red Bank and the Fire Marshal's  
15 office. Motion to accept Comment 72-405 on  
16 Page 72-191. I am the original submitter.

17 MODERATOR BELL: Motion on the floor is to  
18 accept Comment 72-405. Is there a second?

19 A VOICE: Second.

20 MODERATOR BELL: Please proceed.

21 MR. DRUCKER: Thank you. Comment 72-405 seeks  
22 to change the testing requirements of household  
23 fire alarm systems from every three years to  
24 annually. The committee requested technical

1 substantiation which I submitted by citing  
2 Marty Ahrens' April 2007 NFPA Report, U.S.  
3 Experience with Smoke Alarms and Other Fire  
4 Detection Alarm Equipment.

5 The report contains numerous references to  
6 inference data and key observations regarding  
7 household fire alarm system performance and  
8 reliability, in particular, the issue of false  
9 alarms and their impact on building occupants and  
10 the fire service. The report stipulates that false  
11 alarms and nuisance activations are problems both  
12 to fire service and to building occupants. False  
13 alarms tie up fire department resources. Nuisance  
14 activations interrupt other activities and may lead  
15 people to ignore early warning of a smoke alarm.

16 The report continues by saying that field  
17 experience on unwanted alarms have consistently  
18 shown that smoke detection and alarm systems  
19 produce far more nuisance activations than real  
20 alarms. A monitored system adds another level of  
21 protection. However, nuisance activations and  
22 system malfunctions in monitored systems result in  
23 hundreds of thousands of false alarms each year.  
24 The majority of all system type household fire

1 warning systems are monitored.

2 Improving the testing requirement of  
3 household fire alarm systems will have a positive  
4 impact on false alarms and the reliability of  
5 household fire warning systems consistent with that  
6 of other fire alarm systems, fire alarm system  
7 testing requirements. The fire statistics clearly  
8 show that most fire deaths occur in the home. The  
9 false alarms are a significant concern and that  
10 false alarms often lead to the disabling of these  
11 systems and that properly operating fire alarms  
12 systems substantially increase the survival rate in  
13 home fires.

14 The Report on Comments notes references  
15 with regards to enforcement. This change is not  
16 expected to add any burden to AHJs. It is expected  
17 that alarm system providers will provide these  
18 services as provided in the standard, albeit  
19 annually versus the current three-year interval.  
20 It is expected that by improving system  
21 maintenance, the burden to AHJs and fire service  
22 will actually be reduced. As such, the issue of  
23 enforcement should be left to AHJs, as is the case  
24 with the current code in many other areas.

1           It should also be noted that the 2009  
2 International Residential Code now recognizes  
3 monitored and maintained low voltage household fire  
4 alarm systems as primary fire warning a significant  
5 step forward. But it doesn't end or begin with the  
6 IRC. There's tens of thousands of existing  
7 household fire alarm systems that will benefit from  
8 the code change.

9           I ask the membership to accept  
10 Comment 72-405 and, in the process, improve home  
11 fire safety and the safety of our firefighters.  
12 Thank you.

13           MODERATOR BELL: Thank you. Mr. Schifiliti?

14           MR. SCHIFILITI: I did ask the chair of the  
15 Household Committee, because this is a little bit  
16 of a correlation issue, if he had any comments for  
17 his committee and he indicated no. And so the  
18 Correlating Committee has no comments, and I would  
19 ask that the Chair of the Inspection Testing and  
20 Maintenance Committee, Mr. Tim Soverino, comment on  
21 the committee action.

22           MODERATOR BELL: Mic 2.

23           MR. SOVERINO: Thank you, Mr. Chairman. I  
24 speak in opposition to the motion. Tim Soverino,

1 Chairman of the Testing and Maintenance Fire Alarm  
2 Systems.

3 The committee had much debate about this,  
4 and it was not a contentious debate. The vote was  
5 24 to 2 to support the committee action, and the  
6 committee action was to reject because the  
7 submitter had not provided technical justification  
8 to warrant this change. The submitter's reference  
9 to home fire deaths and the lack of testing of  
10 household fire alarm systems has not been  
11 substantiated. Therefore, we're in objection to  
12 this. Thank you.

13 MODERATOR BELL: Thank you. Any additional  
14 comments, Mr. Schifiliti?

15 MR. SCHIFILITI: No.

16 MODERATOR BELL: I'm sorry, Mic 3.

17 MR. WILLMS: Carl Willms, Fire Security  
18 Technologies, speaking for myself in support of the  
19 motion.

20 As a volunteer firefighter for 36 years, I  
21 have witnessed firsthand the growth of the  
22 significant residential false alarm problem we're  
23 encountering. Inspection, testing, and maintenance  
24 of fire alarm systems by qualified personnel is the

1 single most important tool we have to manage the  
2 false alarm problem and to promote life safety. As  
3 such, household fire alarm systems should be  
4 subjected to the same testing requirements as other  
5 occupancy classifications.

6 MODERATOR BELL: Thank you. Mic 5.

7 MR. LARRIMER: Pete Larrimer with the  
8 Department of Veteran Affairs. I am also a member  
9 of the Chapter 10 Technical Committee and I'm  
10 voting in favor of the motion.

11 We in the VA have residential facilities.  
12 As an AHJ, we can't enforce whatever criteria is  
13 there. The issue is what is the correct frequency  
14 to test a smoke detector. And this committee  
15 continues to establish different frequencies for  
16 testing a smoke detector based on where it's  
17 located. And this proposal will take a detector  
18 that's in a residence that's now tested at three  
19 years and ask for it to be tested at a one-year  
20 interval which is similar to most other detectors  
21 out there.

22 So the substantiation provided I think is  
23 significant. The fire loss record in the  
24 residential arena is also significant; and, for

1 those people who can enforce this, I think it would  
2 be positive step forward. Thank you.

3 MODERATOR BELL: Mic 1.

4 MR. ELVOVE: Josh Elvove, speaking for myself,  
5 no association with the U.S. General Services  
6 Administration. Just to echo Peter's comment  
7 having sat on some meetings with Chapter 10 and now  
8 as a committee member, I do see not just issue --  
9 this issue but other issues where the committee  
10 looks at technical items based on location. The  
11 biggest example has not been brought to the floor  
12 here but, for information purposes only, it's on  
13 sensitivity testing.

14 Sensitivity testing frequencies are  
15 different. If you have your own home alarm, it's  
16 not the same frequency or requirement as if it's in  
17 a system or in a commercial building.

18 I think the committee, you need to look at  
19 this technically. And it goes back to this issue  
20 right here. If there's a need to do this annually  
21 because of the device and the risk, then you do it  
22 annually. You don't establish multiple frequencies  
23 for different occupancies if the hazards,  
24 especially the fire loss history which is what

1 we're talking about here in one assumes family  
2 homes, is such that that would warrant some  
3 attention.

4 MODERATOR BELL: Mic 2? No? I guess not.  
5 Mr. Schifiliti, any comments?

6 MR. SCHIFILITI: No comments.

7 MODERATOR BELL: We'll move to the vote on  
8 Motion Sequence 72-18. The motion on the floor is  
9 to accept Comment 72-405. All those in favor of  
10 the motion, please raise your hand. Thank you.  
11 All those opposed.

12 We're going to have to go to a standing  
13 count. Everyone with red badges and are in favor  
14 of the motion, please stand. Thank you. All those  
15 opposed to the motion, please stand.

16 Motion passes 70 to 67.

17 The next motions are related motions  
18 Sequence Number 72-19, 72-20, and 72-21. So as  
19 noted in the motions committee report, action on  
20 one of these motions will serve as a representative  
21 motion for the other related motions. Mic 1.

22 MR. FRABLE: Dave Frable, U.S. General Services  
23 Administration. I am the maker of the motion and I  
24 move to return a portion of the report in the form

1 of Proposal 72-571a on Page 72-207 and related  
2 Comments 72-452, 453, and 454 on Pages 267 through  
3 268.

4 MODERATOR BELL: Can you just make one of the  
5 motions?

6 MR. FRABLE: The first one, 452.

7 MODERATOR BELL: Okay. Thank you. So the  
8 motion on the floor is to return a portion of a  
9 report in the form of Proposal 72-571a and related  
10 Comment 72-452. Is there a second?

11 A VOICE: Second.

12 MODERATOR BELL: Please proceed.

13 MR. FRABLE: The intent of our motion is to  
14 substitute the exitsting language in  
15 Paragraph 6.9.10.4.2 of the 2007 edition of NFPA 72  
16 in place of the proposed new text on Pathway  
17 Survivability. By doing this, all the existing  
18 currently acceptable methods regarding  
19 survivability will be retained for emergency  
20 communication systems.

21 Specifically Method 5 states, and that's  
22 our concern, Buildings fully protected by an  
23 automatic sprinkler system and installed in  
24 accordance with NFPA 13 and with the interconnect

1 wiring and cables installed in metal raceways in  
2 accordance with Article 760 of NFPA 70, we feel  
3 this is an effective method to ensure survivability  
4 and should remain in the code.

5           It should be noted that the Technical  
6 Committee's rationale for deleting this method was  
7 based on a British test BS-6387 for CI cables.  
8 However, based on our review of the subject test  
9 report, it is our opinion that the subject test did  
10 not replicate a typical fire alarm system  
11 installation and, therefore, the subject test  
12 report is not relevant to the application in  
13 question and should not be used as the only basis  
14 by the Technical Committee for removing the current  
15 existing method from the code.

16           For example, the test did not include an  
17 intervening ceiling, therefore, the sprinkler spray  
18 pattern was such that the spray did not cool the  
19 plume of the ceiling layer as would be the case in  
20 a sprinklered building. Number two, the test  
21 report did not provide any information regarding  
22 the location of the sprinkler and the placement of  
23 the specimen. Number three, the test report did  
24 not provide any detailed information regarding the

1 sprinklers, if they were in a dependent position or  
2 upright position. The temperature rating in the  
3 sprinkler or any information regarding its listing.

4 Based on these concerns and the fact that  
5 we are only trying to retain an existing effective  
6 alternative for survivability, we encourage the  
7 membership to support our motion. Thank you.

8 MODERATOR BELL: Thank you. Mr. Schifiliti?

9 MR. SCHIFILITI: The Correlating Committee has  
10 no comment, and I would ask that the Chair of the  
11 Emergency Communications Chapter, Mr. Wayne Moore,  
12 comment on the committee actions.

13 MODERATOR BELL: Mic 4?

14 MR. MOORE: Just checking to make sure I'm at  
15 the right mic. My name is Wayne Moore. I am with  
16 Hughes Associates, and I am Chair of the Emergency  
17 Communications System Chapter. I'm speaking  
18 against the motion.

19 As was just mentioned, there was a report  
20 that was referenced by the committee. I believe  
21 that information was referenced through the  
22 Chapter 6 committee. I'm not sure, because this  
23 has gone back and forth between the committees.  
24 However, Chapter 12 -- excuse me, new Chapter 24

1 inherited or brought in the requirements for voice  
2 evacuation fire alarm systems which has always  
3 required survivability.

4 Survivability has been in the code since  
5 NFPA 72F which is 1985. And it is important to  
6 understand that we're talking survivability of  
7 circuits, the riser circuits only in this case, to  
8 ensure that any fire that is on a certain floor  
9 will not take out communications from the floors  
10 above or, for that matter, from the floors below  
11 where the wires are passing through. So basically  
12 it would be floors above. And that's the primary  
13 reason for this.

14 We're concerned that the sprinkler  
15 protection may not be in the area where the fire  
16 is. I have experience with a recent fire where the  
17 fire occurred in a two-hour rated enclosure called  
18 the electrical closet on three floors where the  
19 buss was impinged with water, exploded, and took  
20 out all of the circuits except CI cable which  
21 allowed in this case for the fire department to use  
22 the elevators under emergency power because it was  
23 CI cable. It also took out in this case the fire  
24 alarm cable that was allowed not to be CI cable

1 because the building was fully sprinklered in  
2 accordance with NFPA 13.

3 So these are some of the issues that the  
4 committee was concerned with and felt that we  
5 needed to have that survivability allowance in the  
6 code without the sprinkler requirement taking away  
7 the requirements for the wiring that we have  
8 established. Thank you.

9 MODERATOR BELL: Thank you. Mic 4 again.

10 MR. HIRSCHLER: Marcelo Hirschler, GBH  
11 International, speaking for myself. I mean,  
12 BS 6387 is a circuit integrity fire test.  
13 Obviously in a standard fire test, what you test  
14 is --

15 MODERATOR BELL: You're speaking against the  
16 motion?

17 MR. HIRSCHLER: Probably. Basically I want to  
18 -- my main -- I'm speaking to rebut some of the  
19 points made by one of the previous speakers.

20 MODERATOR BELL: You are speaking against the  
21 motion?

22 MR. HIRSCHLER: Yeah, okay. May I continue?

23 MODERATOR BELL: You bet.

24 MR. HIRSCHLER: Thank you. The point I was

1 trying to make is that in a standard test, you  
2 don't replicate a particular scenario. You run a  
3 standard fire test to assess whether a particular  
4 material product complies with the performance  
5 required by that standard fire test. BS 6387 is a  
6 standard circuit integrity fire test. It doesn't  
7 address whether a sprinkler is there or no  
8 sprinklers. You get a pass or fail. You get a  
9 certain amount of time to resist the circuit  
10 integrity of the cable.

11 So I'm stating that because it's the  
12 results of the test whatever they were. It doesn't  
13 replicate a particular scenario. It just does not  
14 make sense. Thank you.

15 MODERATOR BELL: Thank you. Mic 2.

16 MR. KOVACIK: Thank you, Mr. Chairman.

17 John Kovacik, Underwriters Laboratories, speaking  
18 on behalf of the Electrical Section of the National  
19 Fire Protection Association and speaking in  
20 opposition to the motion on the floor.

21 Earlier this week, the Electrical Section  
22 met and, at that meeting, they voted to oppose the  
23 motion on the floor. So, in summary, the  
24 Electrical Section does not support certified

1 amending motion 72-12. Thank you.

2 MODERATOR BELL: Thank you. Mic 2 again.

3 MR. FRASER: Bruce Fraser, Fraser Fire  
4 Protection. I am speaking in opposition to the  
5 motion.

6 I'm a member of the Emergency  
7 Communication Systems Chapter and we had a long  
8 discussion during the TC meetings with the  
9 supporting documentation plus discussion provided  
10 -- provided, and it shows there is vulnerability of  
11 the wiring in conduit under fire conditions. While  
12 conduit does provide a good mechanical protection,  
13 it doesn't provide survivability to fire. The  
14 committee discussed this at length and specifically  
15 determined the level of survivability based on  
16 perceived consequences should the circuit fail.

17 Now as kind of a side, I'm going to say  
18 maybe it's unintentional, but as a consequence of  
19 accepting this motion, we'll lose material relating  
20 to survivability of the new material, the mass  
21 notification system, the wide area mass  
22 notification system, the two-way radio  
23 communication enhancement systems, circuits for  
24 off-premises transmission and others. So I would

1 recommend supporting the Technical Committee's  
2 position with a vote against this motion. Thank  
3 you.

4 MODERATOR BELL: Thank you. Mic 1.

5 MR. ELVOVE: Josh Elvove, speaking for the  
6 U.S. General Services Administration.

7 Wayne brought up a good point. I'm a  
8 member of Chapter 6, Protective Premises, and we  
9 were sad to see this go, but that was a decision  
10 that was made by the TCC, and there's nothing much  
11 that we can do about that.

12 These proposals came to both committees.  
13 And I point you to Comment 72-243 which is one of  
14 many different types of comments that were  
15 submitted that basically were trying to remove  
16 Paragraph 5 which is the sprinkler option that  
17 Mr. Frable spoke to. And our committee, and if  
18 anyone else wants to speak as well, basically  
19 deferred. We basically said it's not ours anymore.  
20 So we basically took an action just to punt.

21 And I'm probably the lone naysayer in the  
22 negative comment that said basically I had to  
23 concur with the committee. It wasn't our scope,  
24 therefore, we had to accept the comment or send it

1 over to Chapter 12 or whatever Wayne wants to call  
2 his chapter these days, but my comment was that  
3 there's nothing wrong with this record. It's a  
4 survival option. It's already in the existing 2007  
5 edition as 105 options.

6 In fact, one of the options that hasn't  
7 been spoken to yet is the performance-based option.  
8 If you look at the survivability requirements for a  
9 Level 2, it talks about performance that says  
10 two-hour performance. Prior to that, in the  
11 current edition, there was no hourly assignment to  
12 the performance. You can call the performance a  
13 requirement. That performance analysis dictated  
14 your survivability desired.

15 So what we're doing here with the  
16 committee action is taking away actions that were  
17 permitted in a previous edition and basically  
18 bumping it up. The minimum requirement for risers  
19 for an ECS system, a voice system, is Level 2.  
20 Level 2 is now defined as two hours in some form or  
21 fashion. In the previous edition, if we were doing  
22 the same system, it would be okay to do sprinklers  
23 and conduits.

24 So why? We changed it. We changed it

1 because of this test standard that came in there.  
2 Mr. Frable has pointed it out and I think  
3 Mr. Marcelo as well that this test standard is the  
4 sole reason that the sprinkler option, which maybe  
5 people don't like CI cable, but that's the sole  
6 reason that that option has been removed.

7 This is a minimum standard. We've got  
8 pathways and survivability that's been done by the  
9 Protective Premises, which I'm proud of. We worked  
10 hard to give the new edition multiple options. You  
11 got Level 0, 1, 2, 3. Pick what you want to do.  
12 It's a minimum standard. If you want to go 1,  
13 fine. If you want more survivability, do 2. You  
14 throw in Class As. There's lot of things that you  
15 can do to improve the survivability.

16 This proposal doesn't muck up the things  
17 as Mr. Fraser says. Actually, we worked with  
18 staff. We actually -- it's kind of essential what  
19 this is going to look like. It will basically  
20 still keep the pathway levels in the code as  
21 developed by Protective Premises. It just will no  
22 longer say voice systems must use Level 2 or 3,  
23 elevators will no longer use Level 0. It will be  
24 silent there. It will just back to -- you got all

1 the options in the current edition of 72. Those  
2 five options will be extrapolated back into the new  
3 edition wherever staff or the Standards Council  
4 feels it's important. It will not lose that.  
5 Those are options that you have now will remain in  
6 the next edition. Thank you.

7 MODERATOR BELL: Thank you. Any additional  
8 comments, Mr. Schifiliti?

9 MR. SCHIFILITI: The Correlating Committee has  
10 no comments on this issue.

11 MODERATOR BELL: We'll move to -- I'm sorry.  
12 Microphone Number 4.

13 MR. MOORE: Number 4. Wayne Moore from Hughes  
14 Associates. I am Chairman of the Emergency  
15 Communications System Chapter. We haven't changed  
16 the name of the chapter, just the number; and,  
17 again, voting against the motion, recommending a  
18 vote of no.

19 I want to clear up a couple things. One  
20 is that Josh mentioned we could use Class A wiring.  
21 Well, that doesn't make the system survivable. And  
22 the performance-based aspects of this, if the  
23 sprinklers are directly protecting the conduit and  
24 wiring, I'm willing to bet that most AHJs would

1 accept that as a performance way of meeting the  
2 code requirement.

3 The problem is that we need this. It's  
4 not just -- we can use other forms of wiring.  
5 MI cable is a system. It needs to be in the code  
6 so that we have a reliable system during the fire.  
7 This is the key issue is we want to make sure these  
8 systems work when we need them, not just at the  
9 acceptance test when there's nothing happening  
10 other than the test. Thank you.

11 MODERATOR BELL: Mic 1.

12 MR. FRABLE: Dave Frable, U.S. General Services  
13 Administration.

14 The biggest concern is the test is flawed  
15 that this recommendation was based on that the  
16 committee accepted. The other thing that -- and I  
17 have to disagree with Bruce. Working with staff,  
18 it doesn't affect everything Bruce stated with  
19 regard to mass notification, elevator recall, the  
20 whole shebang. It only affects three minor issues  
21 -- three minor sections within the ECS chapter. So  
22 please support this motion. Thank you.

23 MODERATOR BELL: Seeing no one else at the  
24 microphones, we'll move to the vote.

1 MR. SCHIFILITI: I'm sorry. Can I make a  
2 comment?

3 MODERATOR BELL: I'm sorry.

4 MR. SCHIFILITI: With the staff analysis and  
5 our own analysis, we have determined that it does  
6 remove the survivability requirements for the other  
7 section because you're removing the whole section.  
8 So I suppose if it does pass, perhaps we could get  
9 your support with a TIA to put that other stuff  
10 back in. Right now, it's throwing everything out  
11 in that entire section the way we read it.

12 MODERATOR BELL: Thank you. Mic 1.

13 MR. ELVOVE: Josh Elvove with the U.S. General  
14 Services Administration. If that's the case,  
15 that's news because we were given kind of a  
16 preprint of what the standard would look like with  
17 this motion should it pass. It was for the  
18 committee members. And basically the sections in  
19 NFPA 72, Chapter 6, that deal with survivability  
20 would all be part and parcel in their respective  
21 locations under voice, if necessary, elevators.

22 It looks like -- I think that's something  
23 that can be worked out without a TIA. Can't make  
24 an agreement without TIA here on the floor. I

1 think we should basically do the motion.

2 MODERATOR BELL: Any additional comments,  
3 Mr. Schifiliti?

4 MR. SCHIFILITI: Just that, yes, it's the new  
5 sections that were put in that don't get the  
6 attention. So you're right. We do lose the wide  
7 area notification, the firefighter radio  
8 enhancement systems that were not in the 2007  
9 edition.

10 MODERATOR BELL: Seeing nobody else at the  
11 microphones, we'll move to vote on Motion Sequence  
12 Number 72-19. The motion on the floor is to return  
13 a portion of the report in the form of  
14 Proposal 72-571a and related Comment 72-452. All  
15 those in favor of the motion, please raise your  
16 hand. Thank you. All those opposed.

17 Motion fails.

18 The next motion sequence is Number 72-22.  
19 Microphone 5.

20 MS. PAPPAS: Denise Pappas with Valcom.  
21 Motion 72-22, move to accept an identifiable part  
22 of Comment 72-457.

23 MODERATOR BELL: The motion on the floor is to  
24 accept an identifiable part of Comment 72-457 as

1 noted in the motions committee report. And I would  
2 also point out that this will reinstate the Annex C  
3 previous edition of NFPA 72 into the new edition.  
4 Is there a second?

5 A VOICE: Second.

6 MODERATOR BELL: Please proceed.

7 MS. PAPPAS: I just want to make it clear that  
8 on this particular motion that I wanted to retain  
9 the current Annex C in its entirety just to allow  
10 for a reference of the past nomenclature and serve  
11 as a cross-reference into the future.

12 MODERATOR BELL: Mr. Schifiliti?

13 MR. SCHIFILITI: Yes, the Technical Correlating  
14 Committee discussed this motion and supports the  
15 motion. This motion restores a reference in the  
16 annex for legacy circuit diagrams. It does not add  
17 any requirements and does not change any existing  
18 or new materials, and the TCC asks for the support  
19 of the membership in restoring this reference by  
20 voting in favor of the motion on the floor.

21 MODERATOR BELL: Thank you. Any further  
22 discussion? Seeing no one at the microphone, we'll  
23 move to the vote on Motion Sequence Number 72-22.  
24 The motion on the floor is to accept an

1 identifiable part of Comment 72-457 as referenced  
2 in the motions committee report including the  
3 reinstatement of Annex C. All those in favor of  
4 the motion, please raise your hand. Thank you.  
5 All those opposed.

6 Motion passes.

7 The next two motions, 72-23 and 72-24, are  
8 related motions. So as noted in the motions  
9 committee report, action on one of these motions  
10 will serve as a representative motion on the other  
11 related motion. Mic 5.

12 MR. SIMONE: I hope I get this right. I'm  
13 Joseph Simone from Naval Facilities Engineering  
14 Command. I want to reject an identifiable part of  
15 Comment 72-450. The rejection of the identifiable  
16 part results in deletion of Paragraph 12.4.2.20.3  
17 which reads as follows, "Strobes used solely for  
18 mass notification shall be amber in color."

19 MODERATOR BELL: The motion on the floor is to  
20 reject an identifiable part of Comment 72-450 as  
21 indicated in the motions committee report. Is  
22 there a second?

23 A VOICE: Second.

24 MODERATOR BELL: Please proceed.

1 MR. SIMONE: Part of participating in writing  
2 DOD's Unified Facilities Criteria for Mass  
3 Notification, if you look in there, the Air Force  
4 and Army want to use an amber strobe. Navy and  
5 Marine Corps do not use an amber strobe. As you  
6 can see, we don't even agree. Part of the  
7 rationale I believe in the discussions for the  
8 Technical Committee was the UFC uses it so we'll  
9 use it.

10 I know I have been told by a couple other  
11 agencies that they can't use amber strobe for mass  
12 notification because they have already used amber  
13 for other requirements. And I'm sure that's the  
14 same way in private industry. You will have  
15 industry out there that already uses amber for  
16 certain signals.

17 We did not contact ADA or the  
18 hearing-impaired community to get any input.  
19 Again, as I understand the vote by the Technical  
20 Committee, it was 13 to 12 to use amber strobes,  
21 and the sole justification was it was in a previous  
22 edition of the annex and the wording, "Lens color  
23 could be amber."

24 To me, that's still just a suggestion with

1 no -- there's no technical justification for that.  
2 And if it does get voted in, you're going to have  
3 to do many years of research to get technical  
4 justification to get it out. I don't see that's a  
5 valid reason to put it in with no technical  
6 justification. Plus there's no spacing  
7 requirements provided. Thank you.

8 MODERATOR BELL: Thank you. Mr. Schifiliti?

9 MR. SCHIFILITI: The Correlating Committee has  
10 no comment on this, and I would ask that the Chair  
11 of the Emergency Communications Systems Chapter,  
12 Mr. Wayne Moore, to comment on this.

13 MODERATOR BELL: Microphone 5.

14 MR. MOORE: Thank you, Mr. Chairman.  
15 Wayne Moore from Hughes Associates, Chairman of the  
16 Emergency Communications Systems Technical  
17 Committee.

18 This was a contentious issue at the  
19 committee meeting, and, in part, I forced the vote  
20 to end discussion because we had an enormous amount  
21 of work to be accomplished.

22 The reason that we used or was used as  
23 technical justification, in my mind, it wasn't a  
24 technical justification, but it was what the

1 committee agreed when they put it in. The reason  
2 it was in the annex in the previous edition is for  
3 the same reason. It was in the UFC in a couple  
4 locations. As you heard, the service branches  
5 can't get together on it.

6 We have no technical support that  
7 indicates amber is the color. I have had  
8 conversations with people in the hearing-impaired  
9 community, which doesn't meet the level of  
10 technical back-up, where they say that amber would  
11 mean nothing to them. It's taken us a lot of years  
12 just to use the clear strobe to indicate evacuation  
13 for those of the hearing-impaired.

14 So we feel that -- as the chairman, I  
15 think that I have to agree there's been no  
16 technical justification.

17 MODERATOR BELL: Thank you. Mic 1.

18 MR. FRASER: Bruce Fraser, Fraser Fire  
19 Protection, and I am a member of the ECS or Chapter  
20 on Emergency Communications. I speak in favor of  
21 the motion.

22 We did have much discussion. Many points  
23 were brought out that in industry amber strobes are  
24 used to mean other things, other emergencies.

1 Maybe some are process controls and the like. Also  
2 in some of the special interest areas, they are  
3 using the amber strobes and other type strobes for  
4 other emergencies, too. So I think it might cause  
5 a conflict.

6 I had recommended that some wording might  
7 be used. I know we can't do it now, but strobes  
8 use solely for mass notification shall have a color  
9 as required by the emergency plan for that site,  
10 and that ties in with the evaluations that are done  
11 and the risk analyses that are done for mass  
12 notification systems. But we can do that at a  
13 later time.

14 So I would support the motion on the  
15 floor. Thank you.

16 MODERATOR BELL: Thank you. Mic 5?

17 MS. PAPPAS: Denise Pappas representing Valcom.  
18 I am in favor of the motion for all the reasons  
19 previously stated. I will keep it short. Thanks.  
20 Bye.

21 MODERATOR BELL: Thank you. Any additional  
22 comments, Mr. Schifiliti?

23 MR. SCHIFILITI: No comment. Thank you.

24 MODERATOR BELL: Seeing no one else at the

1 microphone, we'll move to the vote on Motion  
2 Sequence Number 72-23. The motion on the floor is  
3 to reject an identifiable part of Comment 72-450 as  
4 referenced in the motions committee report. All  
5 those in favor of the motion, please raise your  
6 hand. Thank you. All those opposed.

7 Motion passes.

8 The maker of Motion 72-25 has indicated to  
9 NFPA that they do not intend to pursue this motion,  
10 so we're going to move on to Motion Sequence 72-26.  
11 Microphone 1.

12 MR. HAMMERBERG: I am Tom Hammerberg with the  
13 Automatic Fire Alarm Association. I am the maker  
14 of Motion Sequence Number 72-26, asking to reject  
15 Comment 72-527.

16 MODERATOR BELL: Motion on floor is to reject  
17 72-527. Is there a second?

18 A VOICE: Second.

19 MODERATOR BELL: I hear a second. Please  
20 proceed.

21 MR. HAMMERBERG: Thank you. Back in the  
22 proposal stage of this cycle, there was a proposal  
23 to remove this language and it was rejected by the  
24 committee. At the comment stage, that was

1 overturned and the language to -- in that proposal  
2 72-651 was removed.

3 The reason this was put in there in the  
4 first place, it gives some very specific locations  
5 for the smoke detector that is used to protect the  
6 control equipment. I teach a lot of seminars for  
7 the Automatic Fire Alarm Association and, in  
8 addition representing the association, I get  
9 questions from our members all of the time, and  
10 this is a question that came up almost every week  
11 about where do I put the smoke detector if I'm  
12 using it to protect the control equipment? And  
13 there was a lot of different opinions about it.

14 So we decided we better put in some  
15 language to be very specific. Some of the negative  
16 comments in here saying, well, how does this do  
17 anything if you have it mounted on the wall 6 feet  
18 above the panel when you have a very high ceiling  
19 space? Well, the point is it's not there for space  
20 protection. It's there to protect the control  
21 equipment. And there already is existing language  
22 in the initiating devices chapter that says you're  
23 allowed to put the smoke detector closer to a  
24 device if you're trying to protect against a

1 hazard. That's exactly what we're doing. This  
2 just clarifies the language. And I don't care how  
3 much smoke there is 40 feet up in the air. If the  
4 control panel is not up there, that's not what it's  
5 for. It's there to protect the control equipment.  
6 So we're putting the smoke detector closer to the  
7 control equipment in order to intercept the smoke  
8 and allow it to do its job.

9 So I would ask the group to reject this  
10 comment and put that specific language back in. It  
11 will cut down on a tremendous amount of  
12 misinterpretations and interpretations by AHJs in  
13 multiple different ways about where exactly it has  
14 to be. Thank you.

15 MODERATOR BELL: Thank you. Mr. Schifiliti?

16 MR. SCHIFILITI: The Correlating Committee has  
17 no comment. And I would ask the Chair of the  
18 Fundamentals Committee, Dr. Shane Clary, to comment  
19 on the committee actions.

20 MODERATOR BELL: Mic 2.

21 MR. CLARY: Thank you, Mr. Chairman. Shane  
22 M. Clary, Bay Alarm Company, Pacheco, California,  
23 and Chair of the Fundamentals -- Technical  
24 Committee for Fundamentals for Fire Alarms, a part

1 of NFPA 72. I rise in opposition to the motion.

2 The Technical Committee in our letter  
3 ballot, 29 were eligible to vote, 27 were  
4 affirmative. There were two ballots not returned,  
5 and there was one comment on the affirmative. I  
6 would just refer everyone to our substantiation  
7 within the ROC. That's the blue book. Thank you.

8 MODERATOR BELL: Thank you. Mic 5?

9 MR. McNAMARA: My name is Jack McNamara. I am  
10 employed by Bosch Corporation, and I would like to  
11 speak in favor of the motion.

12 I've spoken about this when we talked  
13 about 4.4.5, but Factory Mutual, a well-respected  
14 NRTL, and part of that comment that they made on  
15 72-75, I will just read the important part. "It is  
16 irresponsible not to include a practical early  
17 warning means of detection in close proximity to  
18 the control equipment intended for occupant  
19 evacuation or off-premise signaling of protected  
20 property." Thank you.

21 MODERATOR BELL: Thank you. Mic 1.

22 MR. FRASER: Bruce Fraser, Fraser Fire  
23 Protection. I won't go through the whole list that  
24 Tom actually -- the first speaker -- I'm speaking

1 in favor of the motion on the floor.

2 We went through a big litany that Tom went  
3 through, and I won't repeat that, but I will point  
4 you to a proposal that was accepted in this cycle,  
5 and it goes in the chapter on initiating devices  
6 under smoke detection. If the numbers don't  
7 change, it will be 5.7.3.1.4. "If the intent is to  
8 initiate action when smoke or fire threatens a  
9 specific object or space, the detector shall be  
10 permitted to be installed in close proximity to  
11 that object or space."

12 And the substantiation for that proposal  
13 was, these are installation related applications  
14 that occur every day in the real world, and this  
15 new wording will help the designer and installer to  
16 understand the purpose of the detection placement.  
17 For instance, we don't want to open elevators doors  
18 if the area is being challenged by smoke or fire.  
19 So we don't want the elevators recalled to prevent  
20 it -- so we do want the elevators recalled to  
21 prevent that occurrence.

22 Similarly, if the fire alarm control unit  
23 is being challenged by smoke or fire, we want the  
24 detector to actuate and initiate signals to

1 occupants and the fire department before the fire  
2 alarm control unit is incapacitated. It goes to --  
3 it's situation where not all people understand that  
4 there's more than area detection on ceiling or  
5 areas. This is specific object protection.

6 So I speak in favor of the motion on the  
7 floor.

8 MODERATOR BELL: Thank you. Mr. Schifiliti,  
9 any additional comment?

10 MR. SCHIFILITI: The Correlating Committee has  
11 no comment.

12 MODERATOR BELL: Mic 2?

13 MR. ELVOVE: Josh Elvove at a different mic  
14 speaking for the U.S. General Services  
15 Administration against the motion.

16 I'm actually the maker of the comment that  
17 had this removed and apparently unanimously  
18 accepted by the Fundamentals Committee at that  
19 particular time and now on the floor for your  
20 consideration. If you read my substantiation, it  
21 more had to do with the fact that we thought this  
22 was superfluous and we already debated that and you  
23 have spoken your piece.

24 Now the important part obviously now is if

1 you're going to put a smoke detector to protect  
2 this life safety device that has been deemed what  
3 it is by this group, well, then, we got to do it  
4 right. We should codify this. An annex note that  
5 says 6 foot is fine. I mean, if this is an  
6 important fire alarm unit you need to have, I think  
7 we need to codify exactly where this detector needs  
8 to be or put in some strong performance language.  
9 Right now, there's nothing in 5 except the standard  
10 Chapter 5 requirements which this would violate.

11 So I am concerned about having strict  
12 requirements in Chapter 5. That's why I asked the  
13 TCC chair whether this is not a correlation issue,  
14 whether we actually have a concern that this kind  
15 of detector requirement, even though it's in an  
16 annex, is actually contrary to a Chapter 5 requirement.

17 MODERATOR BELL: Thank you. Mic 2 again.

18 MR. FRABLE: Dave Frable, U.S. General Services  
19 Administration, speaking against the motion on the  
20 floor.

21 The other issue you have to consider is  
22 the AHJ issue. Right now the information regarding  
23 the detector coverage for the control unit, which  
24 is now a vital piece of equipment for the building,

1 needs to have specific language like Mr. Elvove  
2 said regarding the location of the detector. Right  
3 now it's arbitrary. It's in the appendix.

4 To me, if I was in AHJ, you would be  
5 making the designer go back and forth on the  
6 location of the detector for each piece of the  
7 equipment.

8 The other thing you have to consider is  
9 the listing of the detector itself. It will not  
10 meet the listing requirements if it says  
11 arbitrarily placed next to the equipment. This  
12 whole situation could have been resolved a few --  
13 well, a few hours ago if you would have just  
14 accepted the sprinkler exception in Method 2.  
15 However, you made your bed.

16 The issue here now, this motion needs to  
17 be not approved. Thank you.

18 MODERATOR BELL: Thank you. Mic 1.

19 MR. FRASER: Bruce Fraser, Fraser Fire  
20 Protection, again, speaking in favor of the motion  
21 on the floor.

22 Number one, there isn't a listing issue at  
23 all. It's a matter of application. And I forgot  
24 the other thing that I was going to say. It was in

1 response to Josh. Thank you, but it is not a  
2 listing issue at all.

3 MODERATOR BELL: Thank you. Mr. Schifiliti,  
4 any additional comment?

5 MR. SCHIFILITI: The Correlating Committee had  
6 no comment on that for me to provide to you.

7 MODERATOR BELL: We'll move to the vote on  
8 Motion Sequence Number 72-26. The motion on the  
9 floor is to reject Comment 72-527. All those in  
10 favor of the motion, please raise your hand. Thank  
11 you. All those opposed.

12 Motion carries.

13 Is there any additional discussion on a  
14 NFPA 52? 72. I'm sorry. It's late in the day.  
15 Seeing no one at the microphone, we'll move on.  
16 Thank you, Mr. Schifiliti.

17 Ladies and gentlemen, this officially  
18 concludes the 2009 Annual Association Technical  
19 Meeting, and I want to thank each of you for your  
20 participation, interest, and support. I now  
21 declare this part of the meeting officially closed.  
22 Thank you again.

23 (Whereupon, the meeting  
24 adjourned at 2:45 o'clock p.m.)

1 STATE OF ILLINOIS )  
2 ) SS:  
3 COUNTY OF C O O K )  
4

5 ANNA M. MORALES, being first duly sworn,  
6 On oath says that she is a court reporter doing  
7 business in the State of Illinois; and that she  
8 reported in shorthand the proceedings of said  
9 meeting, and that the foregoing is a true and  
10 correct transcript of her shorthand notes so taken  
11 as aforesaid, and contains the proceedings given at  
12 said meeting.

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16 Certified Shorthand Reporter  
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