

**NFPA Meeting - June 9, 2010**  
**Technical Meeting**

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Reporter's Transcript of NFPA Association

Technical Meeting

Taken on Wednesday, June 9, 2010

At the Mandalay Bay Convention Center

3950 Las Vegas Boulevard South

Las Vegas, Nevada 89119

from 2:03 p.m. to 9:13 p.m.

Reported by: Blanca I. Cano, CCR No. 861, RPR

**Depo International, L.L.C.**  
**517 South Ninth Street, Las Vegas, NV 89101 (800) 982-3299**

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1           CLARK COUNTY, NEVADA, WEDNESDAY, JUNE 9, 2010;

2                                   2:03 P.M.

3                                   -oOo-

4

5           SHANE CLARY: Good afternoon, ladies and  
6 gentlemen. My name is Shane M. Clary, and I have the  
7 distinct pleasure and privilege of being a member of  
8 your standards council.

9           I now declare that a quorum exists and convene  
10 the 2010 technical meeting. To assist me is Linda  
11 Fuller of the NFPA staff who is serving as the staff  
12 coordinator.

13           I'd also like to introduce Amy Beasley-Cronin,  
14 secretary of the standards council; Jim Pauley, chair of  
15 the council; Mareen, NFPA general council. The session  
16 will be recorded by Blanca Cano and Jane Efaw of Depo  
17 International, LLC, Las Vegas, Nevada.

18           First, let me address our safety issues. Let's  
19 take a minute and note the exits from this room. Now  
20 that you have noted the closest exit to you, which in  
21 some cases may be behind you, I would like to inform you  
22 that the fire alarm signal for the Mandalay Bay  
23 Convention Center is a slow whoop along with lights and  
24 strobe lights followed by a voice announcement.

25           As with any organization, we have certain rules

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1 and protocols. First, uses of video and/or audio  
2 recording devices of any type are not allowed during the  
3 association technical meeting. I'd like to call to your  
4 attention The Guide for Conduct of Participants in the  
5 NFPA Code and Standard Development Process. As a  
6 participant in this process, you should be familiar with  
7 this guide.

8 I'd also like to call your attention to the  
9 NFPA convention rules which set the process to be  
10 followed today. Copies of both documents are contained  
11 in the NFPA Code and Standards Directory which is posted  
12 on the NFPA website, [www.NFPA.org](http://www.NFPA.org), and copies are also  
13 available at the NFPA registration desk.

14 The certified amending motions that comprise  
15 the agenda for today especially will be taken in the  
16 order as printed in the salmon colored handout entitled  
17 "Annual 2010 NFPA Annual Technical Meeting Certified  
18 Amending Motions."

19 The primary regulations governing the NFPA  
20 Code and Standards Development Process including  
21 processing or amending motions at the association  
22 technical meetings are the regulations governing  
23 committee projects. The regs are also posted on the  
24 NFPA website and published in the NFPA Codes and  
25 Standards Directory.

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1           I'd like to say a few words about the actions  
2 that can be taken up today and the voting procedures.  
3 At this session, you are being asked to act on certain  
4 motions pertaining to the technical committee reports.

5           The technical committee reports on several of  
6 these documents -- NFPA 18, 45, 53, 214, 276, 409, and  
7 505 -- are contained in the 2009 NFPA Fall Revision  
8 Cycle Report on Proposals and Report of Comments, the  
9 white book.

10           Eight documents -- NFPA 25, 58, 86, 96, 204,  
11 303 502, and 654 -- can be found in the 2010 NFPA Annual  
12 Revision Cycle Report of Proposals and Report on  
13 Comments, the blue book. And NFPA 70 can be found in  
14 the 2010 NEC Annual Revision Cycle Report on Proposals  
15 and Report of Comments which is the peach book.

16           Under convention rules, before a motion can be  
17 considered for action at this association technical  
18 meeting, the intended maker of the motion must have  
19 filed a notice of intent to make a motion, the NITMAM,  
20 prior to the public's deadline of April 9th, 2010, and  
21 from the next electrical code, the public's deadline of  
22 May 7th, 2010.

23           These NITMAMs were reviewed by a motion  
24 committee appointed by the standard council chair. The  
25 motions committee certifies those NITMAMs in compliance

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1 with the NFPA rules as certified amending motion and  
2 published a consolidated motion committee report on  
3 May 21st, 2010.

4           Table A of this report, the salmon colored  
5 handout, identifies the certified amending motions for  
6 consideration today. Only certified amending motions  
7 together with certain allowable follow-up amending  
8 motions, that is, motions that become necessary as a  
9 result of a successful certified amending motion will be  
10 allowed at this meeting. There is a further requirement  
11 that a person must sign in to indicate that they are, in  
12 fact, here to pursue their motion.

13           As part of these procedures, the statements for  
14 the record, that is, statements concerning technical  
15 committee actions for which no certified amending motion  
16 or allowable follow-up motion is available are not  
17 permitted.

18           In accordance with 4.6 in the regs, if a forum  
19 is challenged and found to be no longer present, which  
20 is 100 members, the session will be terminated without  
21 further action on the reports.

22           In the report on documents that have not been  
23 acted on, shall be forwarded directly to the council  
24 without the recommendations of this meeting for action  
25 in accordance with 4.8 of the regs.

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1           If a form is lost or in consideration of a  
2 report, any motion to amend or return that report that  
3 have passed prior to the loss of a forum will be  
4 processed and forwarded to council in accordance with  
5 4.6 and 4.7 of the regs.

6           Any appeal based on an action by the  
7 association at this meeting must be filed with the  
8 standards council within 20 days of this meeting, that  
9 is, by June 29th, 2010.

10           Any the amendment accepted at this meeting that  
11 fails to pass the subsequent committee ballot will  
12 automatically be documented a special -- as a appeal to  
13 the standards council agenda in accordance with Section  
14 1.6.2(B) of the regs. Note, however, that if an  
15 automatically document appeal is not pursued by a party,  
16 the council need not consider it.

17           The votes you cast at this association  
18 technical meeting today and the discussion that leads  
19 the voting are an integral and important part of the  
20 NFPA consensus process.

21           The association technical meeting is formed  
22 when the membership considers changes to reports  
23 prepared by the NFPA technical committees concerning  
24 proposed or revised NFPA code and standards where such  
25 changes are pursued via certified amending motions.

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1           Though through these motions, debate and voting  
2   at this meeting, the membership makes recommendations to  
3   the standards council. The standards council under NFPA  
4   rules is an official issuer of all NFPA codes and  
5   standards. The majority vote of the persons present  
6   here today is for the sole purpose of making a  
7   recommendation to the standards council on the  
8   disposition of the report.

9           The standards council will meet on August 3rd  
10   through the 5th in Quincy, Massachusetts to make a  
11   judgment on whether or not to issue a document. The  
12   council's decision on document issuance is based on the  
13   entire record report including the discussions and the  
14   vote taken at this NFPA meeting.

15           Limited review following action by the  
16   standards council may be also available through a  
17   petition to the board of directors. Any such petition  
18   must be filed within 15 days of a council action in  
19   accordance with the regulations governing petition to  
20   the board of directors from decisions of the standards  
21   council. The deadline notice of such petition is  
22   August 20th, 2010.

23           With respect to the voting procedures, the reg  
24   states that voting at NFPA meetings shall be limited to  
25   the following: Those present who are voting members of

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1 the association, that is, those with yellow badges.

2           If you are not a voting member of record of the  
3 association registered at this meeting, I ask that you  
4 refrain from voting. You need not be a member of a NFPA  
5 section in order to vote. You must, however, be a  
6 voting member. Only voting members of record should be  
7 seated in the front areas. Those seated in the back  
8 areas will not be counted.

9           Voting will be undertaken in the following  
10 manner: There will be no voice votes. The first vote  
11 will be by raising of hands. If that is not conclusive,  
12 we will proceed to a standing count of regular voting  
13 members. I want to say at the outset that I will not  
14 cast a vote. Therefore, in the event of a tie vote, the  
15 issue automatically fails.

16           Once a report and certified amending motion is  
17 presented, it is open for discussion and anyone in the  
18 room has a privilege of participating. The chair asks  
19 that you preface your remarks with your name and your  
20 company or organizational affiliation. Let me repeat  
21 that: Your name and your company or organizational  
22 affiliation should preface your remarks.

23           As you can see, we have red and green signs on  
24 the mics in the room. Red sign indicates opposition to  
25 a motion on the floor and green signs indicate support



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1 of a motion on the floor. I would also like to ask that  
2 you stand at the appropriate mic and state at the  
3 beginning of your marks whether you are in support or in  
4 opposition of the motion being debated.

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

14 Second, a note about NFPA sections. From time  
15 to time the chair or other representatives of a NFPA  
16 section may rise during debate to state the position of  
17 an NFPA section of a motion that is under consideration.

18 NFPA sections are grouped with NFPA members  
19 organized throughout particular subjects such as  
20 electrical, fire service, or healthcare sections. Under  
21 regulations governing NFPA section, a section may make a  
22 position on an issue on the floor in the association  
23 technical meeting.

24 The position of a section does not necessarily  
25 reflect the views of all section members. Whether a

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1 section may state the position of a motion if the  
2 majority of the section members attending a section  
3 meeting have approved that position and there are at  
4 least 25 votes cast at the section meeting.

5           The position of a section is accorded no  
6 special status in the NFPA code (indiscernible) process,  
7 and you would as with any other position expressed  
8 during the basis today, weigh and access such positions  
9 as you deem appropriate.

10           Given the size of the agenda and the amount of  
11 material that we have to get through, we will start out  
12 with five minutes per speaker, but it is my plan to  
13 limit the time as appropriate in the event that this  
14 becomes necessary.

15           There will be a time limit that will appear on  
16 the middle screen to indicate that you have one minute  
17 remaining on your allotted time. The chair reserves the  
18 right to hear any new speaker before yielding the floor  
19 to anyone wishing to address the same issue a second  
20 time.

21           Motions that are in order, certified amending  
22 motions are contained in the salmon colored handout  
23 entitled "Annual 2010 NFPA Association Technical Meeting  
24 Certified Amending Motions" which are available at the  
25 registration desk at the back of the room this

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1 afternoon.

2           These motions pertain to the documents  
3 contained on page 72 of the annual meeting report. As  
4 previously stated, this meeting is conducted in  
5 accordance with NFPA convention rules that are available  
6 at the NFPA website, and there are copies at the NFPA  
7 registration desk.

8           I would like to point out that a maker of a  
9 certified amending motion for NFPA 409 has notified NFPA  
10 that he will not be pursuing these motions. Therefore,  
11 in accordance with NFPA rules, Convention Rules 2.6, the  
12 motion may not be considered by the assembly and is  
13 removed from the agenda.

14           This document will not be considered at this  
15 meeting and instead become a consent document that will  
16 be forwarded directly to the standards council for  
17 issuance for other actions.

18           Upon completion of actions on all certified  
19 amending motions related to NFPA document, the presiding  
20 officer shall entertain any follow-up motions. A  
21 follow-up motion is a motion that becomes necessary as a  
22 result of a previous successful amending motion.

23           A motion to return a document or return a  
24 portion of a document affected by a previous successful  
25 amending motion is (indiscernible) order as a follow-up

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1 motion as long as it is not repetitious.

2           The presiding officer shall make a  
3 determination on whether a motion is a proper follow-up  
4 motion. The maker of a motion shall be required to  
5 explain why it is a proper follow-up motion. All  
6 follow-up motions shall require two sequiturs.

7           Finally, I would like to stress that the rules  
8 that we are operating today are designed to improve the  
9 efficiency and quality of the association technical  
10 meetings by eliminating the need to present uncontested  
11 documents by giving you, the NFPA membership, advanced  
12 notice of the amending motions that are to be presented  
13 and by giving me as the presiding officer greater  
14 discretion in managing the debate to ensure that the  
15 issues are as fully debated as possible in the available  
16 time.

17           It is my hope and expectation that together we  
18 will make this association technical meeting a success.  
19 And I thank you in advance of your cooperation,  
20 patience, and when we are done your comments and  
21 suggestions for the future. Also, we will be taking  
22 comfort breaks as necessary.

23           At this point, before we begin the documents, I  
24 would like to introduce Jim Pauley, chair of the  
25 standards council, and Amy Beasley-Cronin, who presents



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1           JIM PAULEY: This award don't only recognize  
2 Dale's leadership and personal contributions, but also  
3 the efforts of all involved in NFPA 85, boiler and  
4 combustion systems hazard code and the boiler combustion  
5 system hazards project.

6           The next special achievement award today is  
7 presented to Peter Wilsie. I'd like to ask Peter to  
8 please join me here on the stage.

9           AMY BEASLEY-CRONIN: Pete Wilsie of XL Global  
10 Asset Protection Services in Hartford, Connecticut  
11 serves on many NFPA technical committees including the  
12 ovens and furnaces committee since 1988; the boiler  
13 combustion system hazards correlating committee since  
14 '88; and its corresponding technical committees on  
15 multiple burner boilers and single-burner boilers since  
16 1989, and he was chair in 1995 to 1997.

17           He also served on fluidized bed boilers from  
18 '91 to 2005; the fire code committee since 1989; the  
19 smoke management committee since 1994; aerosol product  
20 committee since 2005 and was chair in 2007.

21           In 2006, Peter was appointed to the flammable  
22 and combustible liquids correlating committee and three  
23 of the corresponding technical committees; the building  
24 code correlating committee since 2000 and its  
25 corresponding technical committees on building

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1 construction since 1988, chaired from '97 to 2006, and  
2 structures construction and materials since 2000 and was  
3 appointed chair in 2006.

4           These building code committees are responsible  
5 for NFPA 5000 building construction and safety codes.  
6 As a charter member of the TCC for the NFPA building  
7 code project, Peter was able to bring his vast knowledge  
8 of NFPA documents related to the new project such as  
9 NFPA 220; types of building construction, NFPA 221;  
10 standards on fire walls and fire barrier walls among  
11 others.

12           Equally important in his role as chair of the  
13 TCC on structures and construction for the project,  
14 Peter also served to help bridge the impact of important  
15 design documents such as ASCE 7 minimum design loads for  
16 buildings and other structures that are referenced and  
17 used in NFPA 5000.

18           As a member of several ASCE 7 committees, Peter  
19 understood the value of integrating the structural  
20 design methods into NFPA 5000 by reference rather than  
21 by other means that might have created conflicts between  
22 the companion ANSI code, NFPA 5000, and the NFPA ASCE 7.

23           Finally, other NFPA TCs on which Peter has  
24 served includes: Liquid fuel burning equipment from '89  
25 to 2005 and chaired from '92 to 2003; and the TC on fire

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1 task from 1990 to 2005. Peter was also a member of the  
2 standards council from 2002 to 2008.

3 JIM PAULEY: This award recognizes not only  
4 Peter's leadership and personal contributions to NFPA  
5 5000, but also all of the efforts involved in the  
6 committee projects Peter's participated in. Please join  
7 me in congratulating Peter on his special achievement  
8 award.

9 (Applause.)

10 JIM PAULEY: The last special achievement award  
11 today is presented to William Barlen. William cannot be  
12 here today, so here are his accomplishments.

13 AMY BEASLEY-CRONIN: Bill Barlen of Barlen and  
14 Associates Incorporated in Allentown, New Jersey  
15 currently serves on the TC on laboratory using chemicals  
16 and has since 1991. He also serves on the industrial  
17 medical gas committee since 1998, responsible for NFPA  
18 55, compressed gases and chirogenic liquid fluids code.  
19 His extensive knowledge of all compressed gas equipment,  
20 manufacturing and use, has been a valuable resource for  
21 the committee he served on.

22 In addition, Bill was very helpful in planning  
23 the NFPA guide to gas safety. He wrote a chapter on  
24 specialty gas and suggested authors for several other  
25 chapters. His contributions helped get several of the



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1 safety chapter of the book written.

2 In addition, he's been a source of information  
3 on compressed gases for several NFPA staff members and  
4 has frequently provided technical information needed to  
5 answer code questions and to understand compressed gas  
6 issues.

7 In the past, Bill has served on the natural gas  
8 vehicular fuel systems committee from '91 to '94 and the  
9 gas delivery equipment committee under the healthcare  
10 facilities project from 2005 to 2007.

11 JIM PAULEY: This award recognizes not only  
12 William's leadership and personal contributions within  
13 NFPA 55, but also the efforts of all involved in the  
14 committee projects where he's participated. Please join  
15 me in congratulating William Barlen on his special  
16 achievement award.

17 (Applause.)

18 JIM PAULEY: On behalf of the standards  
19 council, we thank all of you for your dedication to the  
20 codes and standards process. That concludes the special  
21 achievement awards and now we're going to move on to the  
22 committee service awards.

23 (Applause.)

24 JIM PAULEY: The committee service award is  
25 given to technical committee member for continuous and

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1 exemplary service on one or more technical committees  
2 over a substantial period of time and in recognition and  
3 appreciation of distinguished service to the NFPA and  
4 the development of NFPA codes and standards.

5           Unfortunately, none of today's recipients of  
6 the committee service award could be with us here today,  
7 but we would still like to acknowledge and thank them  
8 for their outstanding service.

9           AMY BEASLEY-CRONIN: The NFPA technical  
10 committee members who are recipients of the 2010  
11 committee service awards that could not be with us here  
12 today are John Eibl, of the DuPont Company in Old  
13 Hickory, Tennessee.

14           He was on the single-burner boilers from '94 to  
15 present and he was chair in -- started as chair in 1999;  
16 multiple burner boilers, 1994 to present; the technical  
17 correlating committee on boiler combustion system  
18 hazards, 1999 to present.

19           Sam Garofalo, Technical Consulting Company,  
20 Charlotte, North Carolina, has been a committee member  
21 for 22 years and is currently on the technical committee  
22 on textile and garment care processes from 1988 to  
23 present and chair since 2000.

24           Joe Gillis of Westboro, Massachusetts has been  
25 a committee member for 30 years and is currently on the

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1 following technical committees: Explosion protection  
2 system, 1980 to present; handling and conveying of dust  
3 vapors and gases from '96 to 2009.

4 Steve Gunsel of SG Technologies, LLC, out of  
5 Medina, Ohio. He's on finishing processes since 1992 to  
6 the present and has been chair since 2000; static  
7 electricity from 1992 to present.

8 Lastly, Dr. Gary Lougheed, National Research  
9 Council of Canada, Ottawa, Canada, and he's on the  
10 technical committee on smoke management from 1994 to  
11 present.

12 JIM PAULEY: On behalf of the standards  
13 council, I'd like to again say thank you to all of these  
14 individuals. This concludes the award ceremony for this  
15 afternoon. We'll now begin the association technical  
16 committee meeting.

17 SHANE CLARY: Thank you, Jim and Amy.

18 The first report under consideration this  
19 afternoon is that of technical committee on laboratories  
20 using chemicals. Here to present the committee report  
21 is committee chair, Andrew Minister of Battelle  
22 Northwest Laboratories, Richmond, Washington. The  
23 committee report can be found in the white 2009 fall  
24 revision cycle ROP and ROC. The certified amending  
25 motion is contained in the motions committee report and

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1 behind me on the screen.

2 We'll proceed in order of the motion sequence  
3 number presented.

4 Mr. Minister.

5 ANDREW MINISTER: Mr. Chair, ladies and  
6 gentlemen, the report of the technical committee on  
7 laboratories using chemical is presented for adoption  
8 and can be found in the report on proposals and report  
9 on comments for the 2009 fall meeting revision cycle.

10 The technical committee has published a report  
11 consisting of a partial revision of NFPA 45 standard on  
12 fire protection for laboratories using chemicals. The  
13 presiding officer will now proceed with the certified  
14 amending motions.

15 SHANE CLARY: Thank you, Mr. Minister.

16 Now, let's proceed with the discussion on  
17 certified amending motion on NFPA 25 -- 45, so sorry.

18 And where are they?

19 Microphone 5.

20 BILL ECKHOLM: Mr. Chairman, my name is Bill  
21 Eckholm. I'm with Firetrace International. I'm the  
22 president and CEO of that organization. I'm also a  
23 member of NFPA 45 technical committee as well as several  
24 other NFPA technical committees. In fact, I've served  
25 on NFPA technical committees for over 25 years.



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1 fire protection is not necessary unless you need an  
2 exception, the wording should read that fire protection  
3 is necessary, and you may waive fire protection if you  
4 comply with the exception or a knowledgeable fire  
5 protection professional performs a review and determines  
6 protection is not necessary.

7           Here is why I think the current wording is  
8 wrong: First of all, fires do happen in fume hoods and  
9 on a fairly regular basis. I submitted data that noted  
10 that I was aware of at least 94 fires in fume hoods that  
11 occurred in 2005 alone. I submitted specific data on a  
12 sample of these fires.

13           Furthermore, the NFPA staff liaison for NFPA 45  
14 did a quick search, and she, too, found that fume hood  
15 fires are not uncommon, especially in schools,  
16 universities, and other locations that may not have  
17 dedicated fire experts with chemical lab experience.

18           So if fires are a common occurrence in fume  
19 hoods, why is the NFPA standards advice to not recommend  
20 fire protection unless the user reads further to see if  
21 they meet one of the exceptions?

22           Real world experience has shown that users of  
23 NFPA 45 often do not read beyond the wording that states  
24 automatic fire protection shall not be required. They  
25 read that far and fail to go beyond that point to see if

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1 the exceptions that would mandate fire protection apply  
2 to them.

3 For example, Log No. 9 was submitted by a  
4 university student who personally experienced a fume  
5 hood fire. When he inquired of the university fire  
6 marshal of why there was not a fire suppression system  
7 on the fume hood, he was told that NFPA 45 states it is  
8 not necessary.

9 As that discussion further went along, the  
10 submitter learned that the university fire marshal  
11 simply stopped reading the standard 8.10.1 after reading  
12 the words "shall not be required." This type of action  
13 results in inadequate fire protection. That would not  
14 be the case as I have proposed the new wording.

15 During my discussions with my own technical  
16 committee colleagues on this manner, it was often  
17 suggested that a change is not necessary. It's been  
18 this way for a very, very long time.

19 Having served on numerous NFPA committees, I'm  
20 aware that the purpose of reviewing NFPA standards at  
21 specific times is to allow for changes that will make  
22 our standards better, stronger, and clearer and that is  
23 what my proposal does. It supports better fire  
24 protection and it makes the standard clearer.

25 I've also heard countless stories of how very

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1 organized labs already do their own fire analysis so  
2 there is no need for a standard --

3 SHANE CLARY: One minute.

4 BILL ECKHOLM: -- required fire protection or a  
5 review of the hazard by a fire professional. Well, if  
6 your operation is that professional and organized, my  
7 change will have absolutely no impact on you. Those who  
8 we're trying to help and protect are the less  
9 professional labs where they read the words of NFPA 45  
10 to try and figure out how they should protect their lab.

11 It is these people who should default to  
12 protection unless they can prove that they comply with  
13 one of these exceptions or the fire protection  
14 professional does a review and determines protection is  
15 not necessary.

16 I would also note that there was significant  
17 support for my proposal outside the technical committee.  
18 The committee held a meeting to address the  
19 November 2009 ROC comments. At that meeting, the  
20 technical committee noted that there were 15 public  
21 comments on the standard, 10 of which addressed my  
22 proposal.

23 SHANE CLARY: Please complete your comments.

24 BILL ECKHOLM: Ten of which addressed my  
25 proposal and all of which spoke in support of my



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1 proposal. The submitters ranged from consultants to  
2 code officials to fire protection professionals.

3 In conclusion, the net effect of my proposal  
4 will not cost the professional lab anything more as they  
5 would read the full paragraph and do their own analysis  
6 of whether they need protection or not. However, for  
7 the lesser experienced --

8 SHANE CLARY: Okay. Please conclude.

9 BILL ECKHOLM: Okay. Thank you.

10 My proposal turns a negative into a positive:  
11 Fire protection shall be required unless exceptions  
12 apply.

13 SHANE CLARY: Okay. Thank you.

14 BILL ECKHOLM: I think (indiscernible)  
15 protection and still allow the option to go forward  
16 without --

17 SHANE CLARY: Okay. Thank you.

18 BILL ECKHOLM: Thank you for considering.

19 SHANE CLARY: Mr. Chairman, any comments.

20 ANDREW MINISTER: The technical committee  
21 reviewed the proposal. There was quite an extensive  
22 discussion of the proposal, and in end, the committee  
23 voted 21 to 2 to reject the proposal with four members  
24 not submitting a ballot.

25 On the ROC side, we had 23 voting to reject and

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1     2 in favor with one not returned. The discussion that  
2     the committee had basically addressed that the standard  
3     currently -- the objective of the current 45 standard is  
4     to contain a fire to the laboratory unit, and we require  
5     automatic suppression to do that.

6             The committee discussion also revolved around  
7     the fact that many laboratories use a diversity of  
8     chemicals. There is no one fire suppression agent that  
9     will adequately suppress all types of fires and that  
10    actually if you have a fire involving a chemical that is  
11    water reactive and you have a water-type suppression  
12    system, you can actually make the situation worse. So  
13    that's how -- that's the discussion the committee voted  
14    on based on that.

15            SHANE CLARY: Okay. Thank you.

16            With that we'll open up debate on the motion.  
17    Again, please provide your name, affiliation, and  
18    whether you are speaking in support or against the  
19    motion.

20            We'll begin on Microphone 5, Chief.

21            RUBEN GRIJALVA: My name is Ruben Grijalva, and  
22    I am speaking for myself. I am formally the state fire  
23    marshal for California and director for California  
24    Department of Forestry and Fire Protection, the state's  
25    largest fire fighting organization.

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1           I've been in the fire service for 35 years.  
2    Most of that time, though, has actually been in local  
3    government in the heart of the Silicon Valley in  
4    California. I work with three different agencies as a  
5    firefighter, fire marshal, and a fire chief.

6           In the Silicon Valley, there are literally  
7    thousands of fume hoods in different processes in  
8    biomedical research, semiconductive manufacturing,  
9    universities, institutions, and all different types of  
10   industrial uses.

11           I have personally responded on hundreds of fume  
12   hood fires in my career either as an emergency responder  
13   or after the fact as a fire marshall to conduct an  
14   investigation.

15           I'm speaking in support of the proposal 4520 to  
16   certify the amended motion and encourage this body to  
17   overturn the action of the committee in favor of this  
18   motion. I think that the basis for standards should be  
19   proactive fire protection.

20           The issues I've heard over my career are we  
21   have a sprinkler system. That will put out the fire.  
22   We don't need it in the hood. We want to stop the fire  
23   at the smallest possible portion. We don't want it to  
24   expand beyond the contained fume hood.

25           The current language also creates and sets up

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1 an adversarial position between the fire official and  
2 the business with the industry. If I were coming in and  
3 reading the current language, I would require the  
4 business to submit to me third-party evaluation that  
5 tells me why no fire protection system is required.

6           The reverse is a better way to go. Require the  
7 fire protection system that is appropriate to the type  
8 of use and the material being used in the hood, and if  
9 it's not required, then submit documentation and  
10 evaluation that says under these conditions, it really  
11 isn't needed.

12           That will make it consistent also with a lot of  
13 the state and local codes that are already in place that  
14 also creates confusion. A business or an industry reads  
15 the NFPA standards, thinks that no fire protection  
16 system is required, only to find out that it is required  
17 in either the international code, building code, fire  
18 code, or some other local requirement.

19           So I think by accepting this proposal, you'll  
20 move to more standardization, raise the standard to fire  
21 protection, and without being overly financially  
22 burdensome to industry. That concludes my comments.

23           SHANE CLARY: Okay. Thank you.

24           Microphone No. 2. And, again, I would like you  
25 to state if you're for or against the motion for the

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1 record and, of course, your name.

2 Please proceed, Microphone No. 2.

3 RICHARD PALLUZI: My name is Richard Palluzi,  
4 and I'm with Exxon Mobile Research and Engineering. I  
5 am against the motion. I have 35 years in laboratory  
6 design and safety. I'm the chair of the Exxon Mobile  
7 research and engineering pilot plant and laboratory  
8 safety standards committee and a member of the NFPA 45  
9 committee.

10 This is not the first time a suggestion of  
11 in-hood fire suppression has been raised. Most  
12 laboratory safety professionals understand that the  
13 proposal does not represent a credible reduction in risk  
14 nor a prudent way to spend increasingly scarce lab  
15 funding.

16 Twenty-eight cases were given supporting this  
17 motion. Six of them were duplicates and, therefore, not  
18 relevant; two of them did not involve fires in  
19 laboratory hoods; 15 involved fires that involved --  
20 that were using pyrophoric or reactive materials which  
21 should not have been stopped by the system proposed of  
22 the remaining five, that means that 82 percent were  
23 invalid. Of the remaining five, all were trivial and  
24 did not spread.

25 The additional look by the NFPA survey showed

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1 that 96 percent of all fires in laboratories, and this  
2 includes all fires, not just fires in laboratory hoods  
3 which could not be broken out, 96 percent never spread  
4 outside the laboratory of origin.

5 We also surveyed for the NFPA 45 committee  
6 Exxon data in all our major research sites. This  
7 includes a total of 1,400 hoods for over 46 years of  
8 service. That's a total of 78,200 hood years of  
9 service. In that time, there have been two fires, both  
10 minor which did not spread outside the hoods.

11 That's one chance in 39,100 years. You are six  
12 times more likely to be killed in a car accident or 25  
13 times more likely to die from any accidental cause based  
14 on national safety council's 2010 data.

15 In addition, most life safety professionals  
16 will recognize that in-hood fire suppression systems are  
17 not without causing other risks. Incompatible chemicals  
18 through their constantly changing nature are a real  
19 issue. The possibility of these systems pushing or  
20 spraying material outside the hood, therefore leading to  
21 a spread of a fire, can also not be discounted.

22 Finally, the potential for these systems  
23 causing the materials to spray on to personnel nearby  
24 cannot be ignored. Finally, the time that it takes for  
25 these to react are such that the vast bulk of fires in

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1 the small amount of chemicals in the hoods can either be  
2 put out with a fire extinguisher or will self-extinguish  
3 on their own.

4 We fully support NFPA's 45 overwhelming vote  
5 that these systems not be required. While it sounds  
6 very good to say that all they're asking to do is change  
7 the wording from a positive to a negative, the reality  
8 is you will put the burden on the laboratories to try  
9 and prove to local authorities, many of whom are only  
10 marginally familiar with this type of operation, that  
11 what we're doing is safe.

12 Trying to prove that you're doing something  
13 safely is every bit as difficult as trying to prove that  
14 you're following a code. And this will cause a very  
15 irksome and very expensive burden on all laboratories  
16 throughout the world, so we are clearly not in support  
17 of this motion and clearly in support of NFPA 45's  
18 position. Thank you.

19 SHANE CLARY: Thank you.

20 Microphone No. 8.

21 ROBERT KLEIN: Thank you. My name is Robert  
22 Klein. I'm with Yale University. I'm the deputy  
23 director for the environmental health and safety  
24 program. I'm a certified industrial hygienist and I  
25 have 25 years of institutional research and development

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1 health and safety experience. I'm here to speak against  
2 the motion. I should also add that I am a new member,  
3 I'm honored to be a new member of NFPA 45.

4 We're concerned and against the motion because  
5 it will create an expectation that fume hoods will  
6 require automatic fire protection. We're concerned  
7 about that for a number of reasons.

8 Most know that the quantities and materials  
9 used in academic institutions fume hoods are small,  
10 highly variable, and change frequently. Many people  
11 share the fume hoods and different people are using them  
12 at different times, making the predictability very  
13 difficult.

14 The one exception that we know of is primarily  
15 in the organic chemistry, organic synthesis, and some  
16 drug development work where significantly larger  
17 quantities of material are used in academic research  
18 fume hoods. The most noticeable source of potential  
19 fire and flammable material use in those situations are  
20 for solvent purification where hot distillation runs for  
21 significantly long periods of time and often unattended.

22 However, at a university like ours with a large  
23 medical school, majority of our fume hoods, the majority  
24 of our laboratories are biomedical in nature and using  
25 significantly smaller quantities of material.



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1           In preparation for this discussion and my  
2 speaking, we also reviewed the history of experiences  
3 with fires and smoke conditions in our institution.  
4 Over a ten-year period, from 2000 to 2010 year to date  
5 this year, we have experienced 26 laboratory smoke or  
6 fire conditions. Thankfully these have all been small,  
7 well contained, there have been no injuries or serious  
8 property damage contained to the immediate area.

9           Of those experiences, 26, over 50 percent,  
10 approximately 55 occurred on an open bench. Nearly a  
11 third of those incidents occurred in self-standing  
12 equipment, such as freezers, refrigerators, or  
13 incubators. The balance or other miscellaneous  
14 locations of which two were in fume hoods.

15           One was self-extinguished when the -- when the  
16 smoking motor on a hot oil bath shut down, and the other  
17 was caused by an accidental ignition of a thin layer of  
18 chromatography plate that had solvent on it and the  
19 student was unfortunately trying to dry it using a heat  
20 gun. You can imagine what happened there. Thankfully,  
21 though, it was put out by fire extinguisher and did not  
22 spread beyond the fume hood.

23           I don't want to downplay the hazards of fume  
24 hoods and the possibility of fire, but the possibilities  
25 are small. There's significantly more alternative

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1 priorities for reducing fires in laboratories. We do  
2 not currently believe that adding automatic fire  
3 protection to all fume hoods is necessary. That would  
4 be the expectation by rewriting the rule.

5           In closing, I'd like to say that fire  
6 suppression systems do have and do play an important  
7 role and can play an important role in some fume hoods  
8 but not in all. And in preparing for this session, one  
9 of the things I noticed was how little information has  
10 been collected about laboratory fires despite what was  
11 said by the previous speaker. Our committee should do  
12 more to gather the statistics. Thank you.

13           SHANE CLARY: Thank you.

14           Microphone No. 1.

15           NORB MAKOWKA: Thank you. Norb Makowka  
16 representing National Association of Fire Equipment  
17 Distributors in favor of the motion on the floor. Ours  
18 is a simple belief that the standards should require  
19 fire protection and allow the exception where  
20 determination be made it is not required instead of  
21 doing the negative way which probably eliminates fire  
22 protection. It should be added. Thank you.

23           SHANE CLARY: Thank you.

24           And Microphone No. 8.

25           JOHN SADY: My name is John Sady. I'm a

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1 registered fire protection engineer with 35 years  
2 experience, but I am here today representing Chief  
3 Richard Anderson, retired, who couldn't be here and read  
4 a fair statement from him into the record. Chief  
5 Anderson is --

6 SHANE CLARY: Is this for or against the  
7 motion.

8 JOHN SADY: Is this for or against the motion?

9 SHANE CLARY: Thank you. Please proceed.

10 JOHN SADY: Chief Anderson's a (indiscernible)  
11 fire protection specialist and loss control specialist;  
12 has served as member of the board of directors of  
13 international fire chiefs associations, industrial  
14 fires, and safety section.

15 He's a member of NFPA industrial section,  
16 American Society of Safety Engineers, fire protection  
17 specialty section, and NFPA technical force for Standard  
18 45 fire protection for chemical laboratories since 1996.  
19 He's a retired industrial and private sector fire chief,  
20 a hazardous material technician, fire officer  
21 instructor, and fire protection and loss control  
22 engineer and fire investigator.

23 The following reflects Chief Anderson's  
24 statement: "I'm an advocate of safety, especially fire  
25 loss prevention. I also advocate automatic fire

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1 suppression laboratories. They are an effective means  
2 to protect life safety, property, and lives of  
3 firefighters.

4 "I was employed over 30 years for a  
5 pharmaceutical company and had 400 facilities in 35  
6 countries. In total, we literally had thousands of  
7 chemical fume hoods. As a corporate fire protection and  
8 loss control engineer, it was my job to investigate  
9 incidents in chemical fume hoods and averaged two to  
10 three incidents period per year would occur in a  
11 facility with 300 chemical fume hoods. Incidents were  
12 reported either as an emergency or after the fact by the  
13 department of safety committee.

14 "It was unacceptable to see any management in  
15 the research division of some of the laboratories to be  
16 taken out of service because of the fume hoods incident.  
17 In 99.9 percent of the time, the incidents was contained  
18 to the chemical fume hoods. It was held in check by  
19 exhaust airflow from the hood.

20 "In rare instances where the fire grew in  
21 intensity so that they overpowered the fume hood exhaust  
22 system, fire controlled by room sprinkler. This fact  
23 was borne out in April 2009 fire analysis report  
24 conducted by NFPA on structures fire that occurred in  
25 laboratories.

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1           "However, nonthermal damage from an incident  
2 in-hood chemical particles and soot, et cetera, can  
3 contaminate sensitive laboratory equipment.

4           "In 1999, I received funding from the company's  
5 research division to investigate on how best to protect  
6 the fume hoods in mission critical laboratories. I  
7 developed a research regime to total understand -- with  
8 the goal of understanding how we could improve our  
9 protection strategies.

10           "The regime included tests using water mist and  
11 engineered dry chem system and a clean engine system  
12 using plastic tubing for distribution of the agent.

13           "The test conducted at Factory Mutual and  
14 Hughes Associates which concluded for mission critical  
15 laboratories the best way to prevent nonthermal damage  
16 in laboratories was an automatic sprinkler system with  
17 water mist nozzles. It is important to note that. Some  
18 of the suppression system tested actually made the fire  
19 worse by pushing the flames out of the hood when the  
20 suppression system discharged.

21           "This could result in endangering the life  
22 safety of the laboratory occupants or firefighters.  
23 Based on my first-time experience investigation fire  
24 reports from the facilities around the globe and the  
25 fire testing of chemical hoods by esteemed fire research

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1 facility, I voted to reject the change to -- in the  
2 language to require hazard assessments to exclude the  
3 use of automatic fire suppression system.

4 "The requirements to conduct a hazard  
5 assessment begs the question: What is a hazard  
6 assessment? A common definition is that the hazard  
7 assessment" --

8 SHANE CLARY: One minute.

9 JOHN SADY: -- "is a process used to assess  
10 risk. NFPA 45 specifically provides chemicals in fume  
11 hoods minimize to only what is essential. If it's the  
12 standard -- if the standard is complied with, the fire  
13 growth will be minimized, and as history has  
14 demonstrated, even in the case submitted to  
15 (indiscernible) the support of the original proposal,  
16 the fire will be maintained to the room of origin.

17 "You have objectives of NFPA 45 2004 are  
18 clearly stated in 1.2.4 including limit property laws to  
19 maximize a single laboratory unit. The standard that's  
20 currently written achieves this objective.

21 "I propose they change -- the changes to  
22 currently practice without adding value would not be  
23 accepted. The proposed change in language in my opinion  
24 will not add value and would serve to confuse the  
25 (indiscernible) property owner. I advocate a vote

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1 against this motion. (Indiscernible) submitted Richard  
2 Anderson." Thank you.

3 SHANE CLARY: Okay. Thank you very much.

4 Any further discussion on Motion 45-1 to accept  
5 Proposal 45-20?

6 And Microphone No. 9.

7 TOM WYSOCKI: I am Tom -- pardon me. I'm Tom  
8 Wysocki. Are we getting feedback on this?

9 SHANE CLARY: No. You're okay.

10 TOM WYSOCKI: Okay. Thank you. Tom Wysocki of  
11 Guardian Services. I would like to speak in favor of  
12 the motion. Having served on NFPA committees since  
13 1977, I certainly appreciate the effort that goes into  
14 each of these standards on the part of the technical  
15 committee membership so I always feel reticent to  
16 recommend that we go against the recommendation of the  
17 technical committee, but in this case, I feel compelled  
18 to do so.

19 NFPA is nationally and internationally  
20 recognized as the bellwether in fire protection codes  
21 and standards. It seems that our emphasis should be to  
22 require appropriate protection for various hazards, and  
23 I ask: How can we determine what appropriate protection  
24 is unless we do a hard annual hazard analysis?

25 I noticed that the gentlemen from Exxon and

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1 Yale spoke quite eloquently and in some depth about the  
2 conditions that exist within their facilities. Now,  
3 whether you call this a formal hazard analysis or not,  
4 in fact, they have analyzed the hazards that exist in  
5 their fume hoods and determined from that analysis that  
6 it would be better not to use automatic suppression.

7           On the other hand, the way the standards sits  
8 right now, it recommends no automatic suppression unless  
9 flames spread greater than 25 or a hazard analysis  
10 determines that suppression is required, and yet I don't  
11 believe I saw anywhere in the standard -- Mr. Chairman,  
12 please correct me -- where a hazard analysis is  
13 required.

14           It might be implied, but Mr. Eckholm's  
15 suggestion would de facto push people to do the type of  
16 analysis that Exxon, Yale, and I'm sure many other  
17 laboratories do on a routine basis.

18           Again, being the bellwether, we should put  
19 forward the good practice of fire protection unless  
20 analysis determines that automatic suppression is either  
21 inappropriate, counterproductive, or just plain not  
22 necessary because of mitigating factors.

23           Finally, the chair mentioned that discussion  
24 center, or at least touched upon, the possibility of the  
25 use of the wrong agent in a laboratory hood. Well,



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1 this, of course, would be something that would be  
2 considered and would be addressed during the hazard  
3 analysis phase, so I see nowhere that a hazard analysis  
4 would contribute towards a decrease in safety. On the  
5 other hand, it would very much contribute to a  
6 knowledgeable approach to safe fire protection for a  
7 fume hood.

8           Finally, from an editorial viewpoint as well as  
9 from an enforceability viewpoint --

10           SHANE CLARY: One minute.

11           TOM WYSOCKI: -- the suggested wording by  
12 Mr. Eckholm trumps the current wording.

13           And lastly and most importantly, the  
14 recommendation to have automatic suppression for areas  
15 where chemicals are routinely handled unless hazard  
16 analysis or the construction of the particular piece of  
17 equipment meets certain criteria goes far towards  
18 emphasizing life safety and fire safety, and indeed  
19 that's what we're all about. So I would ask that this  
20 convention support the amending motion. Thank you.

21           SHANE CLARY: Thank you.

22           And it looks like Microphone No. 2.

23           RICHARD PALLUZI: I'd just like to -- there's  
24 been some discussion here about --

25           SHANE CLARY: Please state your name.

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1           RICHARD PALLUZI: Richard Palluzi with Exxon  
2 Mobile Research and Engineering against the motion.  
3 There's been some discussion here about hazard analysis  
4 with the implication that if an organization's already  
5 doing hazard analysis, there will be no impact by the  
6 change in the standard with the implication that by  
7 changing the wording to a more positive framework, that  
8 organizations that don't do a hazard analysis will be  
9 prompted to do it.

10           I'd just like to point out that hazard analysis  
11 is not a globally defined and automatically recognized  
12 situation. It is not a situation that you're either  
13 doing 55 miles an hour or you're doing 75 miles an hour.  
14 It is an assessment within the organization using a  
15 variety of different methodologies that says to you that  
16 whatever level of risk you're willing to tolerate which  
17 you have accepted is indeed acceptable or is not  
18 acceptable.

19           And it is very, very common to have a great  
20 deal of dispute and disagreement between an internal  
21 organization and an outside fire department, an outside  
22 consultant, an internal consultant as to what does or  
23 does not.

24           The problem is when you change the wording to a  
25 situation like this, there's a strong tendency for many

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1 local municipalities to feel that no matter what is  
2 said, the safest way to do it is to require what the  
3 hazard analysis is saying is not requires.

4           And this is something that we run into all the  
5 time all around the world. This causes us to end up in  
6 a much more acrimonious discussion with local  
7 municipalities which is something we never want to be  
8 in. We wind up with a great deal of time and effort  
9 expended on both sides, very little avail and with very  
10 little risk reduction.

11           So the committee's position which is to point  
12 out that the vast amount of data suggests that this is a  
13 required acceptance on very specific cases is, I  
14 believe, the right position. And it is true in many  
15 other NFPA documents where we say things do not have to  
16 be done, things do not have to be here, things do not  
17 require for this unless something very special takes  
18 place.

19           So, again, I think that you just need to  
20 recognize that despite what some people feel, this will  
21 be a very onerous with very little risk reduction.

22 Thank you.

23           SHANE CLARY: Okay. Thank you.

24           Any further discussion on the motion before us?

25           And Microphone No. 7, please.

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1                   KEN DUNGAN: Yes. Ken Dungan, Performance  
2 Design Technologies, and I have to admit I don't know  
3 whether I'm for or against the motion because I think  
4 the wording in both of them is horrible. The issue is  
5 if there are conditions where the committee believes  
6 that suppression is required in the hoods, then I  
7 believe it's their obligation to tell the users of the  
8 standard where it's required.

9                   The language right now that says it's not  
10 required unless you think it's required doesn't make a  
11 lot of sense and nor does it say always you should put  
12 them in unless you can prove to me that you don't, so I  
13 guess I, after hearing the discussions, would probably  
14 lean more towards voting against the motion, but I would  
15 encourage the committee to revisit the language because  
16 I think it's unacceptable.

17                   SHANE CLARY: Okay. Thank you.

18                   Microphone No. 6, please.

19                   SPEAKER: Steve (indiscernible), call the  
20 question.

21                   SHANE CLARY: We have a second?

22   (Second.)

23                   SHANE CLARY: We have a second.

24                   The motion now, of course, is to call the  
25 question. There is no further debate on the topic.

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1           All in favor of calling the question, please  
2 raise your hands.

3                                 (Raising hands.)

4           Thank you.

5           All opposed?

6           The motion carries immediately to the vote and,  
7 again, the vote is to accept proposal 45-20. All in  
8 favor of the motion please simplify by raising your  
9 hands.

10                                (Raising hands.)

11           SHANE CLARY: Thank you.

12           And all opposed, same sign.

13                                (Raising hands.)

14           SHANE CLARY: And once again, we are going to  
15 start this off by the standing count.

16           So all in favor, please stand up.

17                                (Standing.)

18           SHANE CLARY: Okay. Thank you. You may be  
19 seated.

20           And those opposed, you may now exercise your  
21 legs.

22                                (Standing.)

23           SHANE CLARY: Okay. You can all be seated.

24           You can all be seated. And the motion failed 87 for and  
25 119 were against the motion, so the motion fails.

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1                   Okay. Thank you, Mr. Minister.

2                   ANDREW MINISTER: Thank you.

3                   SHANE CLARY: The next report under  
4 consideration this afternoon is that of the technical  
5 committee on the handling and purveying of dust, vapors,  
6 and gases. Here to present the committee report is the  
7 committee chair, Walter Frank of Frank Risk Solutions  
8 Incorporated of Wilmington, Delaware.

9                   The committee report can be found in the blue  
10 2010 annual revision cycle ROP and ROC. The certified  
11 amending motions are contained in the motions committee  
12 report and behind me on the screen. We will proceed in  
13 the order of the motion numbers presented.

14                  Mr. Frank.

15                  WALTER FRANK: Thank you, Chair.

16                  Ladies and gentlemen, the report of the  
17 technical committee on handling and conveying the dust,  
18 vapors, and gases is presented for adoption and can be  
19 found in the report on proposals and the report on the  
20 comments for the 2010 annual meeting revision cycle.

21                  The technical committee has published a report  
22 consisting of a partial revision of NFPA 654, standard  
23 for the prevention of fire and dust explosions from  
24 manufacturing, processing, and handling of combustible  
25 particular solids. The presiding officer will now

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1 proceed with the certified amending motions.

2 SHANE CLARY: Thank you, Mr. Frank.

3 We'll now proceed with discussions on the  
4 certified amending motions for NFPA 654. We'll begin  
5 with 654-1 and it looks like Microphone No. 1.

6 JOHN CHOLIN: Mr. Chairman, my name is John  
7 Cholin with JM Cholin Consultants. I'm speaking on  
8 behalf of myself only and I'm a member of the committee,  
9 and I move to accept Comment 654-5.

10 SHANE CLARY: Okay. We have a motion on the  
11 floor to accept comment 654-5. Do we have a second.

12 (Second.)

13 SHANE CLARY: There was a second.

14 Mr. Cholin, please proceed.

15 JOHN CHOLIN: This comment seeks to maintain  
16 consistency amongst several NFPA dust documents. For  
17 decades, the NFPA documents that deal with dust  
18 explosions have used a common definition for the term  
19 "deflagration."

20 The term "deflagration" has been incorporated  
21 in model building codes, has been taught in numerous  
22 venues for many, many years. Indeed we have a 30-year  
23 history of using the term and the definition has been  
24 essentially uniformly adopted over numerous technical  
25 committees.

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1           During the ROP meetings, new language was  
2 introduced which include the term "dust fire" and "dust  
3 flash fire." This Comment seems to return to the use of  
4 the term "deflagration." The term "dust fire" and "dust  
5 flash fire" are not defined in the document. The term  
6 "dust fire" does not connote the severity of the life  
7 safety threat potentially posed by the facility handling  
8 combustible dust.

9           A pile of dust might be ignitable and represent  
10 a very small fire hazard. However, when that dust is  
11 suspended in air, it produces deflagration which  
12 propagates through the space oftentimes severely  
13 injuring the occupants.

14           The use of the term "dust fire" or "dust flash  
15 fire" connotes far grave -- far less of a hazard than  
16 the term "deflagration." Minimizing the hazard by using  
17 the term "dust fire" or "dust flash fire" does not serve  
18 the public safety.

19           I ask the membership to return the term  
20 "deflagration" to the document and accept Comment 654-5.

21           SHANE CLARY: Okay. Thank you.

22           Mr. Frank.

23           WALTER FRANK: Mr. Chairman, on behalf of the  
24 committee that voted 24 to 4 in opposition to the  
25 proposal, I'm speaking opposition to the motion.



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1           The submitter asserts that his proposed change  
2 will make NFPA 654 more consistent with current  
3 terminology. It's the committee's opinion, however,  
4 that the proposed revision to 654 that we've prepared is  
5 more consistent with the general use of the term  
6 "deflagration" both within NFPA documentation and with  
7 its use in general industry.

8           NFPA 654 has to address three combustion  
9 hazards: Fire, settled layers of dust, flash fires and  
10 suspended dust clouds, and explosions that can result  
11 when those burning extended dust clouds are confined in  
12 a way that will produce damaging overbrushes.

13           All three of those events are deflagrations.  
14 NFPA 68 defines deflagration as a propagation of a  
15 combustion zone in a velocity that is less than the  
16 speed of sound in the unreacted medium. And I'll note  
17 NFPA 658 is the governing document for that definition.  
18 That definition is consistent with the general use of  
19 deflagration in the literature in industry.

20           The motion, if approved, would propagate an  
21 error within the 2006 edition of NFPA 654. In that  
22 edition, we tried to make a distinction between flash  
23 fires and explosions by referring to flash fires as  
24 deflagration hazards and by referring to explosions as  
25 explosion hazards. But, again, both events, both flash

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1 fires and explosions result from a deflagration.

2           The committees concern was that to continue to  
3 propagate this error was going to continue the confusion  
4 over what was meant by deflagration.

5           SHANE CLARY: Okay. Thank you, Mr. Frank.

6           WALTER FRANK: The motion, if adopted, would  
7 place the 654 in conflict with NFPA 68, and I can cite  
8 another -- well, as far as the use of the term -- these  
9 terms and other NFPA documents, both NFPA 1 fire code  
10 and NFPA fire protection handbook refer -- defer,  
11 rather, to NFPA 68 for the definition of deflagration  
12 and NFPA 654 in our proposed modification revision is  
13 consistent with the NFPA 68 definition.

14           As far as the assertion that the term  
15 "deflagration" has been removed from the standard, it  
16 has not been removed from the standard. The usage of  
17 the term "deflagration" has been clarified consistent  
18 with industry practice and other NFPA standards in the  
19 proposed revision to the standard.

20           The assertion that NFPA 654 introduces the term  
21 "dust fire," that's not exactly correct. We talk about  
22 dust flash fire. I think there was an assertion that  
23 that's an uncommon term.

24           Looking through NFPA publication, NFPA 921,  
25 defines flash fire to include dust as a fuel. NFPA 2112

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1 and 2113 use the NFPA 921 definition of flash fire that  
2 references dust as a fuel and the scope statement of the  
3 document specifically refer to dust flash fires.

4 NFPA 1951 uses the NFPA 921 definition of flash  
5 fire. NFPA 1991 refers to dust or particulate flash  
6 fires. NFPA 44 makes a distinction between the hazards  
7 associated with flash fires and explosions involving  
8 dust, the same distinction we were trying to make in  
9 654. NFPA 704 discusses flash fires from varying dust  
10 clouds.

11 So in summary, the committee does not believe  
12 that the proposed changes to the terminology proposed in  
13 this motion will add to the clarity of NFPA 654. We  
14 feel that our carefully considered revision to the  
15 document will add clarity to the use of the terms  
16 "deflagration," "flash fire," and "explosion."

17 And, again, flash fires and explosions are both  
18 result from -- result in deflagration and deflagration  
19 is the more general term. Thank you.

20 SHANE CLARY: Okay. Thank you.

21 And we will now proceed with discussion on the  
22 motion before us, and it looks like Microphone No. 5,  
23 please.

24 SAM FRANCIS: Sam Francis, American Wood  
25 Council, and speaking for the American Forest and Paper

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1 Association on this issue.

2 Frankly, using other words to describe subsets  
3 of a broader term, in this case deflagration, I think  
4 is, in fact, removing the term from the code.

5 Mr. Cholin's Comment I believe is right on target. It  
6 will, in fact, make this in -- conflict and set apart  
7 from among other things model building codes that rely  
8 upon this standard for continued enforcement.

9 Now, using the other terms which describe a  
10 subset of a deflagration, things like dust flash fire,  
11 within the body of the document doesn't negate the  
12 definition of deflagration. It's the broader term. I  
13 agree -- in fact, I thought the chair eloquently argued  
14 in favor of this amendment.

15 I support Mr. Cholin's motion, I think it  
16 should be continued, and it's part and parcel to several  
17 other more substantive changes that will occur and there  
18 are motions on -- later you'll notice that this one is a  
19 relatively debated one. We support the motion.

20 SHANE CLARY: Okay. Thank you.

21 And Microphone No. 2, please.

22 ERDOM URAL: Oh, that's me.

23 SHANE CLARY: That is you. Don't need to touch  
24 the mic.

25 ERDOM URAL: Oh, don't touch the mic.

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1 SHANE CLARY: Step away from the mic.

2 (Laughter.)

3 ERDOM URAL: Good afternoon, everybody. My  
4 name is Erdom Ural. I work for FM for 16 years and KITA  
5 (phonetic) for four years and occasionally WIPI  
6 (phonetic) as an adjunct professor and I'm also an  
7 independent consultant and I'm speaking solely on behalf  
8 of me. And I am here to support the committee's action  
9 and I'd like to speak against the NITMAM.

10 I just wanted to give you guys -- we have heard  
11 both sides of the issue. I just wanted to bring to the  
12 attention of this group what is inspire committee to  
13 bring up the word of "flash fire" into the document.

14 It's exactly -- actually exactly what  
15 Mr. Cholin is saying. The committee felt that most  
16 users of this document, including the workers,  
17 authorities having jurisdiction. When you talk about  
18 deflagration, they don't really know what we are talking  
19 about.

20 We say deflagration and they say gesundheit.  
21 For us in the fire protection field, deflagration is a  
22 term of propagation of the flame and a premixed fuel air  
23 mixture, so it's a well defined term. It means  
24 something to us but not to most common users of the  
25 standard.

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1           And I -- the committee felt that the flash fire  
2    is a more like a warning or a danger word to the workers  
3    out there. And I also agree that the document now clear  
4    which specifies that the two major hazards, the  
5    standards are concerned about is a flash fire and  
6    explosion and then the mechanism flame propagation  
7    mechanism for those are -- is deflagration for those who  
8    want to know better. But the main concern is  
9    deflagration and flash fire.

10           And Mr. Frank already talked about the  
11   assertion of the change, putting the document in  
12   conflict with the other NFPA standard, but that  
13   allegation is totally false and there is plenty of uses  
14   of the -- therefore, the flash fire and the other NFPA  
15   standards. Thank you.

16           SHANE CLARY: Thank you.

17           Microphone No. 1, please.

18           DAVID WECHSLER: Good afternoon. My name is  
19   David Wechsler. I'm speaking for the motion. I'm a  
20   global process safety leader with the Dow Chemical  
21   Company.

22           I'm a user and we happen to make materials that  
23   use -- that are considered combustible dust both in the  
24   floor term before we started working with what was a  
25   combustible dust, throwing around some new terms and new

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1 technologies in other areas, and in my opinion  
2 relatively going way beyond to confusing people.

3           Looking from the record of what was done from  
4 654, in Comment 654-10, the record reflects that the  
5 replacement term of "deflagration" with "explosion"  
6 stated in the substantiation was whenever the  
7 consequences from the hazard results from thermal  
8 exposure, it will be referred to as a flash fire hazard.  
9 And whenever the consequences from the hazard results in  
10 an overpressure, it will be referred to as an explosion  
11 hazard.

12           I submit to you that the fire -- flash fire  
13 condition is an extraction from NFPA 2113, and it deals  
14 with a fire that spreads rapidly without protection of  
15 damaging pressure.

16           The term "deflagration" is appropriate, has  
17 been in use, and in my opinion what is being carried  
18 forth by 654 is not in the direction of goodness and it  
19 does in support of what the chairman has said really  
20 does go to the issue of supporting Mr. Cholin. Thank  
21 you.

22           SHANE CLARY: Thank you.

23           And Microphone No. 2, please.

24           BILL STEPHENSON: My name is Bill Stephenson.  
25 I'm vice president of engineering for CB Technology. My

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1 company is in the dust explosion prevention business. I  
2 am a member of the committee. I would like to point out  
3 a couple of things.

4 First of all --

5 SHANE CLARY: Are you speaking for it or  
6 against the motion?

7 BILL STEPHENSON: I'm sorry. I'm speaking  
8 against the motion.

9 SHANE CLARY: Thank you. You may proceed.

10 BILL STEPHENSON: Thank you.

11 First of all, if you look in the definitions at  
12 the beginning of the document, you'll find the word  
13 "deflagration" included. I think that sort of speaks to  
14 that issue.

15 Secondly, if you look at the name of the  
16 document, you'll notice that right at the beginning it  
17 is a standard for fires and explosions. The effort of  
18 the committee was to make sure that the users of the  
19 document would be able to understand the difference and  
20 the necessity of addressing those two separate risks  
21 separately because often the requirements are different  
22 for the two separate hazards. Thank you.

23 SHANE CLARY: Thank you.

24 Any further discussion on Motion 654-1?

25 And, yes, Microphone No. 5.



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1           BRICE CHASTAIN: I'm Brice Chastain. I work  
2 for Georgia Pacific Corporation, and I'm a member of the  
3 654 committee. I recall attending one of our  
4 meetings -- technical meetings in Baltimore --

5           SHANE CLARY: Are you speaking for or against  
6 the motion?

7           BRICE CHASTAIN: I'm speaking for the motion.

8           SHANE CLARY: Thank you. Please proceed.

9           BRICE CHASTAIN: I recall attending a meeting  
10 in Baltimore where the committee discussed this issue.  
11 Erdom Ural brought it up for vote, and it was voted down  
12 during that meeting. I guess the record will show that.

13           Subsequently, there was several teleconferences  
14 discussing various issues, including the new mass  
15 equations, and these teleconferences were -- were very  
16 short as far as notifying the members who would be  
17 participating. I was not able to participate in some of  
18 those due to being out of the country and some of the  
19 other members were not also.

20           Subsequently, during one of these  
21 teleconferences, Erdom Ural brought up this issue again  
22 for vote and it was voted to accept the terminology  
23 during a subsequent teleconference. I just would like  
24 to make that noted.

25           SHANE CLARY: Okay. Thank you.

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1           Microphone No. 1.

2           JOHN CHOLIN: Mr. Chair, my name is John Cholin  
3 again and I'm speaking in favor of the motion. For the  
4 benefit of the membership, the term "deflagration" that  
5 we're talking about is not the overarching term that's  
6 in the definitions by itself.

7           It's the use of when we're identifying hazards,  
8 we -- they remove the term "deflagration" from the  
9 definition of the deflagration hazard and replaced it  
10 with flash fire. And that is what my motion is, is to  
11 put the term "deflagration" back into the definition of  
12 a deflagration hazard. I just want to make sure the  
13 membership understands that.

14          SHANE CLARY: Okay. Thank you.

15          Any further discussion on the motion --

16          WALTER FRANK: Mr. Chairman, may I speak again?

17          SHANE CLARY: Mr. Frank, please proceed.

18          WALTER FRANK: I feel that I'm compelled to  
19 respond to the comments about the scheduling of the  
20 teleconferences. As we proceeded with this, this  
21 project it turned out to be, it grew in size and scope  
22 and complexity and detail and yes, we had to have some  
23 teleconferences.

24                 I think NFPA staff would speak authoritatively  
25 that we scheduled these meetings appropriately with

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1 ample knowledge. Unfortunately, it's not always  
2 possible to get a hundred percent of attendance at any  
3 meeting or teleconference, but there was nothing  
4 inappropriate about the way the teleconferences were  
5 scheduled, and I want to be emphatic about that.

6           As far as the issue of -- I mean, I'm now  
7 starting to get confused myself about how many ways the  
8 submitter is using the word "deflagration." But we do  
9 define deflagration in the standard as the NFPA 68  
10 definition.

11           The deflagration -- I'll repeat myself, all of  
12 the combustion related events that NFPA 654 is charged  
13 with protecting against are deflagrations. To try to  
14 use deflagration to single out one type of combustion  
15 event to try to emphasize the seriousness of the event  
16 is -- it does not achieve the intent.

17           Let's face it, a candle flame is a  
18 deflagration. It's a flame propagating through the  
19 unburned material that is speed less than the speed of  
20 sound in the unburned material.

21           I'm not terribly afraid of candlelights. Using  
22 the word "deflagration" is not doing -- inspire a  
23 particular sense of urgency to the -- to many of the  
24 different types of combustion events that are  
25 deflagrations. Yes, we tried to emphasize flash fire

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1 and we tried to emphasize explosion. Both of them are  
2 deflagrations.

3 But when it came to talking about areas of the  
4 building that present a flash fire hazard, we felt that  
5 that terminology communicated -- would communicate the  
6 proper message to the people who need to be aware of the  
7 hazard in that area.

8 When we use the term "explosion hazard" --  
9 "dust explosion hazard," we use the term purposely to  
10 communicate that sense of urgency. Trying to substitute  
11 "deflagration" for "dust flash fire" to me and to the  
12 committee does not communicate the sense of urgency or  
13 concern that people in facilities that are exposed to  
14 dust combustion hazards should be aware of. Thank you.

15 SHANE CLARY: Thank you.

16 Microphone No. 2, Chief Black.

17 ART BLACK: Good afternoon, Mr. Chair. Art  
18 Black, Carmel Fire Protection, I call the question.

19 SHANE CLARY: Okay. Can we have a second.

20 This motion is non-debatable. All in favor of  
21 calling the question, please signify by raising your  
22 hand.

23 (Raising hands.)

24 SHANE CLARY: All opposed same sign.

25 Motion carries. We now immediately move to the

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1 motion on the floor which is to accept Comment 654-5.  
2 All in favor of the motion, please signify by raising  
3 your hands.

4 (Raising Hands.)

5 SHANE CLARY: Thank you.

6 All opposed?

7 (Raising Hands.)

8 SHANE CLARY: The motion carries.

9 The next motion appeared on our agenda;  
10 however, the authorized maker of the motion  
11 (indiscernible) representative has notified NFPA that  
12 they no longer wish to present this motion. Therefore,  
13 in accordance with NFPA rules and convention rules 2.6,  
14 the motion may not be considered by the assembly and  
15 removed from the agenda.

16 We will now move to the next agenda item which  
17 is 654-3. 654-3.

18 And Microphone No. 1.

19 JOHN CHOLIN: Mr. Chairman, John Cholin from JM  
20 Cholin Consultants, independent consultant speaking --  
21 representing myself, a member of the committee, and I am  
22 moving acceptance of the motion to return the  
23 identifiable part identified as Section 6.1 to the  
24 committee for reconsideration.

25 The proposed new section 6.1 --

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1 SHANE CLARY: Do we have a second?

2 (Second.)

3 SHANE CLARY: Thank you.

4 Mr. Cholin, you may now proceed.

5 JOHN CHOLIN: Thank you.

6 The proposed new section, 6.1, provides a  
7 performance based method for achieving the objectives  
8 stated in the standard. However, it relies upon  
9 assumptions that on some cases are not proven or in  
10 other cases are only partially true.

11 Consequently, while there's enormous  
12 intellectual value in this material and certainly we  
13 would not want to lose it, it is not yet ready for  
14 inclusion into the document at this time.

15 It is not technically wrong, but it is  
16 incomplete, and it's incomplete in four areas. This new  
17 section fails to establish criteria for the  
18 determination that an enclosure poses an explosion  
19 hazard. As it is needed, if one is to comply with the  
20 rest of the standard, the proposed new language  
21 addresses only building compartments, not any other  
22 enclosure.

23 The proposed -- secondly, the proposed new  
24 section eliminates an existing easily enforceable  
25 criterion and replaces it with a set of equations which

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1 must be used to determine if the maximum permissible  
2 dust mass exists in a hazard area.

3           Unfortunately, this method is sufficiently  
4 difficult to actually perform that most enforcement  
5 officials and plant managers will not use it. This will  
6 force enforcers and users to seek some other methodology  
7 to use some other standard undermining our reliance on  
8 NFPA standards.

9           Third, to properly use the proposed method, the  
10 user must perform calculations that rely upon a  
11 numerical value for an entrainment factor ADA (phonetic)  
12 sub D. No test method exists to quantify or to predict  
13 the numerical value of this parameter forcing the user  
14 to either guess or to hope that the permitted default  
15 value is correct.

16           The calculations to be used to compute the dust  
17 loading that pose a flame impingement hazard to the  
18 employees assumes that a 5 percent of flame impingement  
19 is acceptable.

20           The technical committee has a questionable  
21 basis for this assumption. I question whether this  
22 assumption adequately was vetted by the public when the  
23 public reviewed the proposed actions. Let's look at the  
24 big picture.

25           The current edition of the standard provides a

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1 simple, measurable dust layer of thickness that is used  
2 to establish where an explosion hazard exists. The  
3 language is admittedly not the best language, but the  
4 existing standard provides for an easy method to  
5 identify when you have an explosion hazard and when it  
6 does not.

7           The existing standard provides for the  
8 adjustment for both particles that have both densities  
9 lower than 75 pounds per cubic foot used to rationalize  
10 32nd of an inch criterion. Chapter 5 of the existing  
11 document allows one to use a performance based design  
12 method just like the equations that have been proposed  
13 if a designer seeks to do so.

14           Keep in mind that over the 30 years that I've  
15 been dealing with combustible dust investigating  
16 incidents, I've never performed an investigation where  
17 the dust deflagration occurred in a facility that  
18 complied with the current additional NFPA 654, and every  
19 incident that we've investigated, it could have been  
20 prevented by merely complying with our current document.

21           We have time to do this right. There's no need  
22 to rush. So while there's considerable intellectual  
23 merit in the proposals --

24           SHANE CLARY: One minute.

25           JOHN CHOLIN: I understand.



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1           -- they do not belong in the mandatory section  
2 of the standard at this time. The lack of relevant  
3 research, test methods, and consensus on acceptable  
4 levels of risk militate returning this to the committee.  
5 Thank you.

6           SHANE CLARY: Thank you.

7           Mr. Frank, would you like to offer the  
8 committee's position?

9           WALTER FRANK: Okay. On behalf of the  
10 committee, I speak against the motion. Again, this was  
11 an issue that the committee voted very predominantly in  
12 favor of the proposed revision to the standard.

13           By way of background, let me just point out  
14 that what we sought to do in the current revision was to  
15 provide more clear-cut guidance on identifying those  
16 areas where dust flash fire hazard existed and those  
17 areas where dust explosion hazards existed so that the  
18 appropriate protection, the protection's appropriate to  
19 the particular hazards could be applied.

20           You're going to see a number of motions today  
21 that talk about basically deleting or removing the new  
22 section, 6.1, of the proposed standard. This is the  
23 standard that has the equations that Mr. Cholin was  
24 referring to.

25           Those equations were what we provided to

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1 identify -- to help identify the flash fire hazard areas  
2 versus the dust explosion hazard areas based on the mass  
3 of dust necessary to pose either the flash fire -- dust  
4 flash fire hazard or the dust explosion hazard.

5           Removing or backing out the current -- or the  
6 proposed Section 6.1 will send us back to the existing  
7 criteria that's in the standard. You will hear that  
8 criteria referred to as being suitable to address the  
9 sorts of concerns that the committee seeks to address.

10           In fact, if you read the current -- the 2006  
11 edition -- decision of 654, the existing criteria are  
12 only intended to be applied when separation is used to  
13 limit the fire or dust explosion hazard area, and we  
14 tried to protect surrounding exposures by separation, by  
15 segregation, by detachment.

16           The existing criteria that Mr. Cholin wants to  
17 take us back to, according to the explicit wording in  
18 the standard, only apply to separation to determining  
19 the required separations distance between a dusty area  
20 and the surrounding exposures. It does not provide the  
21 sort of criteria that we need to identify dust -- flash  
22 fire hazards and dust explosion hazards.

23           There was reference to the fact that the  
24 current equations do not address -- do not identify  
25 whether there are hazards inside enclosures, neither

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1 does the criteria that Mr. Cholin wants to take us back  
2 to. The existing criteria that he wants us to go back  
3 only identifies room hazards and point of fact so do our  
4 equations. There's no issue there. Both of them --  
5 either of those approaches address issues with -- as far  
6 as explosion concerns inside public (indiscernible).

7           There's reference to concern that the flash  
8 fire criteria, the flash fire equations will potentially  
9 expose up to 5 percent of the people in a room or due to  
10 a flash fire hazard or put it another way, the flash  
11 fire resulting from the threshold mass determined by the  
12 equations will fill about 5 percent of the room with a  
13 fireball.

14           The existing criteria that Mr. Cholin wants to  
15 take us back to will fill the room -- 50 percent of the  
16 room with a flash fire. The existing criteria will --  
17 depending on the assumption you want to make about the  
18 amount of venting in a room, potentially create 20, 30  
19 PSI pressure -- explosion pressure in a confined room.

20           Bottom line, the existing criteria in the 2006  
21 edition of 654, the number of motions today will seek to  
22 take us back to are not sufficiently protective, and the  
23 committee recognizes this and that is the reason why we  
24 have the new equations.

25           There was a mention that the equations are too

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1 hard to use. There's actually two sets of equations.  
2 Some simple equations that assume some conservative  
3 default values. Some more rigorous equations that --  
4 where you can impute dust specific and building specific  
5 data to get a more rigorous approach. The simple  
6 equations are -- give you understandable results.

7           If you can calculate the square foot of surface  
8 area of a floor of a room, you can use both of the  
9 simplified equations. That's all the technical  
10 sophistication you need to use the simpler equations.  
11 You have to be able to calculate the square footage of  
12 the floor area in a room.

13           Admittedly, the other equations are more  
14 detailed. They would only be used where -- again, where  
15 the simple equation gave results that the user could not  
16 live with and needed to go to a more detailed analysis.

17           The final point is that yes, we do require the  
18 use of an entrainment coefficient. This is basically  
19 the percentage of the dust that's assumed to be  
20 suspended from the floor or from the ceiling in the  
21 event of an event. The standard proposes an interim  
22 basis a default value of .25, 25 percent of the dust  
23 suspended.

24           Historical records indicate that it could be  
25 smaller, it could be larger, but the concept of

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1 entrainment factor is inherent with the existing 132nd  
2 of an inch criteria, the criteria that people want to  
3 take us back to, and Appendix D addresses the fact that,  
4 yes, varying amounts of dust will be suspended.

5 I will say that there is a research project  
6 going on to provide a more technical approach to  
7 estimating what the entrainment co-efficient might be,  
8 but looking at history, using --

9 SHANE CLARY: I think you've reached your  
10 conclusion here, please.

11 WALTER FRANK: I'm sorry. Okay.

12 SHANE CLARY: Thank you. And with that, we'll  
13 begin with debate on the motion. It looks like  
14 Microphone No. 2.

15 ERDOM URAL: Oh, that's me.

16 SHANE CLARY: That is you.

17 ERDOM URAL: Thank you. Good afternoon again.  
18 My name is Erdom Ural. I'm voting for myself, and I  
19 will be talking to support the committee decision which  
20 is, I guess, to -- against the NITMAM.

21 I appreciate that the submitter has  
22 acknowledged the value of the new equations and, in  
23 fact, the new equations are just based on simple thermal  
24 dynamics and back-of-the-envelope-type calculations, so  
25 nobody's disputing whether there's an error in the

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1 equations or not.

2           There are a couple of issues that are being  
3 brought up. One is there is one adjustable parameter in  
4 the equation, mostly appropriate value for that. The  
5 other one is measuring the dust thickness versus dust  
6 mass, and I also heard something about not being vetted  
7 by the public, but let me try to address them one by  
8 one.

9           Measuring a 132nd of an inch thick layer on a  
10 surface, I don't know if anybody has tried to do that,  
11 but boy, is it hard. You really can't put the ruler in  
12 there and try to measure what thickness is a 132nd of an  
13 inch. It's a tiny thickness.

14           So when I do inspection on the plants, I don't  
15 try to measure the thickness. I just try to either  
16 sweep up a lone area and/or I suck up through filter  
17 paper dust accumulated in a certain area so that I can  
18 actually measure the weight.

19           Then with the current addition, I need a  
20 thickness so I will convert to a thickness using above  
21 density. But the problem there is that with the above  
22 density is parameter with another uncertainty. The bulk  
23 density of the layer -- the bulk density of the material  
24 in the containers under hydrostatic or the static load  
25 are known under compression. The bulk density of the

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1 layer nobody knows.

2           The second issue, it's not vetted by the  
3 public. That's not true. The equations have been in  
4 the ROPs, they have also been on the ROCs. The  
5 equations have been presented to the American Society of  
6 Chemical Engineers at the Loss Prevention Symposium in  
7 2009 to public and NFPA Dust Symposium in 2009 and  
8 finally this year at the loss prevention symposium at  
9 the -- for American Chemical -- American Institute of  
10 Chemical Engineers, and people liked it so much, in  
11 fact, they gave our best paper award.

12           Third item: We have a performance based  
13 approach, why not do it -- why not use that instead of  
14 the equations. The problem with the performance base  
15 approach is that the people have to hire an expert to do  
16 it for them 'cause not many people can do it. And I  
17 know Mr. Cholin does it and I do it and maybe Mr. Frank  
18 does it.

19           The problem with that is different experts do  
20 it different way where they come up with different  
21 answers, but the committee that's here, that's the  
22 value -- true value here is that we got together, we  
23 said what's the common denominator? What's the simple  
24 thing -- simple performance base thing we can do that  
25 will be a used by anybody?

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1           So people can take these equations, and believe  
2 me, they are not difficult equations. Just algebraic  
3 form. You just take the parameters and you just  
4 multiply or you divide them. There is no iteration or  
5 anything required. So this way there is a simplified  
6 performance that's been blessed by the committee already  
7 so it's truly --

8           SHANE CLARY: One minute.

9           ERDOM URAL: -- valuable. Well, I'll stop  
10 here. Thank you.

11          SHANE CLARY: Okay. Thank you.

12          Microphone No. 5, please.

13          SAM FRANCIS: Sam Francis, American Wood  
14 Council, and I'm the proponent of one of the motions  
15 that was lumped together which John has moved forward.  
16 I'm speaking in support of this motion.

17                 In theory, there's no difference between the  
18 theoretical and the practical, in practice there is, and  
19 this is the living, breathing example of that. First --  
20 this is really -- three simple points: First, Chapter 5  
21 already let's you do this performance based approach and  
22 the algebra of the equations is simple, but each of  
23 those elements, take a look at them. Turn to the  
24 comment and look at those things.

25                 For example, the determining and training



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1 factor, look at it. It's not simple, but you can use it  
2 right now. Go to Chapter 5. What you're doing is  
3 getting rid of the tool that enforcers have used, so  
4 fire marshals, fire service. This is for you.

5           Now you're going to have to go in and do what  
6 the opponent just described -- shut the place down,  
7 vacuum up some samples, take a weighted average of  
8 surface area, bulk density. Hey, they're going to love  
9 you for that because you just stopped the whole thing.  
10 So enforcers are going to be pulling their hair out.  
11 This is a nightmare.

12           But more importantly, and I have several more  
13 of these motions coming up because this is the heart and  
14 sole of this whole thing. Determining risk is what it's  
15 all about. You don't even get to the rest of the  
16 standard if you don't have a risk. The whole -- the  
17 problem here is there's not a shred of evidence ever  
18 brought forth in conjunction with this that says the  
19 existing standard and its measurement systems risk  
20 determination has caused a problem.

21           We're looking -- now we have a solution in  
22 search of a problem. Not a shred of data. There's not  
23 one. It's not been submitted. Look back at the  
24 proposal, look back at the comment. It has to do with  
25 the theory of the risk assessment and the differences

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1 between measuring settled bulk density of dust and  
2 calculating these in another manner.

3 But if doing the simple measurement that I  
4 might add the inspector coming in off the street can do,  
5 where are we going with this? Moreover, where we're  
6 going, the performance base, is already permitted. So  
7 supporting the motion gets you the simple time tested  
8 and proven system and does not in any way disqualify  
9 doing a performance based assessment.

10 SHANE CLARY: Thank you.

11 Microphone No. 2.

12 BILL STEPHENSON: Thank you. Am I on?

13 SHANE CLARY: You're on.

14 BILL STEPHENSON: My name is Bill Stephenson,  
15 CB Technology, member of the committee. I think it's  
16 important that we all --

17 SHANE CLARY: Are you speaking against or in  
18 favor.

19 BILL STEPHENSON: I am speaking against the  
20 motion.

21 SHANE CLARY: Thank you.

22 BILL STEPHENSON: Thank you.

23 I think it's important that we all take a deep  
24 breath and ask ourselves a couple of questions. One  
25 question is: Are the equations in the proposed document

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1 vetted, and the answer is really they are because  
2 they're based on the 68 equations.

3 They're consistent with a NFPA 68 2007 which is  
4 based on NFPA 68 2002, which started with FM Global's  
5 dust calc, work that was done by Dr. Taminini (phonetic)  
6 over 15 years ago.

7 Secondly, we are being confronted with we have  
8 a system that works that's easy to do a measurement of  
9 32nd of an inch, but as Erdom has correctly pointed out,  
10 it really isn't easy at all. And why do we have to shut  
11 the whole plant down to square out -- square meter of  
12 area and lift the dust, sweep the dust, weigh the dust,  
13 come up with a mass density? I don't understand that.

14 Third, there's been a lot of discussion about  
15 the entrainment factor. The entrainment factor that we  
16 have used as a default value is actually nothing more  
17 than a 32nd of an inch of dust with a 75-pound per cubic  
18 foot mass density.

19 In other words, it's based on the existing 2006  
20 document. So I think there's a lot of confusion about a  
21 model that's really much more sophisticated and not  
22 particularly difficult to employ. Thank you.

23 SHANE CLARY: Thank you.

24 Microphone No. 5.

25 DAVE SNELL: Yes. My name is Dave Snell. I'm

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1 here representing the Edison Electric Institute and I'm  
2 speaking in favor of the motion.

3           The Edison Electric Institute is the  
4 association of U.S. share owned electric companies. Our  
5 members serve 95 percent of the alternate customers and  
6 the shareholder owns a segment of the industry and  
7 represents approximately 70 percent of the U.S. electric  
8 power industry.

9           We also have more than 70 international  
10 electric company affiliate members and more than 200  
11 industry suppliers, (indiscernible) organizations, and  
12 associate members. For the reasons that we've already  
13 heard from Mr. Cholin, we support this motion. Thank  
14 you.

15           SHANE CLARY: Okay. Thank you.

16           WALTER FRANK: Mr. Chairman.

17           SHANE CLARY: Mr. Frank.

18           WALTER FRANK: I'm conscious that there are  
19 three -- underlying there are three motions and as each  
20 of the original movers speak I'd like to respond to some  
21 of their concerns.

22           There seems to be a fear of vacuuming. Most  
23 the facilities I've been in need vacuuming. They have  
24 unsafe amounts of dust. If you have enough dust to  
25 vacuum, you have too much dust so, you know, the concern

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1 about oh, gee, we might have to vacuum is, I think to  
2 me, misguided. You should be vacuuming.

3 We're trying to provide some guidance to help  
4 you understand how frequently you need to be vacuuming.  
5 The proposal is -- this approach of defining a mass of  
6 dust that causes a concern, either a flash fire or an  
7 explosion concern, actually stems from an OSHA citation  
8 agreement.

9 A major paper company was cited for  
10 housekeeping concerns. They worked with OSHA as part of  
11 the settlement agreement. They gave an approach of  
12 using a mass threshold to trigger when housekeeping was  
13 required. It was integral to that settlement agreement.  
14 That paper company is now applying that same approach  
15 internationally throughout all of their facilities. It  
16 works.

17 As far as the 132nd of an inch criteria,  
18 indications are coming out of the OSHA dust NFPA that  
19 OSHA is applying that criteria rather simplistically.  
20 If they come into a facility, if they see a few square  
21 feet of dust 132nd of an inch thick, they issue a  
22 citation.

23 Not all inspectors understand how that criteria  
24 was meant to be applied, so I actually look at the  
25 equation as a way of a well-intentioned facility

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1 operator to, one, keep the facility as clean as  
2 necessary and, two, to have a substantial response to  
3 OSHA if OSHA comes in and tries to cite them and I'll  
4 stop there.

5 SHANE CLARY: Okay. Thank you.

6 Microphone No. 5, please.

7 BRICE CHASTAIN: Hello. I am Brice Chastain  
8 with Georgia Pacific Corporation. I'm in support of  
9 John Cholin's motion and Georgia Pacific is as well.

10 I would like to address four areas associated  
11 with the four new mass equations. Number -- the first  
12 thing, lack of validation and substantiation; the second  
13 being lost history; the third being practicality or  
14 non-practicality of using these new methods.

15 While Georgia Pacific has reason to believe  
16 that the four theoretical equations make a promise in  
17 the future, there's no data for field trials of the  
18 proposed methodology of evaluation of lost history data  
19 comparing the old and new methods to show risk reduction  
20 benefits commensurate with the greater complexity and  
21 cost of the new methods.

22 These methods have not been studied in  
23 sufficient detail, substantiated or validated from a  
24 statistical standpoint to show they are any better at  
25 risk reduction than the current dust thickness method.

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1 The complex theoretical methodology has not been refined  
2 based on actual trial use in several different  
3 industries to ensure it is understandable by the  
4 manufacturing plant populations that would have to use  
5 it or the regulators.

6           Dust layer thickness supported by  
7 (indiscernible) is more intuitive, an understandable  
8 method that could be more easily implemented to get the  
9 broadest risk reduction benefits both by industry and  
10 regulators. Accordingly, there is no demonstrated basis  
11 for adopting these theoretical equations at this time.

12           If the technical supporting data thought to  
13 justify these equations is later developed, another  
14 round of public comment would then be necessary to give  
15 interested parties sufficient time to consider the  
16 validity of the assertion that the data is adequate to  
17 validate the equations.

18           Even if the equations are scientifically  
19 validated in the future, there's no lost history at  
20 present that substantiates the need for new theoretical  
21 more conservative equations.

22           No loss history data has been presented within  
23 the 654 committee or anywhere else that implies that the  
24 previous dust thickness equations contained in the 2006  
25 edition is not appropriate and has not served industry

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1 in reducing the risk of combustible dust deflagration  
2 and explosions.

3 I also agree completely with the comments made  
4 by Mr. Cholin regarding the problems with the  
5 entrainment factor, and I will not discuss that. I will  
6 discuss the two simple equations. I mean, the algebra  
7 is simple. Let's face it, everyone can multiply .02  
8 times the floor area. But the problem is it treats all  
9 dust equally.

10 A dust with a KST of 299 or a dust of 20 will  
11 have the same mass threshold using these simple dust  
12 equations. The risk is completely different for a KST  
13 of 299 and one of 20. Therefore, the simple  
14 conservative equations are too simple and they're too  
15 conservative.

16 Talking about the complex equations, and they  
17 are complex. I've been looking at these now for a year.  
18 In addition to two complex theoretical equations in the  
19 proposed Section 6.3, 614 which address explosion and  
20 fire protection are too complex for most general  
21 industry employers and the numerous facilities that do  
22 not have intellectual infrastructure in place. That  
23 means they don't have (indiscernible) engineer personnel  
24 present or available.

25 Many industry facilities will be substantially



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1   burdened by the costs and the need to hire outside  
2   consultants to obtain this data, obtain laboratory test  
3   date --

4               SHANE CLARY:   One minute, please.

5               BRICE CHASTAIN:  -- apply the equations, and  
6   establish the structured (indiscernible) dust  
7   thresholds.  From the past council perspective, you  
8   would be required to determine your mass threshold by  
9   using these equations, compare it to the mass in your  
10  buildings.  How do you do this?

11              You look to be accurate about it.  You would  
12  have to stop production, vacuum all the dust in the  
13  building, compare it to what your allowance is, and then  
14  determine your mass (indiscernible) frequency based on  
15  that.  Who can do that?

16              Estimating a small area of the floor with all  
17  the different areas in the building that have nooks and  
18  crannies, hills and valleys with the dust layers would  
19  be impossible.  From the regulatory perspective, these  
20  mass determination of verification (indiscernible) are  
21  also impractical for either the fire marshals, fire  
22  inspector, for OSHA to determine compliance or  
23  noncompliance.

24              Based on the fact that there's no loss history  
25  of minimal cost incurred by industry to implement the

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1 2006 edition (indiscernible) equation acceptable  
2 thresholds, we believe that the dust thickness  
3 (indiscernible) equation can be used by all industries  
4 to establish accumulation allowances without  
5 unacceptable risks, uncertainties, impracticalities, and  
6 excessive costs. The bottom line is these equations are  
7 not ready for prime time.

8 SHANE CLARY: Okay. Thank you.

9 Microphone No. 7.

10 TIM CROUSHORE: Hello. My name is Tim  
11 Croushore. I work for Allegheny Power, also  
12 representative of the Edison Electric Institute. I've  
13 been listening to several of the technical committee  
14 argue for and against the technical merit of these  
15 equations, but what really concerns me the most is what  
16 the chairman said --

17 SHANE CLARY: Are you for or against the  
18 motion.

19 TIM CROUSHORE: I'm speaking in favor of the  
20 motion.

21 SHANE CLARY: Thank you.

22 TIM CROUSHORE: What really bothered me the  
23 most was the entrainment factor in listening to the  
24 testimony on the floor is the highest variable, we'll  
25 call it crunch factor, of the whole equation. And when

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1 we listened a little bit more we found that it was based  
2 on the current 132nd of an inch dust thickness, so  
3 instead of going to a more complex equation, why not  
4 stick with a more simplistic method that is currently  
5 available.

6 Further, listening also to the chairman, the  
7 chairman said that there was additional research that  
8 was going to be done that would impact the amount of --  
9 or what the entrainment factor would be because  
10 currently there's no guidance that exists in the  
11 standard how to select the entrainment factor except for  
12 25 percent.

13 So based on these general areas, I would stand  
14 for the motion on the floor to return back to committee  
15 to go back to the 132nd of an inch method. Thank you.

16 SHANE CLARY: Thank you.

17 And Mr. Frank.

18 WALTER FRANK: Yes. I want to address the  
19 statement that the -- it is a fatal flaw with the simple  
20 equations in that they treat all dust alike. That same  
21 statement applies to the 132nd of an inch criteria.  
22 Other than the fact you can adjust that 132nd of an inch  
23 up or down based on bulk density, the same limitations  
24 that have been described as being so distressing are  
25 equally applicable to the 132nd of an inch criteria.

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1           But we put those in the simple equations to  
2     give people the option of having that simple approach.  
3     We do have the more sophisticated equations for people  
4     that actually have data to discriminate between the  
5     different types of dust. But to make that  
6     discrimination, you would need the equations that are in  
7     the proposed revision 654.

8           As far as the comment about hills and valleys  
9     and nooks and crannies and trying to determine mass, I  
10    will tell you those same problems apply when you're  
11    trying to determine the depth of dust in the hills and  
12    valleys and nooks and crannies.

13           Returning to the 132nd of an inch is not the  
14    solution to the world's problems, and as I said earlier,  
15    the 132nd of an inch we have shown by calculation is not  
16    sufficiently protective unless you want to run the risk  
17    of filling 50 percent of your room with a dust fireball.

18           The technical inadequacy of the equation is the  
19    fact they're not substantiated. Again, the explosion  
20    equation is based on the underlying technology that  
21    supports NFPA 68 right now. If that technology is  
22    immature, then we need to be steadily in NFPA 68.  
23    That's the explosion calculation.

24           As far as the fireball calculation, it is based  
25    upon the ideal gas law and the laws of thermal dynamics,

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1 and I think by now those have been pretty well  
2 substantiated by peer review. Thank you.

3 SHANE CLARY: Thank you.

4 Microphone No. 5, please. Number 5, please.

5 Ma'am, that's you.

6 MARY JO PRESS: Thank you. I'm Mary Jo Press  
7 from Canmen (phonetic) for industry, a manufacturer of  
8 combustible dust. I'm speaking in favor of this motion.

9 SHANE CLARY: Please proceed.

10 MARY JO PRESS: I want to address a couple of  
11 things that Mr. Rollins brought up. He's proposing that  
12 we add some things to Section 6.1 that's currently part  
13 of appendix. In his presentation yesterday, he readily  
14 admit a couple of things that really scared me as a  
15 manufacturer.

16 If I put PPE flash protection on my employees,  
17 then theoretically if I made my building strong enough,  
18 then I could have an unlimited amount of dust. That is  
19 taken us away from protection instead of putting the "P"  
20 back in NFPA.

21 I ask you not to give my plant managers an out  
22 choosing the cheap option of putting PPE on my employees  
23 instead of doing the right thing to eliminate the  
24 hazard. I ask that you vote with me to send this motion  
25 back to committee and put the right things back to

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1 protect our employees. Thank you.

2 SHANE CLARY: Thank you.

3 Microphone No. 2.

4 ERDOM URAL: Thank you. I'll start with --  
5 there was couple of --

6 SHANE CLARY: You need to start with your name  
7 and for or against the motion.

8 ERDOM URAL: I'm sorry. I didn't want to bore  
9 with those -- bore you with those details.

10 SHANE CLARY: For the record.

11 ERDOM URAL: I'm voting for myself voting  
12 against the motion.

13 SHANE CLARY: Okay. Once again, though, what  
14 is your name.

15 ERDOM URAL: Oh, Erdom Ural.

16 SHANE CLARY: Thank you.

17 ERDOM URAL: There was a couple of corrections  
18 in the statements made by Mr. Francis and Mr. Chastain.  
19 First, Mr. Francis said you need to settle bulk density.  
20 With the ROC equations, you do not need the bulk  
21 density. You need the bulk density only to convert it  
22 to the layer of thickness. So if you are measuring  
23 layer of thickness, you need the bulk density.

24 Similarly with the 2006 edition, if you are  
25 measuring mass like I do most of the inspections, you

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1 can convert it to layer thickness. With the 2006  
2 edition, you need bulk density.

3 The other comment was the -- these new  
4 equations have not been -- there is some uncertainty  
5 about these equations and then let's go back to 132nd of  
6 an inch. The thing is, as I've stated earlier, the  
7 equations in themselves are sound.

8 In fact, NFPA 654 did assign the task force.  
9 It was me and Mr. Febo from FM Global, and we used  
10 the -- I used the new equations, he used his FM dust  
11 cap, and mind you this was only for the explosion  
12 equation. We got comparable results because the  
13 underlying science is the same. So the -- there was one  
14 adjustable parameter and that was selected to match the  
15 132nd of an inch for the mainstream type of  
16 applications.

17 So if you have a main stream type of an  
18 application, you -- the new equations also give you  
19 results comparable to 132nd of an inch. But the  
20 committee was really alarmed when we started talking  
21 about these equations because these equations are screen  
22 out situations where the 132nd of an inch is  
23 unreasonably dangerous.

24 So that's why we like this, because it gives  
25 you the mainstream applications, a level comparable to

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1     that 24 percent entrainment fraction, gives you  
2     protection comparable to the 132nd of an inch which is  
3     the existing accepted risk.

4             And it also tells you -- you can't have any  
5     dust in certain applications. In other applications,  
6     like tissue dust, you may be able to tolerate more.  
7     There was couple other, but I forgot.

8             SHANE CLARY: Okay. Thank you.

9             Microphone No. 5.

10            MARCELO HIRSCHLER: Marcelo Hirschler GBH  
11     International, I speak for myself, and I call the  
12     question.

13            SHANE CLARY: We have a second.

14                             (Second.)

15            SHANE CLARY: Numerous seconds.

16            All in favor of the motion which is  
17     non-debatable to close discussion, please signify by  
18     raising your hands. You know the drill. Thank you very  
19     much.

20                             (Raising Hands.)

21            SHANE CLARY: All opposed? Motion carried.

22            We will now proceed with the vote which is  
23     returning a portion of the report in the form of  
24     identifiable part of proposal 654-15 related comments,  
25     654-10 (indiscernible) return is a new proposed section,



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1 6.1. All in favor of the motion, please signify by  
2 raising hands.

3 (Raising Hands.)

4 SHANE CLARY: Thank you.

5 All opposed?

6 (Raising Hands.)

7 SHANE CLARY: The motion carries.

8 We now move to 654-4. I'll wait for  
9 Mr. Francis.

10 SAM FRANCIS: Sam Francis, American Wood  
11 Council, representing --

12 SHANE CLARY: Wait a minute. Microphone No. 5,  
13 please.

14 SAM FRANCIS: Thank you. Sam Francis, American  
15 Wood Council, representing Stan Lancey of the American  
16 Forest and Paper Association. Well, frankly in light of  
17 what just happened, I move to accept Comment 654 which  
18 is going to further address these equations but sending  
19 it back -- but let me just cut to the chase.

20 SHANE CLARY: Okay. Mr. Francis, 654 which --  
21 what...

22 SAM FRANCIS: I don't care what you do with  
23 this. You resolve the equation problems and I'm going  
24 to move on my final comments to send the entire document  
25 back because you just cut out the heart.

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1 SHANE CLARY: Yeah. Are you pursuing 654-24 at  
2 this time?

3 SAM FRANCIS: I just moved it.

4 SHANE CLARY: Okay. Do we have a second.

5 (Second.)

6 SHANE CLARY: Okay. We're speaking right now  
7 on 654-24.

8 SAM FRANCIS: And it's all been said.

9 SHANE CLARY: Well, we have a motion. Any --  
10 Mr. Frank, any comments.

11 WALTER FRANK: Well, it would seem to be a moot  
12 point in terms of the impact. I would point out that  
13 the motion addresses some proposals. It talks about  
14 removing equations from -- that were in the proposals  
15 that are no longer in the comment version so it's  
16 little -- it's a little confusing which equations we're  
17 talking about anyway.

18 SHANE CLARY: Okay. Thank you.

19 WALTER FRANK: Yeah. I guess it's a moot  
20 point.

21 SHANE CLARY: Okay.

22 ERDOM URAL: Point of order. With the previous  
23 motion aren't all these moot? Section 6134, 5, 8 are  
24 all gone? So there's no --

25 SHANE CLARY: Hold on, Doctor.

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1           WALTER FRANK: No. Actually, if I may suggest,  
2 654-6 is still -- I'm sorry.

3           SHANE CLARY: Okay. Mr. Francis.

4           WALTER FRANK: The motion to send all of 61  
5 back --

6           SHANE CLARY: Mr. Frank, please -- please  
7 suspend.

8           Mr. Francis, just so we can clarify, is it your  
9 intent that you wish at this point to eventually get to  
10 your motion 654-9 and not to pursue your other motions  
11 at this time?

12          SAM FRANCIS: Yes.

13          SHANE CLARY: And Mr. Cholin, on your  
14 motions...

15          JOHN CHOLIN: Mr. Chair, I would like that we  
16 table my motions until we consider the motion to return  
17 the entire document to committee.

18          SHANE CLARY: Okay. Thank you.

19          Okay. The chair's call that at this point we  
20 are going to immediately go to Motion 654-9 which is to  
21 return the entire document to the committee.

22          So Mr. Francis, that was your motion?

23          SAM FRANCIS: That's correct, sir. Do I need  
24 to make it again?

25          SHANE CLARY: Yeah. You need to officially

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1 make it. I can't make it for you.

2 SAM FRANCIS: Sam Francis, American Wood  
3 Council, moving -- making the motion to return the  
4 report to the committee.

5 (Second.) ^

6 SHANE CLARY: Okay. We have a second.

7 So everyone is clear, we are coming to  
8 microphones now, you are discussing to return the whole  
9 document to the committee or your reasons for opposing  
10 this at this time.

11 And if that -- and depending on the vote of the  
12 motion, if the motion before us is successful, then  
13 basically we are done with our discussions today on 654.  
14 However, if the motion is not successful, you will then  
15 be returning to the motions which are on the docket.

16 Mr. Francis, please proceed.

17 SAM FRANCIS: The new section, 6.1, and the  
18 equations that we discussed, the determination of risk  
19 is the heart of this document. The rest of it is what  
20 you do after you determine that you have a risk. And in  
21 my Comment 654-34, which isn't a part of this, we're  
22 suspending that to discuss sending the whole thing back.  
23 I pointed out that references to these equations and  
24 their ramifications spread throughout the document.

25 Once we send back the equations and that sort

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1 of thing, the entire document should go back with it to  
2 be refined and correlated so that when it comes back to  
3 us, the -- the solutions that we have to mitigate risk  
4 match how we determine risk and so forth.

5           And by the way, I would reiterate now that no  
6 one in all of this debate has offered a single shred of  
7 evidence that the existing document has failed, so we're  
8 not fixing a problem. Therefore, there's no urgency in  
9 bringing the document forward.

10           The committee's got time to go back and work  
11 the equations, the Chapter 5 performance section, and  
12 the prescriptive determinations. There's time to do  
13 this.

14           In fact, it's working quite well as is so we're  
15 losing nothing and gaining a great deal because as each  
16 of the supporters of previous motions have pointed out  
17 to you, there's -- there's merit in this intellectual  
18 exercise. This isn't worthless.

19           The question is: Is it necessary to replace  
20 the prescriptive? Can enforcers enforce with it?  
21 Having sent back those important parts, send the whole  
22 thing back and let it come back to us as a workable  
23 meaningful document. That's my motion.

24           SHANE CLARY: Okay. Thank you.

25           Mr. Frank.

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1           WALTER FRANK: I guess we need to clarify  
2 something here. In approving the earlier motion to send  
3 all of 61 back, the debate focused on the equations.  
4 There's actually content in 61 that is totally unrelated  
5 to the application in the equations, and that's the  
6 focus of some of these other motions.

7           If we needily leap to -- well, let's -- having  
8 decided to send the equations back for further  
9 consideration, let's go ahead and rush and decide to  
10 send the whole document back. We'll be sending back  
11 some issues that have not been discussed here. The  
12 committee will not have had any guidance on how to  
13 address some of these other non-equation related issues  
14 associated with non-equation content in 6.1, and it's  
15 going to bring me a rock -- exercise and bring me a  
16 rock.

17           So I am concerned that immediately going to  
18 let's send the whole document back, is going to send the  
19 document back without giving the committee guidance on  
20 how to address these non-equation issues that were the  
21 subject of other motions that we're going to be  
22 presenting tonight.

23           SHANE CLARY: Okay. Thank you.

24           Microphone No. 2.

25           MARCELO HIRSCHLER: Marcelo Hirschler GBH

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1 International clarification again. We're still talking  
2 about Section 6.1. Can you please clarify for us, the  
3 motion that we passed, didn't that return all of 6.1 so  
4 anything in 6.1 is gone? There's no need for further  
5 discussion; is that correct?

6 SHANE CLARY: 6.1, it goes back to what the  
7 existing tech says whatever that may have been. If  
8 there was no existing 6.1, at the present time 6.1 is  
9 not there.

10 MARCELO HIRSCHLER: Thank you.

11 SHANE CLARY: You're welcome.

12 At this time we'll proceed with any further  
13 discussion on 654-9 which is to return the entire  
14 document. Seeing I will proceed to the vote.

15 Mr. Frank, do you have any final comments?

16 WALTER FRANK: No.

17 SHANE CLARY: Okay. With that, all in -- I'm  
18 sorry.

19 Microphone No. 1, Mr. Cholin.

20 JOHN CHOLIN: Yes, Mr. Chairman. My name is  
21 John Cholin from JM Cholin Consultants. There is an  
22 enormous amount of value in the work that has been done  
23 by the TC to get the proposed version this far. We  
24 won't be losing that work.

25 SHANE CLARY: And are you in favor or against

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1 the motion.

2           JOHN CHOLIN: I'm in favor of the motion to  
3 return. I apologize. I'm in favor of the motion to  
4 return the document. We won't lose that work. We'll  
5 use what we have right now as a starting point and fix  
6 the remaining outstanding issues as Mr. Francis noted.  
7 I don't know that anybody dealing with deflagrations and  
8 explosions can identify a loss where the event occurred  
9 in spite of conforming with our current edition of the  
10 document.

11           In every event that I've investigated, the  
12 event would have been prevented had we just complied  
13 with the current edition of the document. Thank you.

14           SHANE CLARY: Okay. Thank you.

15           Seeing no -- okay. Be ready at the mics here.

16           Okay. Microphone No. 2.

17           ERDOM URAL: You want phone number?

18           SHANE CLARY: Say again.

19           ERDOM URAL: I thought you said phone number.

20           SHANE CLARY: No. No. I'm sorry. No. I'll  
21 get that later.

22           ERDOM URAL: Erdom Ural speaking for myself and  
23 against the NITMAM.

24           Mr. Francis said why change the document since  
25 there are no problems with the 2006 edition. I thought



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1 we -- NFPA has a policy of looking at the documents  
2 affirming or making improvements continually, not  
3 because there is a problem with the -- with the --  
4 problem identified.

5           If there is a problem identified with the  
6 document -- in fact, NFPA has other avenues such as  
7 doing a TIA, formal interpretation, so there's these two  
8 equations or four simple equations for only a small part  
9 of a great amount of work, a great amount of talk that  
10 went into consideration when the new edition was  
11 developed. So why delay publishing that information?

12           Why delay requiring people to comply with that  
13 information just because there are nothing wrong  
14 identified with the document. Maybe there is. So  
15 that's why I request this body to fail the NITMAM and  
16 vote against the motion.

17           SHANE CLARY: Okay. Thank you.

18           Further discussion?

19           Mr. Frank.

20           WALTER FRANK: I do feel I need to respond.  
21 There's been several times the statement has been made  
22 no facility that complied with the current version of  
23 654 has had an incident. Other than a few  
24 pharmaceutical facilities, I've never been in a facility  
25 who conformed with the current 654.

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1           So, you know, going into a facility that's  
2 blown up and seeing some residual dust and saying well,  
3 this facility obviously didn't comply to 654 is not the  
4 same -- that's not proof of the assertion that has been  
5 made that no facility has ever blown up that conformed  
6 to 654. Forgive me. It's a point I had to make.

7           Most industries are so far away from complying  
8 with 654 that we've got a long way to go, and it's the  
9 committee's intent that this revision would help people  
10 move in that right direction. And hopefully when we get  
11 a chance to work on it again, we'll still head in that  
12 direction. Thank you.

13           SHANE CLARY: Okay. Thank you.

14           At this time we'll proceed to the vote. Again,  
15 it's to return the entire report to the committee. All  
16 in favor of the motion, please signify by raising your  
17 hands.

18                                 (Raising Hands.)

19           SHANE CLARY: Thank you.

20           All opposed?

21                                 (Raising Hands.)

22           SHANE CLARY: And the motion carries.

23           Thank you, Mr. Frank.

24           And at this time we'll be taking a ten-minute  
25 comfort break, a ten-minute comfort break. Thank you.

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1 (A short recess was taken.)

2 SHANE CLARY: We're back on the record.

3 The next report under consideration this  
4 afternoon is that of the technical committee on marinas  
5 and boatyards. Here to present the committee report is  
6 committee chair Kenneth Bush of the Maryland State Fire  
7 Marshal's Office, Eastern Maryland.

8 The committee report can be found in the blue  
9 2010 annual revision cycle ROP and ROC. The certified  
10 amending motions are contained in the motions committee  
11 report and behind me on the screen. Proceed in order of  
12 the motions numbers presented.

13 Mr. Bush.

14 KENNETH BUSH: Good afternoon, ladies and  
15 gentlemen. The report of the technical committee on  
16 marinas and boatyards is presented for adoption and can  
17 be found in the report on proposals and report on  
18 comments for the 2010 annual meeting revision cycle.

19 The technical committee just published a report  
20 consisting of a partial revision of NFPA 303, fire  
21 protection standards for marinas and boatyards. The  
22 presiding officer will now proceed with certified  
23 amending motions.

24 SHANE CLARY: Thank you, Mr. Bush.

25 Let's now proceed with discussion on the

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1 certified amending motion which says -- the first one up  
2 is 303-1 and looks like Microphone No. 7.

3 KEN SMITH: Thank you. My name is Ken Smith.  
4 I'm president and CEO of SmartPlug Systems out of  
5 Seattle. I am in favor of creating a new pin  
6 configuration --

7 SHANE CLARY: Mr. Smith, we need your motion  
8 first.

9 KEN SMITH: Sorry.

10 SHANE CLARY: Which is to accept proposal  
11 303-7.

12 KEN SMITH: That's my motion.

13 SHANE CLARY: And we have a second.

14 (Second.)

15 SHANE CLARY: Okay. Now you may proceed.

16 KEN SMITH: Thank you. As I say, I'm with  
17 SmartPlug Systems. I've been in the marine industry for  
18 more than 40 years. I've replaced hundreds and hundreds  
19 of shore power plugs due to burn and scorching.

20 About eight years ago we got into rebuilding  
21 burn boats and we were able to find that the path of the  
22 fire always led back to the shore power plug itself. We  
23 found it to be a widespread problem. In our area of  
24 Seattle, we've lost more than \$100 million in boat and  
25 marinas in the last ten years.

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1           We also have one of the premier marinas on the  
2 west coast, Elliott Bay Marina. There's 1250 slips.  
3 Every week they replace four or five of those plugs.  
4 That's 20 percent per year they have to replace because  
5 they're burning and scorching. What you probably don't  
6 know is the current standard that is used was designed  
7 in 1938 before most of us were born.

8           It has never been changed; it's never been  
9 improved on thus causing most of these failures. The  
10 challenges to change a standard like this are nearly  
11 insurmountable, although we've managed to do it. If we  
12 would have known what we were getting into when we first  
13 started this, we never would have tried.

14           We have used some of the top designers and  
15 electrical engineers in our area, and we have designed a  
16 safer, better locking waterproof plug system. Our  
17 product was released for the boat side use over a year  
18 ago. We were tested to all UL and UL marine standards  
19 by the Amana Labs in Florida at that time. We use them  
20 because they have a very close association with the  
21 ABYC, the American Boat and Yacht Council, and the coast  
22 guard.

23           Since then, we have been found by industries  
24 that we didn't even know existed all over the world are  
25 contacting us and stating they are so happy that we have

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1 created a safer, better system. One of the people that  
2 has contacted us is the head engineer of one of the  
3 major cities in the United States.

4 He found that we had designed this new plug,  
5 and he was in charge of plugging in all of their  
6 emergency vehicles to make sure their battery charges  
7 were up, the refrigeration systems worked, and their  
8 block heaters were on. And they were having so much  
9 trouble with the existing system, he bought 62 units and  
10 converted this major city in the United States.

11 Most of the people we talked to, we've done  
12 over 70 shows now, we've had articles written about us  
13 all over the country, and everybody says it's about time  
14 for a new standard. We have a close association with  
15 Intertek Labs. All of our products as they are  
16 completed are tested to full standards and receive the  
17 ETL mark.

18 All we're asking of the committee is to allow a  
19 different pin configuration as part of the 303 standard  
20 so that we can proceed to make all of this industry and  
21 others safer. Thank you for your time.

22 SHANE CLARY: Thank you.

23 Mr. Bush.

24 KENNETH BUSH: Thank you, Mr. Chair. The  
25 committee on marinas and boatyards rejected this

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1 proposal as subsequently rejected the comment to amend  
2 Section 5.12.3 of NFPA 303, fire protection standards  
3 for marinas and boatyards. The committee recommends  
4 that the membership supports the committee's previous  
5 action by rejecting the motion to accept Proposal 303-7.

6 Proposal 303-7 describes the specific features  
7 of submitters patented products. The device service  
8 (indiscernible) in Proposal 303-7 does not confirm to  
9 the N (indiscernible) /NITMAM WD6 specifications as  
10 required by N (indiscernible) 303 international  
11 electrical code that has been in the NFPA 303 since the  
12 1986 edition. Article 555 which references  
13 configuration, grading, and locking and grounding-type  
14 receptacles and caps also applies (indiscernible)  
15 national electrical code to NC/NITMAM WD6.

16 Furthermore, NFPA 303 requires, quote, all  
17 electrical materials, device appliances, fittings, and  
18 other equipment shall be listed or labeled by a  
19 qualifying testing agency.

20 At the time of the annual 2010 report on  
21 proposals and report on comments, the submitter did not  
22 provide evidence to the committee that the device so  
23 described in his proposal 303-7 is listed by an  
24 organization that is acceptable to the authority having  
25 jurisdiction and concerned with the evaluation of

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1 products or services that maintains periodic inspection  
2 or production of listed equipment or materials or  
3 periodic evaluation of services and whose listing states  
4 that either the equipment, material, or service meets  
5 appropriate designated standards or has been tested and  
6 found suitable for specified purpose.

7           The Amana Laboratory referenced in the  
8 submitter's supporting documentation is not a nationally  
9 recognized testing laboratory. The device described in  
10 Proposal 303-7 is not listed and doesn't conform for the  
11 requirements of NC/NITMAM WD6, wiring devices,  
12 conventional specifications, and provides no indication  
13 that it improves arrangements required by the existing  
14 code of provisions.

15           In addition, the committee feels that the code  
16 requirements should describe an arrangement that is  
17 suitable for the specified purpose and not include a  
18 specific product description.

19           On behalf of the committee, I recommend the  
20 membership support the committee's previous action on  
21 this proposal and reject the motion to accept Proposal  
22 303-7. Thank you.

23           SHANE CLARY: Thank you, Mr. Bush.

24           With that, we'll debate on the motion and  
25 please provide your name and affiliation, whether you



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1 are speaking in support or against the motion.

2 And Microphone No. 9.

3 RUBIN GOLDBERG: My name is Rubin Goldberg and  
4 I have a point of information. I'm under the impression  
5 that our rules do not allow us to rate a standard  
6 requiring a patented device to be used; is that correct?

7 SHANE CLARY: Please hold on.

8 (Indiscernible) policies and rules and  
9 regulations, the committee is aware of that so thank you  
10 for your inquiry, but we'll proceed.

11 Once again, anyone having any discussion on  
12 this matter?

13 Microphone No. 9.

14 RUBIN GOLDBERG: My question basically was:  
15 Does the rules preclude the amendment to be tested?

16 SHANE CLARY: No, the rules do not.

17 RUBIN GOLDBERG: So it's allowable to have that  
18 device in the standard?

19 SHANE CLARY: The technical committee needs to  
20 be aware of the patent, which they are. The chair has  
21 ruled.

22 RUBIN GOLDBERG: Thank you.

23 SHANE CLARY: You're welcome.

24 Okay. Any further discussion on the matter?

25 Okay. Microphone No. 4.

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1           BILL FESS: Thank you. I'm Bill -- Bill Fess  
2 with Intertek Testing Services, and I am speaking  
3 against this motion.

4           The person making the motion has put me in a  
5 rather difficult situation because he made a big deal  
6 about the fact that his products are ETL listed by my  
7 company, but -- sort of biting the hand that feeds me  
8 but that nonetheless, if the product is listed, then it  
9 is conforming to the applicable standard which in this  
10 case would be UL231 and as described, this is a product  
11 problem, a component part specifically, the receptacle.  
12 So it seems to be that what should be changed would not  
13 be NFPA 303, but the product standard that covers this.

14           SHANE CLARY: Okay. Thank you.

15           Mr. Bush, do you have any concluding comments?

16           KENNETH BUSH: Nothing further.

17           SHANE CLARY: Okay. I guess we'll go to the  
18 vote. Again, the vote is to accept Proposal 303-7.

19           All in favor of the motion, please signify by  
20 raising your hands.

21                           (Raising hands.)

22           SHANE CLARY: All opposed, same sign.

23                           (Raising Hands.)

24           SHANE CLARY: The motion fails.

25           Thank you, Mr. Bush.

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1                   KENNETH BUSH: Thank you.

2                   SHANE CLARY: The next report under  
3 consideration this afternoon is that of **technical**  
4 **committee on oxygen enriched atmosphere**. Here to

5 present the committee's report is committee chair Joel  
6 Stoltzfus of the National Aeronautics and Space  
7 Administration, Las Cruces, New Mexico.

8                   The committee report can be found in the white  
9 2009 fall revision cycle ROP and ROC. The certified  
10 amending motions are contained in the motions committee  
11 report and behind me on the screen.

12                   We will proceed in the order on the motion  
13 numbers presented. We'll let Mr. Stoltzfus get up to  
14 the podium.

15                   Please proceed.

16                   JOEL STOLTZFUS: Mr. Chair, ladies and  
17 gentlemen, the report of the technical committee on  
18 oxygen enriched atmospheres is presented for adoption.  
19 It can be found, as has been said, in the report on  
20 proposals and report on comments for the fall meeting  
21 revision cycle.

22                   The technical committee has published a report  
23 consisting of a partial revision of NFPA 53, recommended  
24 practice on material, equipment, and systems used in  
25 oxygen enriched atmospheres.

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1           The presiding officer will now proceed with the  
2 certified amending motions.

3           SHANE CLARY: Thank you, Mr. Stoltzfus.

4           Let's now proceed certified with discussion of  
5 the certified amending motion.

6           And Dr. Hirschler, Microphone No. 5.

7           MARCELO HIRSCHLER: Marcelo Hirschler, GBH  
8 International, speaking for myself. I move 531, accept  
9 Comment 531 through 537 -- sorry. 53 -- I think it's  
10 seven, yes.

11          SHANE CLARY: Okay. Thank you.

12          Do we have a second?

13   (Second.)

14          SHANE CLARY: Okay. Thank you.

15          Please proceed.

16          MARCELO HIRSCHLER: Okay. Let me start by  
17 explaining that partial revision that the chairman  
18 stated is no revision. There has been no change in this  
19 standard. The standard -- sorry. It's not a standard.  
20 This recommended practice started life as a guide in  
21 1969 and once more defined appropriately with the NFPA  
22 rules until 1994 when it stopped. And, again, I am not  
23 changing the date. 1994 it stopped.

24           Then in 1999 it became from a guide to  
25 recommended practice with our change. 1999 to 2004, it

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1 went from a guide to -- sorry, from a recommended  
2 practice to a recommended practice with just manual  
3 (indiscernible), no change. And since 2004, it has not  
4 changed again.

5           Twice the committee has met, or not as the case  
6 may be, and has done nothing. Proposals were put  
7 forward to make it into a standard. The company said at  
8 the last cycle and now this cycle it's a great idea to  
9 make it a standard, but we don't have time to do it. So  
10 I said okay. All you need to do in order to make it a  
11 standard is take all the non-manager language and take  
12 it out because the standard already has six annexes: A,  
13 B, C, D, E, F, G. Seven, sorry. Seven annexes.

14           So all the information it needs to be  
15 non-managing is there. All the information that needs  
16 to be there to become a standard is in the additional  
17 chapters and I made the appropriated changes to make  
18 that change.

19           The committee said it's a great idea to make a  
20 change into a standard, but we don't have time. In  
21 fact, they call me and said why didn't you come and join  
22 the committee so that you can do the work when I already  
23 did the work. The committee has done nothing for  
24 15 years.

25           Please support what I have done in this change

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1 here. I have done nothing to the requirements. It just  
2 changes the language, gets rid of the "shoulds" and  
3 "mays" so that we then have a document that can be  
4 adopted as a standard and can be used.

5 At present, a recommended practice is a  
6 document that has very little utility. So please  
7 support me and allow me to make these changes so that  
8 we can have a standard for an oxygen enriched atmosphere  
9 that can actually be used. Thank you.

10 SHANE CLARY: Thank you.

11 Mr. Stoltzfus.

12 JOEL STOLTZFUS: Wow. On behalf of the  
13 committee, I speak against this motion. When we first  
14 received the suggestion that you heard about, we  
15 initially thought it was a good idea to make that  
16 movement.

17 In fact, the committee skipped a cycle so we  
18 could consider this question carefully and thoroughly.  
19 And in doing so, we reached beyond the committee and  
20 enlisted the help of several practitioners from the  
21 oxygen using and equipment manufacturing community to  
22 review the question.

23 After two years of careful consideration, this  
24 task group, without exception, said no, this document  
25 should not be converted to a standard. It was

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1 unanimously agreed that NFPA 53 is of great value as a  
2 reference document preserving test data that are not  
3 available elsewhere and proving to be a valuable  
4 educational resource. The committee was persuaded by  
5 the task group, and I recommend that you choose to  
6 maintain the document as a recommended practice.

7 SHANE CLARY: Thank you.

8 Let's now proceed with discussions on this  
9 motion.

10 Number 5, Microphone No. 5.

11 MARCELO HIRSCHLER: Marcelo Hirschler, GBH, and  
12 I'm speaking for myself. I note that --

13 SHANE CLARY: Are you for or against the  
14 motion.

15 MARCELO HIRSCHLER: I'm speaking in favor of  
16 the motion. Mr. Craig Kentmyer made a propose -- a  
17 comment in the November 2003 ROC that says editorial to  
18 rewrite the document to make it a standard and the  
19 committee said it's a good idea seven years ago.

20 When I made the comments, all the comments in  
21 front of you today, the committee said, It's a good  
22 idea, but we don't have time. How many tens of years  
23 does the committee need to think about it? They keep  
24 saying it's a good idea and another chairman says it's  
25 not a good idea. (Indiscernible) that it's good idea

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1 for the committee so please support the motion and  
2 please, let's make some changes.

3 SHANE CLARY: Thank you.

4 It looks like Microphone No. 4, please.

5 JOSEPH MILLIUM: Mr. Chairman, my name is  
6 Joseph Millium. My affiliation is Praxair Incorporated.  
7 I'll be speaking against the motion to make NFPA 53 a  
8 standard.

9 For those of -- here who are not familiar with  
10 Praxair, Praxair Incorporated is one of the top major  
11 industrial gas companies in the world today. In my  
12 capacity at Praxair, I have 20 years of experience in  
13 the area of oxygen safety material selection  
14 compatibility cleaning. I've also participated in  
15 various ASTM and TDA committees and task groups in the  
16 specific preparation of oxygen standards and practices.

17 Although I'm speaking for Praxair, the position  
18 I'm making today is the unanimous opinion, the unanimous  
19 viewpoint of all the industrial gas companies, the five  
20 top major ones including Air Products, Lockheed, Linde  
21 AG, of course Praxair, and Airgas.

22 First, I'd like to reiterate what Joel said  
23 that NFPA 53 as a practice is an incredibly valuable  
24 document. I've used it myself on many occasions. It  
25 has a wealth of good information in it. All of the



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1 other industry members that were on the task group agree  
2 to that. We like to definitely keep it very alive and  
3 well as a practice.

4           However, the industrial gas industry does not  
5 feel that NFPA 53 should be made a standard because  
6 there currently exists a joint EIGA, that's European  
7 Industrial Gas Association/Compressed Gas Association,  
8 CGA, EIGA/CGA harmonized document which is -- it's a  
9 document which is being used international.

10           In fact, this document was prepared -- this  
11 standard was prepared in the early 2000s and this week  
12 it's currently being revised in Washington. This  
13 document, this standard is the point document that the  
14 oxygen industry uses.

15           To give you some background, in the early  
16 2000s, CGA and EIGA formed an ad hoc task group which  
17 consisted of the oxygen technical experts from all of  
18 the major gas companies.

19           It was a sole purpose of this group to take the  
20 individual standards from each organization that deal  
21 with the best guidelines, the best practices, to take  
22 them from each industry and combine them into one  
23 harmonized standard which is CGA 4.4, EIGA 1302. That  
24 is the point document that represents the standard for  
25 the industrial gas industry in the area of oxygen.

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1           For NFPA 53 to cover the same ground would  
2     require the same level of technical expertise that went  
3     into CGA 4.4 and 13.02. This would result in a  
4     duplicate standard or worse yet result in a standard in  
5     which there could be conflict. And I'm just mentioning  
6     the one main standard. There are, of course, other  
7     standards, and you'll be hearing from another speaker  
8     who will talk a little bit more about that.

9           However, I'm focussing on the fact that we have  
10    one point document standards -- CGA 4.4, EIGA 13.02,  
11    which is a harmonized document -- is the main document  
12    that would be followed.

13           On behalf of Praxair and the other major  
14    industrial gas companies, we respectfully ask that NFPA  
15    53 remain as the highly useful practice it is and that  
16    we avoid taking a chance of just duplicating a standard  
17    that already exists, or worse yet, creating something  
18    that's going to generate conflict within the industry.  
19    Thank you.

20           SHANE CLARY: Thank you.

21           And Microphone No. 4, please, again.

22           BARRY NEWTON: Yes. Mr. Chairman, my name is  
23    Barry Newton. I am with Wendell Hull and Associates, an  
24    engineering firm. We are also a commercial test lab  
25    that conducts testing for oxygen materials compatibility

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1 and qualification of materials and components.

2           We -- I'm also speaking on behalf of -- or in  
3 my capacity as subcommittee chairman of the ASTM G4  
4 committee which is on flammability and sensitivity of  
5 materials and oxygen enriched atmospheres and I'm  
6 speaking against the motion, in opposition to the  
7 motion.

8           SHANE CLARY: Okay. Please proceed.

9           BARRY NEWTON: The -- this question -- in order  
10 to consider this question, it's important to understand  
11 how NFPA 53 is used in our community. It is one of the  
12 most widely accepted, widely used and widely subscribed  
13 to standards within our community and has been since I  
14 began training in oxygen fire safety since the early  
15 '90s.

16           We use it as a -- primarily as a brief guide to  
17 oxygen hazards and a repository of data, and it's widely  
18 used. It's probably the document I look to first and  
19 pull first in order to reference data and look at just  
20 basic guidelines when I'm training another individual.

21           We've trained through ASTN and my company  
22 literally thousands of people in the use -- safe use of  
23 oxygen, and this is the document that we use, and it's  
24 perfectly usable as it stands right now. It is highly  
25 respected and well-subscribed to right now.

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1           Now, as a brief document on oxygen hazards, it  
2 contains about six to seven pages of main text and  
3 40-plus pages of data. The data repository is  
4 enormously helpful to us. The five -- or the six or  
5 seven pages of main text are very brief, they are very  
6 general, and in that condition would be unsuited to a  
7 standard that touches an industry that uses oxygen from  
8 subatmospheric pressures all the up to an excess of  
9 10,000 PSI.

10           The main consideration we have in opposing this  
11 as a standard is that those varied industries utilize  
12 oxygen at such widely different pressures and conditions  
13 that many of the statements that would just be turned in  
14 from a "should consider as a good practice" to a "shall  
15 do," would conflict with the industry best practices in  
16 many of those industries.

17           Industries using oxygen at just a few  
18 atmospheres can get away with using materials and with  
19 identifying and looking at ignition mechanisms in a very  
20 different way than those of us who use oxygen at 10,000  
21 PSI. At the high pressures, things change dramatically.  
22 At the medium pressures that Joe just talked about in  
23 the thousands to 3,000 PSI things are very, very  
24 different. And so the application of the text as it --  
25 as it stands in the first six or seven pages, does not

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1 apply across the board to all of these varied  
2 industries.

3 As a set of good practices that are generally  
4 suggested good practices that should be considered, it's  
5 extremely useful and covers across the board. But as a  
6 standard where you change the "shoulds" to the "shalls,"  
7 it creates great difficulty in harmonizing all of the  
8 varied considerations that one needs to consider in  
9 order to -- in order to apply well to all of those  
10 different industries.

11 Now, the cleaning requirements, the filtration  
12 requirements, the ignition mechanisms, the materials  
13 that I can use at very high pressure would not be  
14 applicable at very low pressure, and so my judgment, it  
15 should remain just as it is, a well-respected practice  
16 and not a standard that would in many ways disrupt the  
17 industry.

18 SHANE CLARY: Okay. Thank you.

19 Mr. Stoltzfus, any concluding comments?

20 JOEL STOLTZFUS: No, sir.

21 SHANE CLARY: Okay. At this -- we'll then  
22 proceed to the vote which is accept Comments 53-1  
23 through 53-6. All in favor of the motion, please  
24 signify by raising your hands.

25 (Raising Hands.)

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1 SHANE CLARY: Thank you.

2 All opposed, same sign.

3 (Raising Hands.)

4 SHANE CLARY: And the motion fails.

5 Next we're moving to sequence 53-2.

6 And Microphone No. 5.

7 MARCELO HIRSCHLER: Marcelo Hirschler, GBH  
8 International, speaking for myself. I move 53-2 return  
9 to committee.

10 SHANE CLARY: We have a second? Do we have a  
11 second?

12 (Second.)

13 SHANE CLARY: We do have a second. Please  
14 proceed.

15 MARCELO HIRSCHLER: Marcelo Hirschler, GBH  
16 International. It's interesting that the arguments that  
17 were given for not making it a standard are the  
18 arguments that there are other documents that are  
19 better, okay?

20 There are other documents that are better, then  
21 we should demand from the committee after it's been  
22 16 years doing nothing that it spend some time doing  
23 something and incorporate the other documents since -- I  
24 think it's the least that an NFPA should do.

25 Perhaps what they should do is withdraw it.

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1 They can't have it both ways. The document is perfect,  
2 but it's useless because it conflicts with other  
3 documents.

4 And please return the document to committee and  
5 have them make some change after 16 years.

6 SHANE CLARY: Okay. Thank you.

7 Mr. Stoltzfus.

8 JOEL STOLTZFUS: The document is good as a  
9 recommended practice, it's useful. To switch it from a  
10 "should statement" to a "shall statement" would be very  
11 damaging and conflict with other standards that have  
12 already been written.

13 SHANE CLARY: Okay. Thank you.

14 That will open up the floor for debate, and it  
15 looks like Microphone No. 4.

16 BARRY NEWTON: Yes, Mr. Chairman. My name is  
17 Barry Newton. I am speaking in opposition to this  
18 motion. NFPA 53 it's been said is not very useful, and  
19 those of us in the oxygen practicing world who -- and  
20 I've been dealing with oxygen systems since the early  
21 '90s, this document is one of the most respected  
22 documents of all that we use.

23 We have -- within ASTM and my company, WHA,  
24 we've trained literally thousands of people in the safe  
25 use of oxygen systems, and we use this document every

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1 single class we teach. It's an extremely useful  
2 document, and it forms an effective way of teaching the  
3 basic principles of oxygen system safety and those  
4 things that good practice would demand should be  
5 considered. So to say that it hasn't changed or is not  
6 very useful is just incorrect.

7           Now, the committee also got me involved under  
8 this specific question to see if we could find a way to  
9 harmonize this document as it stands with the other  
10 industry best practices that cover such a wide range of  
11 industries.

12           A wide cross-section -- in fact, the largest  
13 cross-section of oxygen users and practitioners that I  
14 know of came together from ASTM, CGA, Compressed Gas  
15 Association, the European Industrial Gas Association,  
16 NASA, Navy, military, we came together to consider this  
17 question. And while it's a question worth considering,  
18 we found that there was no way to harmonize the current  
19 provisions in this document directly with all of the  
20 industry best practices across the board.

21           One example is the statements that were made to  
22 change the -- the "should statements" or should be  
23 considered to "shalls" as related to materials. The  
24 statement was changed that you should avoid or you shall  
25 avoid aluminum wherever possible. Well, just that



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1 single statement would put the industry into a turmoil.

2           The vast majority of aircraft that are flying

3 use aluminum lines. The vast majority of hospital

4 ventilators at low pressure use aluminum manifolds.

5 There are millions of oxygen cylinders that are made out

6 of aluminum that are used every day and used safely.

7 And so it really does depend on the application, and the

8 industry best practices right now exist to address each

9 of the hazards of those certain situations.

10           Now, this document is -- is brief in its text

11 as it relates to the -- those practices as it relates to

12 the text that should be changed to a standardized

13 wording. Now, this document as it stands is useful and

14 would have to change entirely in order to be changed

15 into a standard. It would have to be changed

16 substantially and completely reformatted and its current

17 usefulness would be lost.

18           So in my judgment, what the industry needs is

19 this standard as it stands and the industry best

20 practices that are codified elsewhere fit the needs for

21 our industry. And so as a task group, we chose to go

22 that direction at the current time and the way this

23 currently stands as opposed to try to completely

24 fundamentally change the document.

25           SHANE CLARY: Thank you.

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1           Microphone No. 5, please.

2           MARCELO HIRSCHLER: Marcelo Hirschler, GBH  
3 International, for the motion. Just to read the section  
4 that the gentleman just referred to, although it's a  
5 moot point because changing the standard is -- that is  
6 already not on the table.

7           But the current text is the use of aluminum  
8 alloys and lines (indiscernible) how the component  
9 should be avoided whenever possible. My recommended  
10 change was avoid the use of aluminum alloys and lines,  
11 valves, and other components whenever possible.

12           There's no change in meaning. One says it  
13 should be done whenever possible or one says do it  
14 whenever possible. It means the same thing. The point  
15 is that the committee doesn't want to do anything  
16 (indiscernible) 16 years continues to say they don't do  
17 anything.

18           This document needs to go somewhere else  
19 because we are in the business of creating living  
20 documents, not dead document. This is a document that  
21 hasn't changed in 16 years. Send it back for them to do  
22 something, please.

23           SHANE CLARY: Thank you.

24           Mr. Stoltzfus, any concluding comments?

25           JOEL STOLTZFUS: Yeah. I'm not going to say

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1 anything. I don't want to respond emotionally. I am  
2 done.

3 SHANE CLARY: Okay. Thank you.

4 At that we'll proceed with the motion which is  
5 to return the entire report to the committee.

6 All in favor of the motion, signify by raising  
7 your hand.

8 (Raising Hands.)

9 SHANE CLARY: Thank you.

10 And all opposed, same sign.

11 (Raising Hands.)

12 SHANE CLARY: The motion fails.

13 Mr. Stoltzfus, thank you.

14 JOEL STOLTZFUS: Okay. Now, is it time to  
15 leave?

16 SHANE CLARY: You may now. It's Miller time.

17 The next report under consideration this

18 afternoon is that of the technical committee on any

19 ovens and furnaces.

20 Here to present the committee's report is  
21 committee chair Richard Gallagher of Zurich Services  
22 Corporation in Wilmington, Delaware.

23 The committee report can be found in the blue  
24 2010 annual revision cycle, ROP and ROC. The certified  
25 amending motions are contained in the motions committee

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1 report and behind me on the screen, and we will proceed  
2 in the order number presented.

3 Mr. Gallagher.

4 RICHARD GALLAGHER: Mr. Chair, ladies and  
5 gentlemen, the report of the technical committee on  
6 ovens and furnaces is presented for adoption. It can be  
7 found in the report of proposals or report on comments  
8 from the 2010 annual meeting (indiscernible) individual  
9 cycle.

10 The technical committee has published a report  
11 consisting of a partial revision of NFPA 86, standard  
12 (indiscernible) ovens and furnaces.

13 The presiding officer will now proceed with the  
14 certified amending motions.

15 SHANE CLARY: Thank you.

16 Let's now proceed with discussions of the  
17 certified amending motions for NFPA 86, and Microphone  
18 No. 5.

19 MARCELO HIRSCHLER: Marcelo Hirschler, GBH  
20 International, speaking on behalf of the NFPA glossary  
21 of terms taking advisory committee. I move to accept  
22 Comment 86-5.

23 SHANE CLARY: Thank you.

24 Do we have a second?

25 (Second.)

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1 SHANE CLARY: Thank you.

2 Please proceed.

3 MARCELO HIRSCHLER: The NFPA standards council  
4 set up the tech -- the glossary of terms technical  
5 advisory committee so that we can get general consensus  
6 on definitions and uniformity of definitions throughout  
7 the NFPA system.

8 It's not our job to discuss technical issues  
9 that are specific to particular committees just to try  
10 to get consensus and uniformity of definitions. The  
11 definition that I'm talking about here is the definition  
12 of flammable limits.

13 The -- if you look at page 86-2 in the ROC for  
14 A2010, you will see that there is the definition of  
15 flammable limits that the committee accepted is the  
16 range of concentration of flammable gas and air within  
17 which a flame can be propagated between the lower and  
18 the upper flammable limited basically. I'm cutting it  
19 short.

20 What I'm moving is that we take the definition  
21 from NFPA 68 which is the preferred definition within  
22 the NFPA glossary of terms which does exactly the same  
23 thing. It's slightly different language.

24 The (indiscernible) maximum concentration  
25 combustible material and how much mixture

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1 (indiscernible) oxide (indiscernible) the flame and then  
2 there's some definitions of lower and upper flammable  
3 limits. I won't bother -- bore you with reading them,  
4 but they're identically taken from NFPA 68. They're  
5 extracted.

6 That is the preferred NFPA definition. There's  
7 no technical difference between that definition and the  
8 definition that the committee accepted, but what we're  
9 trying to do is get uniformity within the NFPA system.  
10 I urge you to support the motion and change the  
11 definition. Thank you.

12 SHANE CLARY: Thank you.

13 Mr. Gallagher, comments?

14 RICHARD GALLAGHER: Yes. The technical  
15 committee on oven and furnaces considered this matter  
16 during the ROP, during the ROC, and following the  
17 certification of the motion.

18 The committee is aware of the efforts to manage  
19 the NFPA glossary of terms, however the efforts should  
20 be supported to our primary objective delivering NFPA  
21 standards that are focused upon fire safety. While  
22 definitions of LFL and UFL used in NFPA 68 are more  
23 general and more inclusive, for ovens and furnaces, a  
24 combustible substance is a flammable gas and a gaseous  
25 oxidizer is air.

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1           Rather than obscure the purpose of these  
2 definitions, it is the position of the committee that we  
3 want the definitions to use familiar terminology that  
4 will not be subject to misunderstanding. And it is the  
5 position of the committee that this approach will  
6 benefit those using the standard and those using the  
7 standard include the personnel who are responsible for  
8 the day-to-day operation of ovens and furnaces.

9           In preparation for responding to this motion, I  
10 received feedback from over 85 percent of the committee  
11 members and here's what they told me. Over 85 -- I  
12 should say over 80 percent were firmly opposed to the  
13 motion. The remainder had no specific opinion and  
14 supported the overall decision of the committee.

15           Mr. Chair, ladies and gentlemen, the technical  
16 committee on oven and furnaces recommends rejecting this  
17 motion.

18           SHANE CLARY: Thank you. At this we'll now  
19 proceed for discussion on the motion, and we'll begin at  
20 Microphone No. 9.

21           DAVID YATES: Thank you, Mr. Chairman. David  
22 Yates with Liberty Mutual Property speaking in favor of  
23 the motion on the floor.

24           When the glossary of terms project began, there  
25 were approximately 2700 redundant definitions throughout

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1 the national fire codes. That means specifically that  
2 there were 2700 cases where terminology was not  
3 consistent throughout the NFPA. I believe that number  
4 is down to approximately 1500 as we speak, so there has  
5 been some progress.

6           What we're talking about here specifically with  
7 this motion is we're describing the physical property of  
8 a substance. There should only be one definition for  
9 that. It doesn't change. It should be consistent, and  
10 I urge the membership to vote in favor of this motion so  
11 we can have consistent terminology throughout the  
12 national fire codes. Thank you.

13           SHANE CLARY: Thank you.

14           And Microphone No. 4, please.

15           TOM GEORGE: Thank you, Mr. Chair. My name is  
16 Tom George with Tokio Marine Management. I'm a member  
17 of the 86 committee, and I'm speaking in opposition to  
18 the motion.

19           I essentially would want to summarize or  
20 reiterate as Rich indicated, and particularly in terms  
21 of Class A ovens. We find that "lower flammable limit"  
22 and "upper flammable limit" are terms that pertain  
23 directly to mixtures of flammable gas and air. In fact,  
24 much of the chapters in relation to Class A ovens is  
25 focused in determining safety ventilation which is in



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1 turn determining the amount of air moving through an  
2 oven.

3 So I believe that it is more understandable to  
4 end users especially operators and maintenance personnel  
5 to use the definition that the committee has included in  
6 the current text. Thank you.

7 SHANE CLARY: Thank you. And we'll return to  
8 Microphone No. 5.

9 MARCELO HIRSCHLER: Marcelo Hirschler, GBH  
10 International for the glossary of terms committee. I  
11 urge you all, please, read --

12 SHANE CLARY: Are you speaking in favor of the  
13 motion?

14 MARCELO HIRSCHLER: In favor of the motion.

15 SHANE CLARY: You may now proceed.

16 MARCELO HIRSCHLER: I urge you to read the two  
17 definitions. Technically there is no difference between  
18 the two definitions. The definition of the committee  
19 talks about a range of concentration between the lowest  
20 and -- the lowest flammable concentration, the lowest  
21 flammable limit and the highest flammable concentration,  
22 the upper flammable limit. The definition that is in  
23 the glossary is the maximum/minimum concentration that  
24 will propagate a flame and has a definition of lower  
25 flammable, upper flammable limit.

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1           What we're talking about is to try to get a  
2 consistency. Decrease the number of unnecessary  
3 slightly different definitions which don't lead  
4 anywhere, that the meaning of the two definitions  
5 identical. The only change is that we need to get the  
6 number of definitions that NFPA has down to a manageable  
7 level and for that we need to get rid of those that are  
8 not a -- significantly different.

9           If there's something specific to the committee  
10 and a lot of committees, have definitions that need  
11 something specific that can be done by adding an annex  
12 note, by explaining within the standard, by doing things  
13 of that nature. This is just defining terms.

14           Flammable limits are things that we've known  
15 since high school. There is nothing specific about  
16 flammable limits for -- that's different or flammable  
17 limits for other things. Flammable limits are flammable  
18 limits. Please support the motion.

19           SHANE CLARY: Thank you.

20           Microphone No. 4, please.

21           RUSSELL LEVITT: Good afternoon. My name is  
22 Russell Leavitt, Telgian Corporation. I'm speaking  
23 against the motion. I concur in general, but I believe  
24 that the -- although I agree with the intent to try and  
25 limit the definitions, I firmly believe that the

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1 definitions should be left to the purview, the final  
2 decision of the technical committee, and the overall  
3 definitions should support the data, support the chair  
4 of the technical committee's position on that.

5 SHANE CLARY: Thank you.

6 And Mr. Gallagher, do you have any concluding  
7 comments?

8 RICHARD GALLAGHER: Just to recognize the  
9 comment by the speaker that these are the same  
10 definitions, I don't know we have any disagreement  
11 there. The only issue is we want something that is  
12 going to be easily understood, not misunderstood, and  
13 hopefully help promote additional safety for the users  
14 of this document. That's our sole objective and I think  
15 that's the objective of this organization.

16 SHANE CLARY: Okay. Thank you.

17 At this time we will proceed to the vote and,  
18 again, it's on the motion which is to accept Comment  
19 86-5. All in favor of the motion, please signify by  
20 raising your hands.

21 (Raising Hands.)

22 SHANE CLARY: Thank you.

23 All opposed?

24 (Raising Hands.)

25 SHANE CLARY: I'm sorry, but we're going to go

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1 to the standing count. So all in favor, let's exercise  
2 those knees, please stand up.

3 (Standing.)

4 SHANE CLARY: Okay. You may please be seated.

5 All opposed, your turn.

6 (Standing.)

7 SHANE CLARY: And, again, if you've got your  
8 badges on, make sure that the yellow item is showing  
9 outward.

10 Okay. The motion fails. The vote was 41 in  
11 favor, 53 against, and numerous exceptions.

12 Thank you, Mr. Gallagher.

13 The next report under consideration this  
14 afternoon is that of the technical committee on vending  
15 systems for cooking appliances.

16 Here to present the committee's report is  
17 committee chair RT Light (phonetic) from the state of  
18 Delaware, Wilmington, Delaware. The committee report  
19 can be found in the blue 2010 annual revision cycle ROP  
20 and ROC. The certified amending motions are contained  
21 in the motions committee report behind me on the screen,  
22 and we will proceed in order of the motion numbers  
23 presented.

24 And Mr. Light.

25 RT LIGHT: Mr. Chair, ladies and gentlemen.

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1 The report of the technical committee on vending systems  
2 for cooking appliances presented for adoption can be  
3 found in the report on proposals and report on comments  
4 for the 2010 annual meeting revision cycle.

5 The technical committee has published a report  
6 consisting of a partial revision of NFPA 96, standard  
7 for ventilation control and fire protection commercial  
8 cooking operations. The presiding officer will now  
9 proceed with the certified motions.

10 SHANE CLARY: Okay. Thank you. We'll now  
11 proceed with 96-1, and it looks like Microphone No. 1,  
12 please.

13 DAVID DE VRIES: Thank you, Mr. Chairman. My  
14 name is David de Vries. I'm with Firetech Engineering  
15 Incorporated speaking for myself, and I move Comment  
16 96-5.

17 SHANE CLARY: Okay. Thank you.

18 Do we have a second?

19 (Second.)

20 SHANE CLARY: Thank you.

21 Please proceed.

22 DAVID DE VRIES: The affect of this motion  
23 would be to adopt Proposal 96-20 which I submitted.  
24 Proposal 96-20 involved two parts. The first part was a  
25 tweaking of the existing language in Section 4.1.5 of

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1 NFPA 96 and then adding explanatory text in A4.1.5.

2           The amending language that was proposed was for  
3 consistency with language that has stood the test of  
4 time in NFPA 25. The proposed text reads as follows,  
5 quote, the responsibility for inspection, testing,  
6 maintenance, and cleanliness of the ventilation control  
7 and fire protection of the commercial cooking operations  
8 shall be that of the owner of the system unless the  
9 authority to conduct the work has been transferred in  
10 written form to management company, tenant, or other  
11 party.

12           If we are going to include requirements in this  
13 standard as to who is responsible for inspection,  
14 testing, and maintenance -- which is a separate question  
15 not to be debated in this one today -- let's get it  
16 right.

17           The fundamental difference between my proposal,  
18 96-20, and what was finally accepted by the technical  
19 committee in their accepted principle action on Comment  
20 96-4 is a difference of one word: Authority, which I  
21 propose, and responsibility which was that accepted by  
22 the technical committee.

23           What do we mean by those terms? Responsibility  
24 means that when everyone else is passing the buck, the  
25 buck stops with me. I'm responsible for making sure

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1 that it gets done, whatever that happens to be.

2 Authority means that I allow another entity to  
3 conduct or arrange for conducting the inspection,  
4 testing, and maintenance. Authority does imply a  
5 transfer of some responsibility, but it does not use  
6 that word for a very important reason.

7 We want to increase the reliability of these  
8 systems, and the best way to do that is to have one  
9 entity that retains that responsibility for making sure  
10 that the work gets done. For example, if I'm the owner  
11 of a commercial building and the exhaust systems within  
12 it and there's a food court in that building with  
13 multiple food service operators who are tenants, I don't  
14 want to be bothered with maintenance of those systems.

15 So by lease, by written agreement, I grant the  
16 authority to the tenants to do so. But I want to make  
17 sure that it gets done, and I do that by retaining  
18 responsibility for that. Why do I do that? It's in my  
19 interest. It's my building, it's my systems, and I want  
20 to minimize the possibility of a destructive fire that's  
21 going to affect my building and my systems, it's going  
22 to disrupt my tenants, it's going to change the whole  
23 character of what's going on.

24 How can I do that? How can I retain that  
25 responsibility while transferring the authority to the

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1 tenants? I can do that by auditing their records to  
2 make sure it's getting done, I can request a copy of the  
3 reports of their service providers to make sure that  
4 it's getting done. So I retain responsibility for  
5 making sure that it gets done without being bothered  
6 with the day-to-day stuff of getting it done.

7           The annex note that I proposed in 96-20  
8 explained all of this, and again, I reiterate that the  
9 comparable language has been in NFPA 25 for 16 years and  
10 it's been applied successfully there. I urge support  
11 for this motion. Thank you, Mr. Chairman.

12           SHANE CLARY: Thank you.

13           Mr. Light.

14           RT LIGHT: The technical committee didn't treat  
15 this proposal lightly. They spent quite a bit of time  
16 debating over it and they -- we wound up accepting a  
17 principle at later date, a comment, and as the proponent  
18 had mentioned, we're talking about one word. And  
19 regardless of which word we use, the ultimate  
20 responsibility is that of the owner.

21           If he transfers authority, if you want to use  
22 that word, he transfers authority, it doesn't matter.  
23 He's still ultimately responsible. He's done that by  
24 written form. Regardless, the committee acted on this  
25 unanimously. There were no negative ballots on deciding



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1 when it went out to ballot and so for the committee, I  
2 speak against the motion.

3 SHANE CLARY: Okay. Thank you.

4 We'll now proceed for discussion on the motion  
5 and looks like Microphone No. 1.

6 DAVID DE VRIES: David de Vries, Firetech  
7 Engineering Incorporated, speaking in favor of the  
8 motion on the floor.

9 Let me read exactly what the committee did in  
10 the (indiscernible). It said, "The responsibility for  
11 inspection testing, maintenance, and cleanliness of the  
12 ventilation control and fire protection of the  
13 commercial cooking operations shall ultimately be that  
14 of the owner or the system provided that this  
15 responsibility has not been transferred in written form  
16 to a management company, tenant, or other party."

17 So there is a transfer of responsibility, not  
18 simply the authority to get the work done, but the owner  
19 is essentially saying I am not responsible for this  
20 anymore, the tenant is. Well, the reliability of that  
21 will decrease as to whether those systems will actually  
22 be properly inspected, tested, and maintained which is  
23 why the nuances of those words are so important.

24 Thank you, Mr. Chairman.

25 SHANE CLARY: Thank you.

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1           And Mr. Light, do we have any concluding  
2    comments?

3           RT LIGHT:  Yes.  By adopting the proposal,  
4    regardless of the debate over this one word, by  
5    accepting the proposal, you also accept an annex section  
6    that has approximately seven sentences.

7           When we had this debate at the committee, the  
8    ultimate decision of committee was they didn't feel that  
9    this additional guidance was necessary.  And so that, in  
10   part, was one of the reasons that the proposal was  
11   originally rejected.  When it came back in the comment  
12   section and the comments that was the accepted  
13   principle, did not include all of this additional  
14   unnecessary language.

15           And so, again, if you want to debate about one  
16   word, the word "authority" over the word  
17   "responsibility," I still state in behalf of the  
18   committee that ultimately, regardless of what the owner  
19   does, he is still ultimately responsible for the  
20   maintenance and testing and inspecting of his equipment.  
21   Thank you.

22           SHANE CLARY:  Okay.  Thank you.

23           That will now proceed to the motion -- to vote  
24   on the motion before us which is to accept Comment 96-5.  
25   All in favor simplify by raising your hands.

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1 (Raising Hands.)

2 SHANE CLARY: Okay. Thank you.

3 And all opposed, same sign.

4 (Raising Hands.)

5 SHANE CLARY: And the motion fails.

6 Next is 96-2. Microphone No. 1.

7 JOSH ELVOVE: Hi. I'm Josh Elvove with the  
8 U.S. General Service Administration, maker of Motion No.  
9 2 -- 96-2 and I choose not to pursue that at this time.

10 SHANE CLARY: Thank you.

11 The next motion on NFPA 96 appeared on our  
12 agenda. However, the authorized maker of the motion or  
13 the designated representative has notified NFPA, as you  
14 just heard, that they will no longer wish to present  
15 this motion. Therefore, according to NFPA rules,  
16 convention rules, at 2-6, the motion may not be  
17 considered by the assembly and is removed from the  
18 agenda and we will now move to the next motion, 96-3.

19 Microphone No. 1.

20 JOSH ELVOVE: Mr. Chair, I'm Josh Elvove with  
21 the U.S. General Service Administration, maker of Motion  
22 No. 96-3, and I choose not to pursue that motion.

23 SHANE CLARY: Thank you. And indeed, you are  
24 Josh Elvove, and the next motion of NFPA appeared in our  
25 agenda. However, the authorized maker of the motion

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1 (indiscernible) representative notified NFPA that they  
2 no longer wish to present this motion. Therefore, in  
3 accordance with NFPA rules, 2-6, the motion may not be  
4 considered by the assembly, the motion for the agenda.

5 We will now move on to the next motion and  
6 there is no next motion, so Mr. Light, thank you.

7 RT LIGHT: Thank you.

8 And thank you, Josh.

9 SHANE CLARY: And before we move on to the next  
10 document, I would like to introduce Ralph Gerdes, member  
11 of the standards council who will now be presiding  
12 officer for the remaining of the documents today.

13 Take it away, Ralph.

14 (Applause.)

15 RALPH GERDES: Thank you, Shane. Good job.

16 The next report under consideration is that of  
17 the technical committee on smoke management systems.

18 Here to present the committee report is  
19 committee chair Randolph Tucker of the RJA Group  
20 Incorporated in Houston, Texas.

21 The committee report can be found in the blue  
22 2010 annual revision cycle ROP and ROC. The certified  
23 amending motions are contained in the motion committee  
24 report and behind me on the screen. We will proceed in  
25 the order of the motion number presented.

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1                   Mr. Tucker.

2                   RANDOLPH TUCKER: Mr. Chair, ladies and  
3 gentlemen, the report of the technical committee on the  
4 smoke management systems is presented for adoption. It  
5 can be found in the report on proposals for the 2009  
6 fall media revision cycle reprinted in the annual 2010  
7 report on comments.

8                   The technical committee has published a report  
9 consisting of a partial revision of NFPA 204, standard  
10 for smoking (indiscernible).

11                  The presiding officer will now proceed with the  
12 certified amending motions.

13                  RALPH GERDES: Thank you, Mr. Tucker. We're  
14 now going to proceed with motion sequence 204-1.

15                  Microphone 5.

16                  DAN O'CONNOR: Thank you, Mr. Chairman.

17                  Good afternoon. My name is Dan O'Connor. I am  
18 the chief technical officer for Schirmer Engineering  
19 Corporation and I would like to move that we reject  
20 Comment 204-8.

21                  RALPH GERDES: Do we have second?

22                                       (Second.)

23                  RALPH GERDES: We have a second.

24                  Proceed.

25                  DAN O'CONNOR: As I begin my discussion here, I

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1 think what I'd first like to do is I would ask you if  
2 you have your ROC with you to look to pages 204-3 and  
3 204-4 of the report on comments. That's where you will  
4 find Item 204-8, the item that I am moving to reject  
5 here.

6           So where are we going here? My comment here is  
7 that the technical basis for designing vent systems and  
8 sprinkler buildings has essentially been investigated  
9 now for more than 25 years and has not yet been  
10 developed in this proposal for Chapter 11.

11           However, this proposal would give basically de  
12 facto recognition that sprinklers and vents can  
13 successfully be used together if you do some type of  
14 performance based design.

15           The text is not very specific. It's, I  
16 believe, unenforceable and also I find that it would  
17 place a substantial burden on local authorities to  
18 review and approve such designs. Despite the lack of  
19 substantiation and specificity of how to design such  
20 systems, proponents vented sprinkler buildings, I  
21 believe, are misrepresenting this proposal as finally a  
22 solution to the long-time challenge of combining  
23 sprinklered buildings with automatic smoking heat vents.

24           I'd like to draw your attention to one specific  
25 paragraph in this proposal that you would find on -- in

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1 the report on comments on page 204-4, and that is  
2 section of this proposal 11.4.2. That section reads as  
3 follows: "Vents shall not operate until after  
4 sprinklers have been determined to establish control of  
5 a fire."

6           Okay. This is -- needs to be done in the  
7 context of a performance based design here in order to  
8 use automatic vents. In this day and age, we see right  
9 now the important stage of the RT's full-scale test  
10 being done routinely to determine if height challenge  
11 and storage occupancy scenarios sprinklers can control a  
12 fire for those scenarios without the vents present.

13           These tests aren't being routinely done with  
14 vents in this. And yet this section of 204-8 is saying  
15 we have to have determined when those sprinklers would  
16 have established control of the fire. Through  
17 full-scale testing, we're just trying to determine if  
18 the sprinklers without the vents can control the fire.

19           So at this time what I'd like to summarize with  
20 right now, in my mind as I read this 204-8, there's  
21 really no reasonable engineering expectation or accepted  
22 calculation method that allows the point of sprinkler  
23 control to be predicted on a reliable and repeatable  
24 basis, especially given the wide variety of variables  
25 possible in storage configurations.

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1           In fact, I think if you were attending during  
2 the week, you would have noticed on the presentation  
3 agenda the number of presentations dealing with  
4 sprinklers and height challenge and storage occupancies.

5           And particularly one I saw yesterday by Steve  
6 Mazur (phonetic) from Chubb (phonetic) regarding the  
7 number of variables that could affect sprinklers minus  
8 the consideration of having automatic vents. So based  
9 on this and our inability to do this, the burden it puts  
10 on the HJ, I would ask you to reject Comment 204-8.  
11 Thank you.

12           SHANE CLARY: Thank you.

13           Mr. Tucker.

14           RANDOLPH TUCKER: Yes. In response to you, the  
15 technical committee has put together a task group to  
16 study the issues of using vents with sprinkler systems  
17 design, and I'm going to ask the chair of that task  
18 group, Dick Davis, to respond to the committee.

19           DICK DAVIS: Dick Davis, FM Global, speaking  
20 against the motion.

21           SHANE CLARY: Whoa. Mic 2, please. Proceed.

22           DICK DAVIS: All right. Take it from the top.  
23 Dick Davis, FM Global, speaking against the motion.

24           Comment 204-8 provides considerable improvement  
25 over the existing language in the 2007 version of 204.



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1 Admittedly we could not get consensus agreement on all  
2 the needed details with regard to the design of smoke  
3 and heat vents in sprinkler buildings.

4 In fact, some of the members on the committee  
5 don't feel that even smoke vents should be required in  
6 sprinkler buildings. But at the end of the day, 204  
7 does not require heat and smoke vents to be installed  
8 anywhere. Other model codes and local codes do.

9 The majority of the committee members did feel  
10 that if heat and smoke vents were -- and drafters were  
11 required in sprinklered buildings, that they should not  
12 adversely affect the sprinkler operations. So really  
13 the goal of this comment of -- the primary goal to  
14 assure that the installation of smoking vents and draft  
15 curtains not adversely affect the sprinkler performance.

16 There were several items added in the  
17 requirements and annex notes that attempt to do this.  
18 They include, first of all, requirement for the location  
19 of the draft curtain and the width of the aisle that  
20 this should be centered over. Currently the only  
21 requirements in IBC or IFC are for the draft curtain  
22 depth. There are no requirements for the location of  
23 the draft curtain with respect to an aisle space.

24 Tests done by Joan Troop in 1994 at FM Research  
25 suggest that draft curtains not installed with

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1 requirements in Comment 204-8 could cause a considerable  
2 increase in the number of sprinkler heads operating.

3           They were conducted two sets of tests where the  
4 protection of storage were identical except that in the  
5 second test, the draft curtain did not comply with the  
6 requirements that are proposed for 204-8. The number of  
7 sprinklers in the first set of tests increased from 4 to  
8 35 heads with the inadequate draft curtain location.

9           In the second set of head tests, the number of  
10 heads operating increased from 7 to 18 with the draft  
11 curtain being improperly located with respect to the  
12 proposed requirements in 204-8.

13           Furthermore, in 1998 there was an NFPA  
14 investigation report entitled "Bulk Retail Storage Fire"  
15 in Tempe, Arizona and the information in that report  
16 suggested that the draft curtain which was not in  
17 conformance with these proposed requirements channeled  
18 heat away and caused sprinklers to operate well beyond  
19 the fire where they're not putting water on the fire or  
20 even effectively causing pre-wetting.

21           The -- in addition, there's an annex note to  
22 state that none of the tests that have been conducted to  
23 date consider ESFR quick response sprinklers, so we  
24 added an annex note to say that this document does not  
25 apply to ESFR quick response sprinklers.

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1           In the note that Dan O'Connor commented on,  
2 specifically 11.4.2, vents shall not operate until the  
3 sprinklers have controlled the fire, admittedly it is a  
4 difficult situation to try to police.

5           We had extensive discussions during the task  
6 group meetings and the committee meetings. The original  
7 proposal was for a one-minute time delay between the  
8 first sprinkler operating and the vents opening. The  
9 task group and committee did not agree that that was  
10 adequate. We added considerable discussion in the annex  
11 to help people arrive at a reasonable decision.

12           We talked about the importance of allowing the  
13 first ring of sprinklers to open and put water on the  
14 fire; the second ring of sprinklers to cause pre-wetting  
15 to prevent the advancement of the fire; and in the end  
16 of the discussion where we included an explanation of  
17 (indiscernible) vents and what that concept is, we even  
18 suggested an alternative that manual remote operation of  
19 events be considered that would take away the concern  
20 that is presented in item 11.4.2.

21           If this proposal is accepted, we will revert  
22 back to the language that's in 2007, and I don't believe  
23 that that's really going to help us. What it says is  
24 that Chapter 11 is basically one paragraph. It says  
25 venting and sprinkler building.

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1           It says, "Where provided to design for venting  
2 and sprinkler buildings shall be based on a performance  
3 analysis acceptable to the AHAJ demonstrating that the  
4 established objectives are met."

5           So I really don't think that that's anymore  
6 enforceable than what we proposed in 204-8.

7           RALPH GERDES: Thank you.

8           We'll continue at Mic 2.

9           BILL COPPEL: Bill Coppel, Coppel Associates.  
10 Member of the committee but not speaking for the  
11 committee and also representing today and on the  
12 committee, the (indiscernible) task group and we would  
13 encourage you to vote against the motion on the floor.

14           I think the real issue before you today is is  
15 this better than what's in the 2007 edition of the  
16 standard. What is proposed in the new Chapter 11  
17 coordinates and references text in NFPA 13 2010 edition.

18           Now, that's important because previous editions  
19 of NFPA 13 clearly said not to use vents -- it didn't  
20 say not to use vents, what it said is we're not giving  
21 you the design criteria if you use vents. So there's  
22 some new language in Chapter 12 and then will, in fact,  
23 coordinate I believe with the requirements and the  
24 language in NFPA 13.

25           You've already heard testimony relative to the

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1 added language on draft curtains that will be lost if  
2 you accept this motion. The annex note on gang vents  
3 and gang vent operation, that's a new annex note. That  
4 language, too, will be lost if you support or if this  
5 motion is successful. So there are things that you will  
6 be losing that apparently the committee believes and  
7 certainly the industry believes are beneficial.

8           Now, the maker of the motion says that this  
9 will present an undue burden on code officials. As  
10 you've heard, there are code requirements and there are  
11 alternatives in existing NFPA and ICC documents that  
12 result in the provision or inclusion of vents in  
13 sprinklered buildings.

14           Now, as a code official, is there more burden  
15 on 204 being totally silent on the issue, except for  
16 Annex F, or to have at least this language in here  
17 giving you some reference towards the performance  
18 analysis, the design objectives, what to do with draft  
19 curtains, and the annex relative to gang vents, is that  
20 more of a burden than if we're totally silent? I don't  
21 think so.

22           The maker of the motion says the industry  
23 believes that there's a solution. Nothing further from  
24 the truth. I'm representing the industry. We think  
25 this is a baby step forward. We think there are strides

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1 to be made yet, but we would encourage you to allow us  
2 to build upon this in the next edition of NFPA 204 and  
3 not take us back to where we were several years ago and  
4 have to start from scratch.

5           So I think the real question for you today  
6 relative to this motion is: What is the harm? Has the  
7 maker of the motion proven to you that there's anything  
8 technically wrong or that any harm will really come from  
9 including Chapter 11 in this edition of NFPA 204? We do  
10 not believe that there is. We encourage you to support  
11 your committee and oppose the motion on the floor.

12           RALPH GERDES: Thank you.

13           Mic 5.

14           CARL BALDASSARRA: Good afternoon. I'm Carl  
15 Baldassarra with the RJA Group and speak in support of  
16 the motion, and I ask those in attendance to do so as  
17 well. I'm very surprised to hear what I just heard,  
18 that this might not do any harm so you ought to support  
19 it, you ought to oppose the motion. That's not the  
20 standard that NFPA holds in its higher regard.

21           We heard Jim Shannon on Monday say the world  
22 relies on NFPA's reputation for sound technical  
23 decisions as reflected in its standards. This proposal  
24 does not move us forward in any way. It takes the vague  
25 language out of the appendix and moves it into the body.

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1 It provides no additional guidance for the designer.

2 I am currently the chair of a task group within  
3 the ICC which studied the requirements in the IBC and  
4 IFC over the last three years. I'm not speaking on  
5 behalf of that committee or the ICC, but we did  
6 recommend a major change which would have adopted NFPA  
7 204 by reference for non-sprinkler buildings and would  
8 have required mechanical systems for sprinkler  
9 buildings.

10 There was a consensus of this among the  
11 manufacturers, the design community, the fire service,  
12 building officials. However, because of some concern  
13 and confusion about this proposal that was in NFPA 204,  
14 a number -- and a number of other issues which I won't  
15 go into right now because of time limitations, the  
16 proposal was not adopted in this past cycle. It was  
17 very close. I'm going to continue to work hard to see  
18 that it gets done.

19 RJA has no financial interest in this issue.  
20 I'm confident we're moving towards a consensus on this.  
21 The representatives of the -- from the vent industry  
22 said at the ICC meeting that they wanted to have another  
23 cycle to get this right.

24 It's not right, and this proposal doesn't make  
25 it any better. Approval of the NITMAM will, in fact,

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1 allow a motion to be made, and I will make that motion  
2 if this is approved, to return this entire document back  
3 to the technical committee. This will allow the  
4 technical committee to delete the ambiguous language and  
5 keep the good language.

6 If we want to move this forward, approval of  
7 the NITMAM and the motion to send the document back to  
8 the committee will allow us to move forward in the baby  
9 steps that Mr. Coppel talked about.

10 This can be done in the short period of time.  
11 It does not require an entire cycle. So working  
12 together we can have an adoptable standard for the IBC  
13 and the IFC in the next IFC -- ICC cycle. If we don't,  
14 we'll continue to have nothing enforceable for another  
15 three to six years. Thank you.

16 RALPH GERDES: Thank you.

17 Mic 5.

18 DAN O'CONNOR: Dan O'Connor, again, Schirmer  
19 Engineering. I have a couple comments here. I  
20 certainly understand that Dick from FM had an -- perhaps  
21 a difficult task in trying --

22 RALPH GERDES: Are you speaking for or against  
23 the motion?

24 DAN O'CONNOR: I am speaking for the motion.  
25 Thank you.



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1           That Dick had a difficult time trying to put  
2 together this section, particularly given the stance of  
3 his employer on this issue here.

4           Now, one of the things I think people would  
5 like to understand is that, you know, Schirmer  
6 Engineering, we've had a policy of not allowing the --  
7 our clients to go forward and use sprinklers and  
8 automatic vents in concert. I think (indiscernible)  
9 Mutual also has the same policy.

10           In fact, before I came to this meeting, it was  
11 interesting to me to pull out their 2010 installation  
12 guidelines for automatic sprinklers dealing with heat  
13 and smoke vents. Those guidelines, in fact, say do not  
14 install automatic smoke and heat vents in facilities  
15 equipped with sprinkler protection. Manual heat and  
16 smoke vents, however, acceptable.

17           And I think Dick pointed out that he, in fact,  
18 created some appendix language to try to point people in  
19 this direction away from automatic vents and two manual  
20 vents.

21           So what else does that criteria say? FM  
22 criteria says if you have vents in your building,  
23 install quick response sprinklers directly under the  
24 vent opening on a maximum 4-foot linear and 16 square  
25 foot area spacing. What does that do? That absolutely

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1 prevents the automatic heat vent from opening.

2           They also say install FM approved vents  
3 equipped with a standard response 360 degree nominal  
4 thermal activating device. What does that do? That  
5 absolutely prevents the automatic vent from opening.  
6 They also say you can install the vents that are FM  
7 approved for occupancies protected by quick response  
8 storage sprinklers. What does that do? That absolutely  
9 prevents the automatic vent from opening.

10           My point here is I am -- we -- I have not seen  
11 the data. I am very concerned that we have major  
12 insurance companies in this country that do not accept  
13 the use of vents and they have their own guidelines  
14 against it, and yet we have a requirement here that says  
15 we have to determine so open the vents automatically,  
16 the point of whether those sprinklers are controlling  
17 the fire before the vents open.

18           Is there anybody in this room that can come up  
19 to me and talk to me this afternoon and explain to me  
20 the technical scientific of physics, the basis for how  
21 we determine the control of that when all we do nowadays  
22 is use full-scale testing to determine the sprinkler  
23 control for these occupancies and we do it without  
24 vents.

25           I urge you again that this -- I think this is

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1 bad science to be moving in this direction, and it's  
2 counter to the goals of NFPA, and I urge you to reject  
3 Comment 204-8.

4 RALPH GERDES: Thank you.

5 Mic 2.

6 BILL COPPEL: Bill Coppel, Coppel Associates,  
7 consultant to the (indiscernible) smoke fan task group  
8 and again speaking in opposition to the motion and  
9 rebutting some of the comments you've heard.

10 I think my previous testimony was  
11 mischaracterized. I didn't say move this forward  
12 because there's no harm. I think what you heard me say  
13 is here are at least three benefits to this language and  
14 we should move that forward because the other doesn't  
15 cause any harm. It says, in fact, there is a benefit.

16 I also think there's been some  
17 misrepresentation of what happened in the ICC process  
18 because you heard part of the story. The ICC code  
19 technology committee, yes, they moved forward a proposal  
20 that only recognized 204 in non-sprinklered buildings.  
21 The committee modified that to allow the use of 204 in  
22 sprinklered buildings.

23 The CTC reinvestigated that issue and said we  
24 have a problem because we have to act on this at our  
25 hearings in May, and 204 is not going to be finalized so

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1 they said drop this reference to 204. But they retained  
2 an exception that said smoke vents may be used in  
3 sprinklered buildings when in accordance with NFPA 13  
4 and the chair of the CTC personally said to me that  
5 gives us the ability to reference 204 when 204 is  
6 available to be adopted.

7           Now, yes, in Dallas what happened is because it  
8 requires a two-thirds vote to get that modification,  
9 that failed and it ended up that everything went away.  
10 So where does that leave us? A requirement for smoke  
11 vents in sprinklered buildings with no standard that  
12 gives us any guidance on how to do anything.

13           So, again, I'll ask the question: Does the  
14 language here help you as a code official, help you as a  
15 design professional, help you as a facility operator get  
16 you at least some material to work with if you have a  
17 code that says you have to have vents?

18           A lot of the past testimony you just heard was  
19 the argument about whether we should have vents or not.  
20 That's not this argument. 204 does not require vents.  
21 It tells us here are the things to consider if you have  
22 to put vents in.

23           Again, we would encourage you to support the  
24 committee and oppose the motion on the floor.

25           RALPH GERDES: Thank you.

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1           Mic 5.

2           CARL BALDASSARRA: Carl Baldassarra, RJA Group,  
3 speaking in support of the motion. Does this language  
4 here help me as a designer as just asked rhetorically?  
5 No, it does not. I've been in this business for a long  
6 time. I was on the NFPA 204 committee in the '70s and  
7 '80s.

8           I'm not going to put my stamp and seal on a  
9 design that says the vents are going to open after the  
10 fire is now controlled after "X" number of minutes.

11           Think about this. Can you look at any building  
12 that has a sprinkler system in it and predict when the  
13 fire in that building is going to be under control? You  
14 can't do that. Too many variables.

15           This is not better than what's in the current  
16 text, and I am proposing to this group an opportunity to  
17 make it better as purported by Mr. Davis, Mr. Coppel,  
18 and Mr. O'Connor all together. Approve the NITMAM, make  
19 a motion to send the document back to the committee, and  
20 this can be fixed in a year.

21           I did not intend to misrepresent what happened  
22 at ICC. I want to get this fixed. This will be -- this  
23 can be fixed and be in place before the next cycle of  
24 the IBC if this NITMAM is approved and a motion is made  
25 to send this back to the technical committee and address

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1 the good parts, take out the bad parts. Thanks.

2 RALPH GERDES: Thank you.

3 I see no further discussion on the floor. I'm  
4 going to ask Mr. Tucker if he has any final comments.

5 RANDOLPH TUCKER: Yes. The only final  
6 comments: The committee does want to give direction to  
7 the industry. What the committee put together, the task  
8 group put together is the best information we have at  
9 this time. We're certainly open.

10 If it does get returned to committee, we have a  
11 meeting coming up in November, we can re-look at this  
12 and see if we can do something better than what we have  
13 right now, but the committee's vote on the thing was to  
14 go forward with what we have.

15 RALPH GERDES: Thank you.

16 With that we are going to proceed with the  
17 vote. The motion before you is to reject Comment 204-8.  
18 All those in favor of the motion, please raise your  
19 hands.

20 (Raising Hands.)

21 RALPH GERDES: All those opposed, raise your  
22 hands.

23 (Raising Hands.)

24 RALPH GERDES: That motion carries.

25 Any further discussion?

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1 Mic 5.

2 CARL BALDASSARRA: Mr. Chairman, Carl  
3 Baldassarra, RJA Group, in keeping with my previous  
4 commitment, I'll make a motion to return the document to  
5 the committee.

6 (Second.)

7 RALPH GERDES: That motion is in order.  
8 Microphone 5.

9 DICK DAVIS: Dick Davis, FM Global. I also  
10 support the motion to return it back to the committee.  
11 Comment 204-8 was the only substantial change, and I  
12 don't want to miss the opportunity to add the good  
13 language such as the information on the draft curtains  
14 for another three years.

15 As Randy indicated, we have another committee  
16 meeting coming up. We have an opportunity to address  
17 this, and I would like to have an opportunity to put in  
18 the good information that we have in there and address  
19 the problems that Carl and Dan have brought up this  
20 afternoon.

21 RALPH GERDES: Thank you.

22 I want to ask that Mr. Tucker, if he has some  
23 comments at this point.

24 RANDOLPH TUCKER: The only comments is I will  
25 agree with the motion on the floor to return.

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1                   RALPH GERDES: Thank you.

2                   Seeing no further discussion, we're going to  
3 proceed with the vote. The motion is to return the  
4 entire document back to the committee. All those in  
5 favor raise your hands.

6   (Raising Hands.)

7                   RALPH GERDES: Thank you.

8                   Opposed?

9                   That motion carries.

10                  Thank you, Mr. Tucker.

11                  The next motion on the agenda is for NFPA 276,  
12 standard method of fire test for determining the heat  
13 release rate of roofing assemblies with combustible  
14 above-deck roofing components.

15                  However, the authorized maker of the motion has  
16 notified NFPA that they no longer wish to present this  
17 motion. Therefore, in accordance with NFPA rules, the  
18 motion may not be considered by the assembly and is  
19 removed from the agenda.

20                  The document will not be considered at this  
21 meeting and instead becomes a consent document that will  
22 be forwarded directly to the standards council for  
23 issuance or other action. We would like to thank the  
24 committee for their work on this document. We will now  
25 move on to the next document.



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1                   The next motion on the agenda is for NFPA 409,  
2   standard on aircraft hangars. However, the authorized  
3   maker of the motion has notified NFPA that they no  
4   longer wish to present these motions. Therefore, in  
5   accordance with NFPA rules, the motion may not be  
6   considered by the assembly and is removed from the  
7   agenda. The document will not be considered at this  
8   meeting and instead becomes a consent document that will  
9   be forwarded directly to the standards council for  
10   issuance or other action. We would like to thank the  
11   committee for their work on this document. We will now  
12   move on to the next document.

13                   The next report under consideration this  
14   afternoon is that of the technical committee on  
15   inspection, testing, and maintenance of water based  
16   systems.

17                   Here to present the committee report is  
18   committee chair John Bouchard of AIG Consultants  
19   Incorporated, Boston, Massachusetts. The committee  
20   report can be found in the blue 2010 annual revised --  
21   revision cycle ROP and ROC.

22                   The certified amending motions are contained in  
23   the motions committee report and behind me on the  
24   screen. We will proceed in the order of the motion  
25   number presented.

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1           Mr. Bouchard.

2           JOHN BOUCHARD: Thank you, Mr. Chairman. A  
3    little error there. I work for a company called Global  
4    Loss Prevention and is also a group of the charters  
5    insurance organization which is a worldwide insurance  
6    organization.

7           I do not have the paperwork for leading into my  
8    presentation of the document for acceptance. I just  
9    noticed that I did not receive that, so I guess I'll  
10   just wing it and indicate that as chairman of the NFPA  
11   25 committee, I would move the adoption of that document  
12   as adjusted in the report on proposals and as further  
13   adjusted by the report on the committee.

14           RALPH GERDES: Thank you.

15           We are going to proceed then with the certified  
16   amending motions. We're going to start with -- well, we  
17   have related motions 25-1, 25-2. Whichever one we go  
18   with, that's going to be the one voted on.

19           JOSH ELVOVE: Mr. Chair, ready?

20           RALPH GERDES: Oh, I'm sorry. Mic 1.

21           JOSH ELVOVE: Thank you, sir. Josh Elvove with  
22   the U.S. General Service Administration. I'd like to  
23   move Comment -- I'm sorry, Motion 25-1 which accepts  
24   Comment 5.

25   (Second.)

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1           RALPH GERDES: Proceed.

2           JOSH ELVOVE: Okay. This motion deletes new  
3 text from 1.131 and A1.131 that was added by ROP 8 and  
4 revised, again, by ROC No. 4. The language specifically  
5 exempts the inspector from verifying the adequacy of the  
6 design.

7           Who is the inspector? Inspectors are not  
8 defined in this standard and the term is not even  
9 currently used in the body of the standard.

10           Is this exception meant only to apply to  
11 someone who can perform visual examination of a system  
12 or portion thereof to verify that it appears to be in  
13 operating condition that has created a physical damage  
14 as defined by NFPA 25? That's the definition for  
15 inspection.

16           Does this, therefore, mean the tester or the  
17 maintainer is responsible for verifying the adequacy of  
18 the system design? I am not sure. This is more than  
19 just being subtle here.

20           At least the language in the ROP that was  
21 initially submitted used the defined term. It used the  
22 term "inspection test and maintenance provider." The  
23 bottom line is that this statement should not get into  
24 who is responsible for what. Codes can do this. The  
25 standard should establish scope.

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1           As an owner, I may want to have the option to  
2     have someone verify the system design. If it's the  
3     inspector, then it's my prerogative. At best, this is  
4     annex material.

5           On the flip side, A 1131 uses prescriptive  
6     language that specifically prevents an owner from  
7     evaluating the adequacy of the design during an ITM.  
8     Please support this motion. Accept Comment 5 as a  
9     standard that's better off without this additional  
10    language.

11           RALPH GERDES: Thank you.

12           Mr. Bouchard, do you have any comments?

13           JOHN BOUCHARD: I'll make a brief comment. I  
14     know that there are several committee members here, and  
15     I'm sure that others will speak to this issue also.

16           I can only point out that this subject was  
17     roundly discussed by the committee at both the ROP stage  
18     and the ROC stage with a great deal of involvement,  
19     commitment, passion, and technical detail of the  
20     committee.

21           And I would then point out that the original  
22     proposal was defeated and, in fact, this particular  
23     comment that the presenter refers to was also defeated  
24     in a 25 to 4 vote, and that's all I have to say at the  
25     moment.

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1           RALPH GERDES: Thank you.

2           And now proceed with discussion on the floor.

3           Microphone 2.

4           TERRY VICTOR: Thank you, Mr. Chairman. My  
5 name is Terry Victor. I'm with SimplexGrinnell  
6 representing (indiscernible) SimplexGrinnell on the NFPA  
7 25 technical committee. I speak in opposition to the  
8 motion.

9           I've been on the NFPA 25 technical committee  
10 since its inception six editions ago. And there's a  
11 statement in the scope of this standard that reads,  
12 "This standard applies to fire protection systems that  
13 have been properly installed in accordance with  
14 generally accepted practices."

15           This new section, 1.1.3.1, was added during the  
16 proposal phase to further clarify that an inspector  
17 and/or an inspection testing and maintenance service is  
18 not required to verify the adequacy of the design and  
19 installation of a system for existing occupancy and  
20 contents.

21           An inspector can't possibly do this. It takes  
22 an engineering evaluation to do this which would include  
23 the knowledge of the installation code in force at the  
24 time the system was designed and installed; any  
25 modifications to that code allowed by the local

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1 authority having jurisdiction; any variances granted by  
2 the authority having jurisdiction at the time of  
3 installation; any changes to the use, occupancy, storage  
4 arrangements, or commodity in that building; any changes  
5 in the building itself.

6 An inspector is not an engineer generally in  
7 this industry. An inspector is a technician and he's  
8 tasked with providing reasonable assurance that the fire  
9 protection system will operate in a fire event. This  
10 motion needs to be rejected and the committee action  
11 upheld. Thank you.

12 RALPH GERDES: Thank you.

13 Microphone 4.

14 RUSSELL LEAVITT: Good afternoon. My -- or  
15 evening probably now, correct? My name is Russell  
16 Leavitt. I'm with Telgian Corporation. I'm on the NFPA  
17 25 technical committee representing the Home Depot as a  
18 user.

19 Before I make my comments, I also want to  
20 indicate that in support of what I'm having here, I have  
21 an additional 16 major corporations and representing  
22 over 14,000 locations and one and a half billion square  
23 feet in support -- or in speaking against this motion.

24 There was a comment made that this actually  
25 takes away from the owner the ability to have the system

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1 evaluated for design. That is not true. All this  
2 original accepted material tried to do was be specific  
3 about what the inspection is all about.

4           There is tremendous misinterpretation in the  
5 industry regarding the scope of the inspection. And as  
6 a result, the owners and users that I represent in  
7 numerous occasions have authorities having jurisdiction  
8 as well as service providers identifying or trying to  
9 quantify the existing design of the -- of this adequacy  
10 of the design of this system. And this is not the  
11 intent of the standard and was not ever contemplated by  
12 the standard.

13           There is language in the owner's responsibility  
14 that if the owner makes changes to the building, the  
15 use, or if water supply changes, they're required to  
16 evaluate those changes in conjunction with the existing  
17 system. But to have an inspector, whether it's an  
18 internal inspector, meaning someone that is working  
19 directly for the owner or a contracted basis, the  
20 qualifications are not there.

21           I have a tremendous amount of experience as  
22 many as you do. If I were to walk in this building and  
23 follow the scope of the inspection, I could not walk out  
24 of here and tell you that the design is adequate.

25           In order to do that, would require an

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1 additional amount of knowledge as well as engineering  
2 and design analysis which the cost of such is not  
3 appropriate to what we're trying to do. We're looking  
4 for a reasonable application of the -- of the standard.

5 I also want to point out that simply that this  
6 follows along with Section 1.1.3 which was adopted in  
7 ROP 8 which says this: "This standard addresses the  
8 operating condition of the fire protection system as  
9 well as impairment handling and reporting and applies to  
10 fire protection systems that have been properly  
11 installed in accordance with generally accepted  
12 practice. It is limited to the operating condition of  
13 the standard, not the design."

14 Again, I emphasize, this is an owners group.  
15 Number of owners that are in support of this language in  
16 the standard to help clarify the intent. Thank you.

17 RALPH GERDES: Thank you.

18 Mic 1.

19 DAVID DE VRIES: Thank you, Mr. Chairman.  
20 David de Vries, Firetech Engineering, speaking in  
21 support of the motion on the floor.

22 If we allow this language to go in, we are  
23 adding confusion to the standard, not clarity. As  
24 Mr. Leavitt pointed out, this is an issue about what the  
25 duties are of an inspector, but this is not the place to



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1 incorporate those requirements.

2           The language that was accepted by the technical  
3 committee in this accepted principle action on Comment  
4 25-4 in essence confuses the relationship between the  
5 owner and the inspector or the service if that's the  
6 nature of the relationship. It says that the inspector  
7 does not do this.

8           Well, what if the owner hires this inspector to  
9 do this? That is -- that is just going to simply result  
10 in confusion and the solution to this is simply to  
11 strike the language entirely, and I urge you to do so by  
12 voting in favor of the motion on the floor.

13           RALPH GERDES: Thank you.

14           Mic 4.

15           RICH RAY: My name is Rich Ray. I'm with Cybor  
16 Fire Protection Company near Chicago, Illinois. I'm a  
17 professional fire protection engineer and also a member  
18 of the NFPA 25 technical committee. I guess to speak  
19 against this motion, I'd like to make a few points.

20           NFPA 25 inspection process cannot be construed  
21 to replace the plan review, the building permittee, and  
22 the commissioning process. The purpose of NFPA 25  
23 inspection is not to try to find the things that were  
24 missed when the buildings were built. That's what this  
25 owner group is looking for the scope to include.

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1           As Terry Victor pointed out, the level of  
2     experience and training of a person who does an  
3     inspection, they're technician's, they're not engineers.  
4     And as everybody sitting in this room who knows anything  
5     about fire suppression, the key is hazard analysis. You  
6     have to know what you're going to try to suppress before  
7     you can start.

8           So for an inspector to be expected to be able  
9     to walk into a building and verify that the system  
10    that's in the building is adequate to put out a fire for  
11    the product that's in the building is well beyond their  
12    level of experience, education, and training.

13           I'd also like to inform the body here that the  
14    NFPA committee voted 25 to 4 against this comment and an  
15    owner would also have the right to verify the adequacy  
16    of his system. We're not saying the owner can't do  
17    that; the owner should do that.

18           If the owner changes occupancy, the standard  
19    requires him to do it. All we're saying is that's not  
20    the job of the inspector. That would be the job of  
21    perhaps an engineer and some people want to call it  
22    engineering evaluations or system analysis. I'm  
23    comfortable doing those. I would certainly not be  
24    comfortable as a business owner having an inspector or a  
25    technician type do that. Thanks.

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1           RALPH GERDES: Thank you.

2           Mic -- we'll continue with Mic 4.

3           DARRELL UNDERWOOD: Darrell Underwood,  
4 Underwood Fire Equipment, and I'm speaking on behalf of  
5 William Shepherd. He votes against the motion and he is  
6 an owner. As I have talked to another owner here, he  
7 would absolutely kick me off the property if I tried to  
8 tell him how to run his company or how to set up his  
9 stock or how to run his conveyers or how to protect  
10 them.

11           The job of the inspector is to inspect what is  
12 there existing. Is it painted, sprinkler head painted?  
13 Does the pump work? Does the control panel work? Do we  
14 have water available? End of comment.

15           RALPH GERDES: Thank you.

16           We'll continue at Mic 4.

17           RUSS LEAVITT: Again, Russ Leavitt, Telgian  
18 Corporations, on the NFPA 25 technical committee  
19 representing the Home Depot and others as I pointed out.

20           I want to be clear about the language that the  
21 specific requirement says this standard does not require  
22 the inspector to verify the adequacy of the system.

23           RALPH GERDES: I want to clarify. You're  
24 speaking for or against the --

25           RUSS LEAVITT: I'm sorry. Against. I

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1 apologize. A lot of passion in there. We -- it does  
2 not -- it's been implied that this would prohibit the  
3 owner from doing this. Contrary, all this is doing is  
4 trying to be very specific about what the inspector in  
5 following the inspection requirements of 25 is not  
6 required to do.

7 I have a number of users and owners who want  
8 this and will do this, but they don't want it mandated  
9 and at times there is confusion by the enforcers who  
10 think this is what is being done or by service  
11 providers, inspectors who because they're not sure,  
12 address these types of issues inappropriately. Thank  
13 you.

14 RALPH GERDES: Thank you.

15 Mic 1.

16 JOSH ELVOVE: Josh Elvove with the U.S. General  
17 Service Administration speaking in favor of the motion.  
18 To Russ' comment about 113, I have no issue with that.  
19 That was a good change. If you notice my comment on ROC  
20 5, it was against 1131 and A1131.

21 Again, I'm on a number of technical committees:  
22 I'm on NFPA 25, I'm on 72, I'm on 101. People who know  
23 me know I'm a stickler with words. You have to put the  
24 right words in the standard, okay? We're putting in a  
25 new term, "inspector." I mean, we all think it's a

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1 generic term, but every term in here gets defined, okay?

2           When you put the term "inspector," you got the  
3 term "inspection," you got the term "testing," you got  
4 the term "maintenance." Those are clear. All of a  
5 sudden you enter a new term and you can already hear  
6 right now the question of: Who's the inspector? I can  
7 be the inspector.

8           It's just a generic term. I'm worried about  
9 this being misconstrued. I didn't have much on an  
10 issue. I mean, I didn't necessarily like what was there  
11 before. I didn't have much of an issue with the  
12 previous language. The previous language said this  
13 standard doesn't require the inspection, testing, and  
14 maintenance service.

15           The difference there, that's a defined term in  
16 NFPA 25. You know what that is. I'm worried about this  
17 being misconstrued. I think the scope speaks for  
18 itself. I think this motion needs to be accepted so we  
19 don't add any new text that's going to make things more  
20 cloudy.

21           We're working with the standard as it is and  
22 we're adding new text. 113 will stand. You accept this  
23 motion, A1131 and 1131 will go away, it doesn't change  
24 where we are today and as the 113 which helps. I think  
25 we're good enough. Please accept the motion.

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1                   RALPH GERDES: Thank you.

2                   Mic 4.

3                   RICHARD RAY: Richard Ray, Cybor Fire  
4 Protection, speaking against the motion. We're playing  
5 with words. The inspector is the person who does the  
6 inspection and understand that the intent of an NFPA 25  
7 inspection as Russ said is to test and inspect the  
8 components that are in place in the building, period,  
9 period.

10                   Not there to say your system's going to  
11 operate, I'm not there to say that yeah, you got the  
12 right head spacing to protect those Group A plastics.  
13 That's above and beyond the scope of an NFPA 25  
14 inspection and the person who does the inspection is the  
15 inspector.

16                   RALPH GERDES: Thank you.

17                   Mic 1.

18                   JIM FELD: Jim Feld, University of California,  
19 speaking in favor of the motion. When I look at this,  
20 if 1131 and its associated annex would just disappear  
21 from this, there would be no change in the document  
22 because in 415 and 416, the owner is required to  
23 evaluate the hazard if there's any change, then he has  
24 to initiate a process to evaluate his system. So the  
25 owner has to do that anyway.

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1           Nowhere from Chapter 5 on sprinklers all the  
2 way through the end of the document is there anything  
3 that says that the contractor, inspector, whatever you  
4 want to call him has to do an evaluation of the system  
5 anyway.

6           So if this went away, there would be no change.  
7 And using the word "adequate," I don't know what  
8 adequate means. Where do you draw the line for  
9 adequacy? So -- and also just to say that the adequacy  
10 of the design and installation is quite ambiguous  
11 because we're talking about the original design or the  
12 current status of this installation now, and there's two  
13 different things there.

14           I don't expect a contractor, inspector to walk  
15 in, look at a hydraulic nameplate and says oh, this is  
16 an ordinary hazard Group 2 and I have to figure out if  
17 it really is. That's not where the document's been  
18 going anyway, so let's just get rid of it. It's  
19 superfluous and I think it just adds to confusion. It's  
20 also in the wrong place. It's in Chapter 1.

21           We tell the contractor what to do in Chapters 5  
22 through the end of the document, so it's even in the  
23 wrong place anyway. It's not going to change anything.  
24 I think the committee can come back in the next cycle.  
25 If we want to do something to massage it, I think that

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1 would be the appropriate time and place. Thank you.

2 RALPH GERDES: Thank you.

3 Mic 4.

4 BOB CAPUTO: Good evening. My name is Bob  
5 Caputo, and I am representing a firm called Fire and  
6 Life Safety America, a service provider providing  
7 inspection, testing, and service -- services for systems  
8 throughout the eastern seaboard and Texas. I'm a  
9 principal member of the 13 committee and the liaison  
10 from the 13 to 25 committee. In a number of states we  
11 operate NISAP (phonetic) certification --

12 RALPH GERDES: Bob, are you speaking for or  
13 against the motion?

14 BOB CAPUTO: I am sorry. I am speaking against  
15 the motion on the floor.

16 RALPH GERDES: Thank you.

17 BOB CAPUTO: We function in a number of states  
18 where NISAP (phonetic) certified inspectors are required  
19 to perform the services. And I assure you that where we  
20 have some 60 such certified individuals, none of those  
21 individuals are qualified to provide this type of an  
22 evaluation in any of the buildings, any of the  
23 facilities, or of any of the systems that we perform  
24 inspection, testing, and maintenance services for.  
25 Absolutely and positively I speak against this motion.



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1 Thank you.

2 RALPH GERDES: Thank you.

3 Mic 5.

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

6 RALPH GERDES: Okay. The question's been  
7 called. All those in favor of calling the question,  
8 please raise your hands.

9 (Raising Hands.)

10 RALPH GERDES: Thank you.

11 Those opposed?

12 (Raising Hands.)

13 RALPH GERDES: That motion passes. We're going  
14 to move on to the motion.

15 The motion is to accept Comment 25-5. All  
16 those in favor, raise your hands.

17 (Raising Hands.)

18 SPEAKER: What?

19 RALPH GERDES: Accept Comment 25-5. All those  
20 in favor, please raise your hands.

21 (Raising Hands.)

22 RALPH GERDES: All those opposed?

23 (Raising Hands.)

24 RALPH GERDES: That motion fails.

25 We're going to move on to 25-3.

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1           Mic 1.

2           DAVID DE VRIES: Mr. Chairman, this is David de  
3 Vries, Firetech Engineering Incorporated, I move -- I  
4 move Comment 25-3.

5           RALPH GERDES: What -- what was that motion?

6           DAVID DE VRIES: Oh, I'm sorry. Accept Comment  
7 25-4. It's certified amending motion 25-3.

8           RALPH GERDES: That motion's in order. Is  
9 there a second?

10   (Second.)

11           RALPH GERDES: Proceed.

12           DAVID DE VRIES: This is basically the same  
13 issue that we just discussed. It's whether we're going  
14 to incorporate that word "inspector" in the language in  
15 1131 or some other language.

16           The language that I proposed in my original  
17 comment was that we just say that the standard does not  
18 require verification of the adequacy of the design as  
19 part of the routine inspection, testing, and maintenance  
20 required by the standard.

21           And if we allow the language that was  
22 ultimately approved by the committee to stand, this will  
23 interfere with and confuse the respective roles of the  
24 owner and the inspection, testing, and maintenance  
25 provider. The owner may want or need evaluation of the

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1 system as required in 4.1.5 and 4.1.6, and it would be  
2 appropriate then to confer with and perhaps retain the  
3 services of a qualified contractor or engineer to do  
4 that.

5 If we incorporate this language in here as it's  
6 written, it will simply result in a confusion about the  
7 roles between the inspection service and the owner. I  
8 urge your support for the motion.

9 RALPH GERDES: Thank you.

10 Mr. Bouchard.

11 JOHN BOUCHARD: I will only comment that much  
12 of the same discussion that you've just listened to, you  
13 will hear now again. It's basically the same issue.  
14 But then I would also turn over to any of the committee  
15 members or anyone that would like to discuss the issue.

16 RALPH GERDES: Thank you.

17 We'll proceed with the floor discussion.

18 Mic 4.

19 RICHARD RAY: Richard Ray, Cybor Fire  
20 Protection, Downers Grove, Illinois, also a member of  
21 the technical committee speaking against the motion.

22 All we did -- the comment that was submitted  
23 was that the standard was not required verification of  
24 the adequacy of a design. All we made it say was that  
25 the standard does not require the inspector to do that

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1 verification, and that's the key to this part.

2           Again, remember what I said a minute ago about  
3 the inspector, about his education and about how an  
4 inspection does not replace the plan review and the  
5 building permitting process and also...

6           RALPH GERDES: Thank you.

7           Mic 5.

8           PETE LARAMAR: My name's Pete Laramar. I'm  
9 with the department of veterans affairs and I speak in  
10 favor of the motion on the floor. I'm a member of this  
11 technical committee.

12           After hearing all this discussion on the  
13 previous comment, I think this is a very nice  
14 compromise. This does say that the standard -- the  
15 inspection, testing, and maintenance of the standard is  
16 not response -- is not -- the adequacy of the design is  
17 not the responsibility of NFPA 25 under inspection,  
18 testing, and maintenance procedures. That's exactly  
19 what they've been asking for in that previous argument.

20           We took out the "Who's responsibility for what"  
21 in this one and just said that the inspection, testing,  
22 and maintenance is not required to verify the adequacy  
23 of the design. This is exactly what we were looking  
24 for. Get ready of the "Who's responsible for what" and  
25 identify what the scope of the standard is all about. I

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1 speak in favor of the motion.

2 RALPH GERDES: Thank you.

3 Mic 4.

4 BILL FESS: Thank you. I'm Bill Fess with  
5 Intertek and I am speaking against this motion. I have  
6 heard several times in discussing this document and  
7 several others where people have said if we do this or  
8 if we don't do that, these things will happen. But if  
9 you analyze most of those statements, they're actually  
10 highly speculative, so let's just be a little bit more  
11 judicious in our language and say that these things may  
12 happen when there really is not certainty at all.

13 RALPH GERDES: Thank you.

14 Mic 1.

15 LOWELL BLACK: Lowell Black with the General  
16 Services Administration speaking in favor. I would just  
17 like to point out again that most of this has little to  
18 do with concept and more to do with nomenclature.

19 Of the 30 several years I've been in the fire  
20 protection business, I have yet to hire a contractor who  
21 has a person on staff called a sprinkler service  
22 inspector. I have, however, hired an awful lot of  
23 sprinkler technicians who are NISAP certified  
24 technician. They're not inspectors.

25 I do have a lot of municipal fire inspectors

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1    come into a facility. I think the terminology here is  
2    totally wrong, and I think perhaps the purpose may be  
3    right but in trying to deal with a purpose, the  
4    nomenclature has been really messed up and I would  
5    support this particular motion so that we can resolve  
6    this and have the committee use the proper terminology.

7           RALPH GERDES: Thank you.

8           Mic 4.

9           JIM FELD: Jim Feld, University of California,  
10   speaking against the motion. When I read the charging  
11   paragraph and its annex, I'm seeing a contradiction here  
12   because in one sentence we say, "The standard does not  
13   require the verification of the adequacy design  
14   installation of the system." And yet in the annex,  
15   we're saying ah, but we have to do it when you get to  
16   415 and 416, so you can't have your cake and eat it, too  
17   with two contradicting statements here.

18           415 and 416 are the requirements for the owner  
19   to evaluate: Hazard, water supply, there's a laundry  
20   list of things that the owner's responsible for. So the  
21   contractor comes in and he doesn't have to worry about  
22   any of this stuff as the previous motion showed.

23           So now we just have to wait for the owner to  
24   come up with things in 415 and 416. That's all it does.  
25   If you accept this motion, then that removes all that



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1           RALPH GERDES: That motion fails. Thank you.  
2           We're going to move on to motion sequence 25-4.  
3           Mic 1.

4           JOSH ELVOVE: Thank you. Mr. Chair. Josh  
5 Elvove with the U.S. General Service Administration,  
6 also a member of the NFPA 1025 technical committee  
7 meeting. I'd like to move 25-4 which accepts Comment  
8 11.

9   (Second.)

10          RALPH GERDES: We've got a motion to accept  
11 Comment 25-11. We've got a second.  
12          Proceed.

13          JOSH ELVOVE: This motion pertains to the new  
14 definition of "deficiency" which was revised by Proposal  
15 19 and then further revised by Comment 11. The proposed  
16 new definition is flawed and my motion returns the  
17 definition back to the current text of the 2008 edition.

18          The new definition defines "deficiency" as a  
19 condition in which a system or portion thereof is  
20 damaged, inoperable, or in need of service but does not  
21 rise to the level of an impairment. So an inoperable  
22 system can be a deficiency. Many would think an  
23 inoperable system would be considered an impairment.  
24 There we have a direct conflict.

25          In addition, the text as revised during the



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1 ROC introduced two new completely subdefinitions for  
2 critical and noncritical deficiencies that have not yet  
3 been vetted by the membership. They were just  
4 introduced in the ROC.

5           Moreover, these two new definitions which are  
6 introduced aren't even used in the body of the standard  
7 so why are they needed? So for those reasons, I ask you  
8 to approve this motion and return the definition to the  
9 current edition.

10           RALPH GERDES: Thank you. Now, before I ask  
11 the committee chair for his comments, I want to inform  
12 the membership that the next motion also proposes a  
13 definition for deficiency, so I anticipate in this floor  
14 discussion you may be going between both the motions.  
15 Please take that under consideration.

16           Mr. Bouchard, do you have any comments?

17           JOHN BOUCHARD: Again, the committee spent  
18 quite a bit of time at both the ROP stage and at the ROC  
19 stage debating and discussing the term "deficiency" and  
20 I would like to just point out that the ballots,  
21 although a little closer this time, but was 26 to 6 in  
22 defeating the comment.

23           RALPH GERDES: Thank you.

24           We're going to proceed with floor discussion.

25           I'm going to got to Mic 5.

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1           MARCELO HIRSCHLER: Marcelo Hirschler, GBH  
2 International, speaking for the glossary committee and I  
3 am the proponent of the next NITMAM, and I definitely, I  
4 prefer the definition that we've put forward with the  
5 glossary committee. However, if this definition were to  
6 pass --

7           RALPH GERDES: Marcelo, are you speaking for or  
8 against the motion?

9           MARCELO HIRSCHLER: Speaking for the motion.

10          RALPH GERDES: Thank you.

11          MARCELO HIRSCHLER: Excuse me, I thought I said  
12 that. I apologize. Sorry. Again, I would prefer that  
13 we move to 25-5, and I think even Josh would have  
14 preferred that. Unfortunately, the order in which  
15 things came is the order in which they come. So if this  
16 motion passes, I'll -- I'll leave it at that.

17                 The problem is that the existing definition of  
18 "deficiency" that the committee proposed makes no sense  
19 because what we're talking about is something that can  
20 be inoperable and yet not necessarily result in system  
21 impairment. Makes no sense. It's just technically  
22 incorrect and needs to be deleted.

23                 I hope that you will go with my -- with mine in  
24 the next motion, but whichever you choose to do, we need  
25 to get rid of the definition that the committee put

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1 forward this cycle because it is technically incorrect.

2 Thank you.

3 RALPH GERDES: Thank you.

4 And we will go to Mic 2.

5 KEN ISMAN: Thank you. Ken Isman with the  
6 National Fire Sprinkler Association and I'm against the  
7 motion on the floor. I'm also going to ask for a ruling  
8 from the chair so we can understand exactly what the  
9 effect of the motion is.

10 We had testimony from the proponent of the  
11 motion that this is somehow going to affect Comment  
12 25-12 and the two definitions for different kinds of  
13 deficiencies that are in Comment 25-12 and that's not my  
14 understanding of how this motion is going to work, so  
15 I'd like some clarification that if this motion passes,  
16 is that also going to send back the definition for  
17 "critical deficiency" and "noncritical deficiency" in  
18 Comment 25-12?

19 RALPH GERDES: Okay. Acceptance of this  
20 comment is not going to effect Comment 25-12, but there  
21 may be a follow-up motion regarding those definitions.

22 KEN ISMAN: Okay. Thank you, Mr. Chair. So we  
23 still stand in opposition to the motion. The definition  
24 of "deficiency" that this motion would bring into NFPA  
25 25 or bring back to NFPA 25 comes from a completely

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1 different document.

2           It comes from our 1000 series of standards that  
3 has to do with professional qualifications, and it's a  
4 little bit different than the way NFPA 25 really wants  
5 to use the concept of a deficiency.

6           In this case, if you bring the language into  
7 NFPA 25 or you keep it in 25 where it's been  
8 inappropriately used in the past, we'll end up having to  
9 evaluate every component and its designed limitations or  
10 specifications.

11           Do we have the design specifications for every  
12 component of a sprinkler system when we go out there and  
13 do our inspections and tests? The answer is no. That's  
14 not the intent of NFPA 25. We don't want to go out  
15 there and evaluate something and see whether it's in  
16 its designed limitations or specifications. We're out  
17 there to see if it's still functioning the way it's  
18 supposed to function.

19           RALPH GERDES: Thank you.

20           Mic 4.

21           RUSS LEAVITT: Russ Leavitt, Telgian  
22 Corporation, member of the committee speaking against.  
23 I'm speaking against principally because the proponent  
24 brought in the definitions of "critical and noncritical  
25 deficiencies."

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1           I was chair of the task group that was  
2 appointed at the end of the ROP process at the request  
3 of the committee chair and the committee to address  
4 these specific challenges that are present right now in  
5 real world situations where we have no guidance  
6 concerning deficiency. There was literally -- we've  
7 literally seen very punitive application because the  
8 standard basically treats all deficiencies the same.

9           We have documented instances in states where  
10 tagging and system rating is being applied where  
11 buildings have been declared unoccupiable [sic] and the  
12 building shut down because of missing signs which is not  
13 the intent. And so the committee felt strongly, the  
14 task group was appointed to be very clear about not only  
15 deficiency, the definition of deficiency, but also  
16 giving some guidance concerning that all deficiencies  
17 are not created equally.

18           And that -- and gentlemen and ladies, that is  
19 really, really needed particularly in the environment  
20 where we work and operate now where we have a number of  
21 states that are requiring mandatory reporting, mandatory  
22 rating, and mandatory correction of deficiencies. The  
23 guidance is needed. Thank you.

24           RALPH GERDES: Thank you.

25           Mic 1.

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1           JOSH ELVOVE: Josh Elvove with the U.S. General  
2 Service Administration speaking in favor of the motion.  
3 In response to Mr. Isman's comment, he submitted Comment  
4 25-9 which I find very interesting. He basically  
5 restated in his comment the existing definition of  
6 "deficiency" but added the words "but does not rise to  
7 level of impairment." That would have worked, but that  
8 got changed to what we have now, so, you know, sorry  
9 that No. 9 didn't go through, but we're not debating  
10 that right now.

11           And then just for the record, I don't know if I  
12 would (indiscernible) I didn't raise 25-12. I guess  
13 that was in the comment. I didn't speak to that point.  
14 Regarding the 25 119, the critical versus noncritical.

15           Conceptually I have no issue with that. I  
16 mean, if there's a need to define between critical and  
17 noncritical, so be it, and I commend the task group  
18 effort that Russ Leavitt shared.

19           The problem is if you go to your ROC, to page  
20 2534, you will find 13 pages of tables, 13 pages of  
21 information that is pretty darn new that was given to  
22 our committee. The committee was supposed to evaluate  
23 this about a week before.

24           Now, I know we're supposed to be diligent NFPA  
25 committee members, but I got to tell you, I was at the

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1 committee meeting. We didn't spend a lot of time going  
2 through these 13 pages of stuff that are now thrust upon  
3 you and that are in Annex E that are basically the  
4 backbone of this critical and noncritical deficiency  
5 debate.

6           This is the only time we're talking about  
7 critical and noncritical that's right here in Annex E  
8 which is a nice list if it was correct.

9           Now, 13 pages, you want to spend some time  
10 going through it or should I save you some time? I've  
11 gone through some of these things and if you accept --  
12 if you deny this motion and then this remains, you're  
13 going to accept an annex that's got flawed material as  
14 guidance out there for our inspections to go by.

15           Let me start. On 2535, it shows that paper  
16 bags used to protect against paint overspray is an  
17 impairment. Paper bags is okay. That was just NFPA 13.  
18 That was changed recently to NFPA 25. That's okay. It  
19 says that it's not okay. It says that's an impairment.  
20 That's a flaw.

21           On page 2534, it says a spray pattern that is  
22 obstructed by ducks, decks, or overhead doors over 4  
23 feet wide is listed as a noncritical deficiency. Oh,  
24 wait a minute here. Why we getting involved with the  
25 design issues all of a sudden? That's not even touching

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1 NFPA 25. That's two. You got time? Go through the  
2 stuff.

3 It's -- I commend the committee. I commend the  
4 task group. It's a wonderful job. If you accept this  
5 definition, you get Annex E because you have to get  
6 Annex E because if you don't get Annex E, there's no  
7 reason for the words "critical," "noncritical," so you  
8 get everything as a package. Keep that in mind and  
9 please support the motion.

10 RALPH GERDES: Thank you.

11 I'm going to go to Mic 4.

12 RUSS FLEMING: Thank you, Mr. Chairman.

13 Mr. Russ Fleming, National Fire Sprinkler Association  
14 speaking against the motion. I'm a member of the NFPA  
15 25 committee. I'm speaking against the motion. I  
16 mainly wanted to address Mr. Hirschler's comments about  
17 the lack of the standardized definition.

18 And I understand that his heart is in the right  
19 place, but the fact is if you go back to the original  
20 proposal in this item which is 25-19, you'll see the  
21 paper trail that the committee deliberately chose to  
22 disassociate itself from the standardized definition and  
23 did so with the guidance from the staff liaison by using  
24 the terms "for the purposes of inspection, testing, and  
25 maintenance" and went on with their definition.



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1           And they did so because, as Mr. Isman pointed  
2 out, the standardized definition includes the design  
3 side of things which based on our earlier discussion is  
4 clearly not intended to be covered within NFPA 25.

5           I'd also like to make one more comment which is  
6 with regard to the word "inoperable" and whether that's  
7 automatically an impairment of two speakers that said  
8 that's a problem. But if you'll notice, this definition  
9 talks about system or portion system being inoperable.

10           And referring to those tables that Mr. Elvove  
11 referred to, for example, if you have an inoperable  
12 alarm, that does not rise to a level of an impairment.  
13 It's a serious deficiency with the system, but it  
14 doesn't mean your system itself will not respond to the  
15 fire, so I urge you to vote against this motion.

16           RALPH GERDES: Thank you.

17           Mic 2.

18           MARCELO HIRSCHLER: Marcelo Hirschler, GBH  
19 International, against the motion. I know I spoke for  
20 the motion before. My point is that what we need is to  
21 get rid of this definition, and I think the last speaker  
22 just made my point.

23           If it is inoperable, it is deficient in some  
24 way and yet according to the definition we're putting in  
25 now, if either this motion or the next motion doesn't

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1 pass, it can be inoperable and not deficient. That's  
2 ridiculous.

3 So criticism has been raised by the committee  
4 to the original definition. Fine. Let's get rid of the  
5 original definition, vote this down, then support 25-13  
6 because that's a generic definition which then has the  
7 annex item that depending on the nature of significance  
8 of the deficiency, it may result in system impairment.

9 So 25 -- Comment 25-13 does exactly what  
10 everyone is asking for, so if you defeat this -- but the  
11 key thing is that we need to get rid of the definition  
12 that the committee put forward which is wrong.

13 RALPH GERDES: Thank you.

14 Mic 4.

15 RUSS LEAVITT: Russ Leavitt, Telgian  
16 Corporation, speaking against the motion. We heard  
17 about the 13 pages and yes, there is a lot there, but I  
18 want to make sure that you understand why the technical  
19 committee and the task group on the task group  
20 recommendation put this as an annex and we it in Annex E  
21 with this note that says, "This annex is not a part of  
22 the requirement of this NFPA document, but is included  
23 for informational purposes only."

24 And it goes on to say that it is providing some  
25 examples, and the table is not all inclusive, but it is

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1 included in this annex to provide some guidance in  
2 responding to needed corrections or repairs.

3           The table does not take into account the nature  
4 of the hazard or the life safety exposure of the  
5 occupancy and should be used with good judgment. The  
6 feeling of the technical committee was that we needed to  
7 get this out there so that we could get some feedback,  
8 okay, and those who are -- we've already had some  
9 feedback and we will not get this feedback if we don't  
10 have something out there. Let's put in the annex with  
11 specific language that is not intended and it is not a  
12 part of the standard.

13           RALPH GERDES: Thank you.

14           Mic 2.

15           ART BLACK: Mr. Chair, Art Black, Carmel Fire  
16 Protection. As fascinating as all this is, I'm going to  
17 call the question.

18           RALPH GERDES: There's a call for the question.  
19 Is there a second?

20   (Second.)

21           RALPH GERDES: We have a second. We are going  
22 to proceed with the vote on calling the question. All  
23 those in favor, raise your hands.

24   (Raising Hands.)

25           RALPH GERDES: All those opposed?

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1 (Raising Hands.)

2 RALPH GERDES: That motion carries.

3 We're going to go to the motion to accept  
4 Comment 25-11. All those in favor of accepting that  
5 comment, please raise your hands.

6 (Raising Hands.)

7 RALPH GERDES: Thank you.

8 Those opposed?

9 (Raising Hands.)

10 RALPH GERDES: That motion fails.

11 We're going to take a stretch break. Give  
12 everybody a chance to just stand up and stretch for a  
13 minute or two.

14 (A short recess was taken.)

15 RALPH GERDES: We're going to move on with  
16 motion sequence 25-5.

17 Mic 5.

18 MARCELO HIRSCHLER: Marcelo Hirschler, GBH  
19 International, speaking for the glossary of terms,  
20 technical advisory committee, and I move to accept  
21 Comment 25-13.

22 RALPH GERDES: Is there a second?

23 (Second.)

24 RALPH GERDES: Proceed.

25 MARCELO HIRSCHLER: I don't want to go through

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1 the whole discussion we just had before the break  
2 because it's the same issue. The real -- again, what we  
3 have is the definition that the committee put forward is  
4 flawed, doesn't work technically. We -- the assembly  
5 didn't like the 12 definitions -- the old definition was  
6 pointed out by several members of the committee that the  
7 old definition caused some problems.

8 This definition is general enough that it  
9 doesn't cause any problems. It leads you in the right  
10 direction, and it includes the annex note that is the  
11 key issue that the committee wanted, which depending on  
12 the nature and significance of the deficiency, it may  
13 result in a system impairment.

14 Please support this motion and get -- eliminate  
15 a tech -- incorrect definition. Thank you.

16 RALPH GERDES: Thank you.

17 Mr. Bouchard, do you have any comments.

18 JOHN BOUCHARD: Only to say that the arguments  
19 and discussion that we've listened to the previous  
20 proposal is also congruent to this proposal, and you  
21 would hear the same arguments. However, I see a  
22 committee member waiting to address, so I will then  
23 release the floor to him.

24 RALPH GERDES: Thank you. We can go to floor  
25 discussion.

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1           Mic 4.

2           RUSS FLEMING: Yes. Thank you. Russ Fleming,  
3 National Fire Sprinkler Association, a member of the  
4 NFPA 25 committee speaking against the motion. I'm  
5 sorry to be up here. I thought we were lumping that  
6 last -- this motion in with the last one, but we have to  
7 discuss it again.

8           Just to make it very clear, the revised  
9 definition of "deficiency" is intentional on the part of  
10 the committee and deliberately the parts from  
11 Mr. Hirschler's standard glossary.

12           Well, if you have the salmon sheets, look at  
13 what would happen if we accept this motion on the floor.  
14 The wording of deficiency would be, "A condition in  
15 which a system or component is not suitable for  
16 performing its function because either, A, a device is  
17 not being used within its design limits or  
18 specifications, or 2, the device is damaged, inoperable,  
19 or in need of service."

20           So the preferred definition has those two parts  
21 and based on all the discussions on 113 that we had  
22 earlier, everyone agrees that this whole check of design  
23 is not intended to be part of NFPA 25. That's why the  
24 NFPA 25 definition that's moving forward is only half of  
25 the preferred definition. They've taken out the part

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1 about checking it to see whether it's in line with its  
2 design specifications and left the part about damaged,  
3 inoperable, or in need of service.

4 So they did it the right way. They said we're  
5 departing from the standard definition for this reason,  
6 and we should accept the work of the committee and  
7 reject this motion.

8 RALPH GERDES: Thank you.

9 Mic 5.

10 MARCELO HIRSCHLER: Marcelo Hirschler, GBH  
11 International, for the glossary committee, and I just  
12 want to clarify one thing that was just said. It is not  
13 my glossary of terms, it's the NFPA glossary of terms.  
14 I don't own it; NFPA owns it.

15 RALPH GERDES: Thank you.

16 Mic 4.

17 GEORGE STANLEY: My name is George Stanley with  
18 Wiginton Fire Systems speaking in opposition of the  
19 motion.

20 We're a contractor based in Florida. Florida  
21 has adopted or implemented a tagging system which I  
22 understand there's 12 other states that have implemented  
23 this. These definitions, particularly the critical and  
24 noncritical deficiencies, are very important to our  
25 inspectors. Help give them guidance before they put

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1 that tag on a system.

2 And the other point I wanted to make is that  
3 the tables that were referred to earlier and Russ  
4 referred to it is in Annex E and it is just suggestive,  
5 it's not a requirement so I urge you to vote against  
6 this. Thank you.

7 RALPH GERDES: Thank you.

8 Mic 1.

9 JOSH ELVOVE: Josh Elvove of the U.S. General  
10 Service Administration speaking in favor of the motion.

11 Sit down, Art. We have another chance to  
12 debate this.

13 Basically, I'm going to get into Annex E one  
14 more time. I don't care what you say about Annex A, B,  
15 C, D, E. It goes in the body of -- it goes in the  
16 standard. Regardless of what you call it, someone's  
17 going to want to use it, okay?

18 Define "critical deficiencies" and "noncritical  
19 deficiencies." There's nothing in the standard -- in  
20 the body of the standard that talks about it. So where  
21 do you go? You go over to A 414 which sends you to  
22 Annex E 'cause you want to learn what is this critical  
23 stuff and you go to this annex and now you use it. What  
24 are you going to do with it? Not use it? Of course you  
25 are. And it's got problems. I mean, you go again.



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1           There's -- item on a sprinkler cabinet, on a  
2 steam pipe cabinet, if it's corroded, damaged, or not  
3 easy to open, that's a critical deficiency. This hasn't  
4 been vetting.

5           You're accepting this definition and you're  
6 accepting these 13 pages without even looking at this,  
7 and people aren't going to use this in your red tag  
8 program or whatever you want to call it, you're going to  
9 use it. Do you want to send something out to the public  
10 that's not been vetted that's got some flaws?

11           I urge you to accept the motion to accept  
12 Marcelo's definition. It's what we've been using, the  
13 definition for 2008. We've had that definition. Was  
14 that a problem? We had that definition. This does  
15 cause -- this may cause a problem. Thank you.

16           RALPH GERDES: Thank you.

17           Mic 5.

18           PETE LARAMAR: Pete Laramar with the Department  
19 of Veteran Affairs speaking in favor of the motion. I  
20 just wanted to point out that the term "deficiency"  
21 actually was used in the standard before and it was  
22 actually under the design chapter in Chapter 4, so now  
23 that they've changed the "deficiency" definition, there  
24 is no definition for the deficiency under Chapter 4  
25 that's there.

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1           So what they've done is they said okay, we'll  
2 define the deficiency for the inspector for what he  
3 does, but now the deficiency under Chapter 4 that  
4 addresses that type of work that covered that design  
5 part is no longer defined. The definition worked for  
6 that before.

7           So in their exuberance to eliminate and just  
8 address the inspection, testing, and maintenance,  
9 they've now taken deficiency away from that design issue  
10 in Chapter 4.

11           RALPH GERDES: Thank you.

12           Mic 4.

13           RUSS LEAVITT: Russ Leavitt, Telgian  
14 Corporation, speaking against the motion. I just want  
15 to point out again, I know what Josh said that it's  
16 going to get used, that's not true. And the annex,  
17 regardless of the standard, always has those changes. I  
18 can take you to the annex in NFPA 13 which we've had for  
19 years and in the annex it says, "A hospital is light  
20 hazard. "A hospital is not light hazard." A part of a  
21 hospital is light hazard possibly.

22           The fact is what we say there, it's a  
23 guideline, it has to be used with judgment. There may  
24 be some mistake. We've got to get something out there  
25 to give some guidance. We know there's flaws, but don't

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1     throw the baby out with the bathwater. Please vote  
2     against this motion. Thank you.

3             RALPH GERDES: Thank you.

4             We'll continue at Mic 4.

5             RICH RAY: Rich Ray, Cyborg Fire Protection,  
6     speaking against the motion. No offense to Marcelo, I  
7     know he means well, his definition of deficiency, we  
8     can't accept it. It goes back to the part of the  
9     definition. The device is not being used within it's  
10    designed limits or specifications.

11            I walk into a building I didn't install the  
12    system, do I have the design specifications for every  
13    part of the building? They don't exist. I'm going to  
14    turn to an owner, demand them 'cause now the standard  
15    requires, and I'm going to put an undue burden on every  
16    owner in this room.

17            RALPH GERDES: Thank you.

18            Seeking no further discussion, I'm going to ask  
19    the chair for any final comments.

20            JOHN BOUCHARD: No, not at this time I don't.

21            RALPH GERDES: Okay. With that, we're going to  
22    proceed to the vote. The motion is to accept Comment  
23    25-13. All those in favor, please raise your hand.

24                           (Raising Hands.)

25            RALPH GERDES: Those opposed.

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1 (Raising Hands.)

2 RALPH GERDES: That motion fails.

3 We're going to move on to motion sequence 25-6.

4 Mic 1.

5 DAVID DE VRIES: Mr. Chairman, David de Vries,  
6 Firetech Engineering Incorporated speaking for myself.

7 I move acceptance of Comment 25-17.

8 RALPH GERDES: Is there a second? Did I hear a  
9 second?

10 (Second.)

11 RALPH GERDES: Thank you.

12 Proceed.

13 DAVID DE VRIES: This comment revolves around  
14 what was intended to be a simple editorial change in  
15 Proposal 25-38. The discussion at the meeting, the ROP  
16 meeting, was that in the interest of conformance with  
17 the manual of style, a list of examples should be  
18 incorporated into the annex and that the body of the  
19 standard should refer to a generic term that covers that  
20 list of examples.

21 But in the exuberance of the committee to  
22 comply with the manual of style, they did throw out the  
23 baby with the bathwater. What they did was they  
24 eliminated the reference to written document that  
25 establishes the transfer of authority for inspecting,

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1 testing, and maintaining the fire protection system and  
2 left that vague and nonspecific, basically  
3 unenforceable.

4           And we had this language essentially like this,  
5 perhaps this exact language, for 16 years in the  
6 standard. It worked well. I agree with the intent of  
7 complying with the manual of style, move the examples to  
8 the annex, but simply retain the phrase "written  
9 agreement" so that we don't end up in a situation where  
10 the owner says I told the tenant to take care of the  
11 sprinkler system, and the tenant says he never told me  
12 to take care of the sprinkler system.

13           Well, when the sprinkler system failed to  
14 operate correctly because nobody was doing the required  
15 inspection, testing, and maintenance, that's what's  
16 going to happen. We're going to end up with a  
17 he-said-she-said situation and it will result in a lower  
18 level of reliability for our water based systems.

19           Finally, there was no justification -- no  
20 substantive justification in the committee action for a  
21 removal of the existing language, the reference to  
22 "written agreement." I urge your support for this  
23 motion. Thank you.

24           RALPH GERDES: Thank you.

25           Mr. Bouchard.

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1           JOHN BOUCHARD: I will comment that the  
2 proposal that this commenter refers to was accepted in a  
3 vote of 29 to 0. The action of the committee to reject  
4 the comment to that proposal was rejected 29 to 0.

5           You're listening to a lot of argument that the  
6 committee has spent untold hours and discussion in  
7 consideration. And to -- I don't want anyone in this  
8 room to think that for a moment that this and these  
9 subjects are something that the committee moved through  
10 quickly just to move on.

11           I've been on the committee since its inception,  
12 in fact, some 18 years ago, and the committee -- this  
13 committee is very passionate and very concerned and is  
14 very supportive of their document.

15           And the discussion that went on at the  
16 committee meetings with regards to all of these subjects  
17 was deep and it was committed and nothing was taken  
18 lightly, and I just wanted to point that out that this  
19 particular comment was soundly defeated.

20           RALPH GERDES: Thank you.

21           With that, we'll proceed to floor discussion.

22           Mic 4.

23           RICHARD RAY: Hi. Richard Ray, Cybor Fire  
24 Protection, speaking against the motion. What we're  
25 talking about here is the fact that NFPA says that an

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1 owner of a building is required to be responsible for  
2 the inspection and testing and maintenance of his fire  
3 sprinkler system. And then NFPA 25 says if he wants to  
4 enter into some agreement and pass that on to some other  
5 party, he can do it. I'm all for that.

6 Understand and please hear what the committee's  
7 statement was in soundly rejecting this. There were 30  
8 people to vote. 29 of them voted against it. The last  
9 ballot wasn't returned. But our committee statement  
10 was, and it's always the owner's prerogative to convey  
11 the responsibility of inspection, testing, and  
12 maintenance to a designated rep.

13 How does this formalize? It's up to the owner.  
14 The last thing we need to be doing here is telling  
15 owners what their contractual language should be with  
16 their subcontractors. I would think every owner in this  
17 room would support...

18 RALPH GERDES: Thank you.

19 Mic 1.

20 DAVID DE VRIES: David de Vries, Firetech  
21 Engineering Incorporated, speaking in favor of the  
22 motion.

23 In the many committee discussions of NFPA 25,  
24 the overall sense of the committee and the discussion  
25 has always been how do we improve the reliability of

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1   sprinkler systems and other water based extinguishing  
2   systems through an effective inspection, testing, and  
3   maintenance program?

4           By allowing this to be in whatever form the  
5   owner chooses or neglects to incorporate into his  
6   agreement, we reduce the effectiveness of the ITNM  
7   program, we reduce the reliability sprinkler systems,  
8   and again, I point out that that word "written" has been  
9   in there for 16 years, since the 1994 edition.

10           It ought to stay in there. It's not justified.  
11   If we're justified to remove that term, then why wasn't  
12   it removed in the other three editions of this standard?  
13   Thank you.

14           RALPH GERDES: Thank you.

15           Mic 4.

16           JOHN CAMPBELL: John Campbell, Telgian  
17   Corporation. I'd like to call for the question.

18                           (Second.)

19           RALPH GERDES: Okay. We've got a call for the  
20   question. All those in favor, please raise your hands.

21                           (Raising Hands.)

22           RALPH GERDES: Thank you.

23           Those opposed?

24                           (Raising Hands.)

25           RALPH GERDES: That motion carries.



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1           We are going to move on to the motion to accept  
2 Comment 25-17. All those in favor, please raise your  
3 hands.

4                                 (Raising Hands.)

5           RALPH GERDES: Thank you.

6           Those opposed?

7                                 (Raising Hands.)

8           RALPH GERDES: Thank you. That motion fails.

9           Moving on to motion sequence 25-7.

10          Mic 1.

11          JOSH ELVOVE: Josh Elvove with the U.S. General

12 Service Administration speaking in favor of 25-7

13 (indiscernible) Comment 25-14.

14                                 (Second.)

15          RALPH GERDES: We have a second.

16          Proceed.

17          ART BLACK: Point of order 25-24?

18          JOSH ELVOVE: 25-24. Thank you. Thank you.

19          I better talk quickly before someone calls the

20 question.

21          RALPH GERDES: I do have a second so you can

22 proceed.

23          JOSH ELVOVE: Thank you. That may be all I

24 get. This may sound like heresy, but this motion

25 removes Section 415 and 416 from NFPA 25. These

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1 sections require an owner to address changes in  
2 occupancy, hazard use, and materials and processes.

3           These two sections should have never been  
4 inserted into the standard in the first place, and  
5 hazard evaluations do not belong in an ITM document.

6           Moreover, NFPA 25 has no provisions for  
7 ensuring the adequacy of design. When this comment was  
8 rejected, the committee stated, "Verifications of this  
9 section are within the scope of the document." I  
10 challenge anyone to find where this is stated.

11           If you look at pages 1, 2, and 5 in the  
12 standard, you will note that this is not addressed or  
13 implied in either the preamble on the origin,  
14 development of the standard, the technical committee  
15 scope, or the document scope. This committee has been  
16 and continues to overstep its bounds.

17           Now, as an owner, do I want this stuff?  
18 Absolutely. But does it belong in the standard that was  
19 not scoped out properly? Absolutely not. Because of  
20 that, I urge you to accept this motion and remove those  
21 sections that should never be there and why should NFPA  
22 25 be there for all the other standards that have  
23 similar types of issues? Thank you.

24           RALPH GERDES: Thank you.

25           Mr. Bouchard.

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1           JOHN BOUCHARD: As I've indicated, I have been  
2 on the committee since its inception and have been  
3 heavily involved with NFPA 13 and 13A, the predecessor  
4 to the sprinkler portion at least of NFPA 25, and there  
5 has always been the discussion and the concept has  
6 always been included that the owner has certain  
7 responsibilities and that has been there from the  
8 beginning.

9           In the discussion that we're about to hear,  
10 understand that we're not asking for the owner to do a  
11 lot, but he needs to understand that if the building has  
12 changed or the occupancy has changed, that it's  
13 incumbent upon the owner to verify that the building is  
14 still safe. In other words, that the system now is  
15 adequate for whatever change has been made and that is  
16 what the Sections 415 and 416 speak to.

17           RALPH GERDES: Thank you.

18           We are going to go to Mic 4.

19           RUSS FLEMING: Russ Fleming, National Fire  
20 Sprinkler Association, speaking against the motion on  
21 the floor. Almost hesitate to bring up maybe an  
22 inconsistency in the NFPA definitions, but there is a  
23 relevant one here that argues against Mr. Elvove's claim  
24 that this is a scope issue.

25           This committee has given authority for

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1 inspection, testing, and maintenance of water based  
2 systems and how they define the scope of their document  
3 is generally left to them.

4           But in the greater picture of what an  
5 inspection means, it should be recognized that there are  
6 two definitions floating through the NFPA system. If  
7 you look at the definition of the word "inspect," the  
8 preferred definition come from NFPA 1915, and it goes  
9 beyond the use of the word "inspection" in NFPA 25  
10 because the preferred definition of "inspect" actually  
11 includes a comparison with the established standards.  
12 So it gets into that area that NFPA 25 doesn't want to  
13 be the area of responsibility of a typical system  
14 inspector.

15           Now, NFPA 25 also uses a preferred definition,  
16 but they're careful to use a definition of the term  
17 "inspection" because that definition finds its relevance  
18 in the base document of NFPA 820 and this definition  
19 used in 820 and also in NFPA 25 and also in NFPA 12 and  
20 NFPA 17, and that's a definition that doesn't include a  
21 comparison with design standards.

22           So the way the NFPA 25 committee has tried to  
23 approach this is to take that aspect, comparison with  
24 the established design standards, and make it part of  
25 what they term a "hazard evaluation" and put it in these

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1 sections, 415 and 416. But, in fact, the committee  
2 itself could write a separate document if it wanted to  
3 on this concept of hazard evaluation. This is the way  
4 it's chosen to deal with it.

5 But I'm simply saying that Mr. Elvove is  
6 incorrect and it's within the scope of the committee as  
7 assigned by the standards council and this is simply the  
8 way it's chosen to deal with the issue so I urge you to  
9 vote against this motion.

10 RALPH GERDES: Thank you.

11 We'll continue at Mic 4.

12 RUSS LEAVITT: Russ Leavitt, Telgian  
13 Corporation, and member of the NFPA 25 committee. I  
14 just want to say one thing that's key here. Number 1,  
15 don't forget the fact that there's triggers, and the  
16 triggers are if you change the use of this room or you  
17 change the room itself. You have to -- the owner has to  
18 get somebody that's qualified to evaluate the system.

19 RALPH GERDES: I want to clarify, you're for or  
20 against --

21 RUSS LEAVITT: I'm sorry. I'm against,  
22 Mr. Chairman. And if you don't say it here, where do we  
23 say it?

24 RALPH GERDES: Thank you.

25 Mic 1.

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1           JOSH ELVOVE: Josh Elvove with the U.S. General  
2 Service Administration. I knew this would -- speaking  
3 in favor of the motion. I knew this would be heresy.

4           If Russ is correct regarding the committee  
5 scope, I'd like to see that actually headed forth to our  
6 committee by the standards council.

7           I'm reading this committee scope. I've read  
8 this scope a number of times. I don't see anywhere  
9 where that's part of it. I look at other documents that  
10 have similar issues where there could be hazard  
11 evaluations required, and nowhere do you see the  
12 extensive issues of NFPA 25 language written in those  
13 types of documents.

14           We were just looking at 96 and the word "owner"  
15 shows up three times. Once so they can receive a report  
16 and another one you say basically that the responsible  
17 ITM belongs with the owner. Yeah. We're not going to  
18 argue with that. It's these other things that are going  
19 on.

20           I really question that this is actually in the  
21 scope of the document, and this was one that I think  
22 needs to go further. Thank you.

23           RALPH GERDES: Thank you.

24           Seeing no further discussion on the floor,  
25 Mr. Bouchard, do you have any final comments?

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1           JOHN BOUCHARD: No. I am all set.

2           RALPH GERDES: Thank you. We're going to  
3 proceed with the vote. The motion is to accept Comment  
4 25-24. All those in favor, please raise your hands.

5                           (Raising Hands.)

6           RALPH GERDES: Thank you.  
7 Those opposed, raise your hands.

8                           (Raising Hands.)

9           RALPH GERDES: That motion fails. Thank you.  
10 We're moving on to motion sequence 25-8.  
11 Mic 1.

12           JOSH ELVOVE: Josh Elvove with the U.S. General  
13 Service Administration speaking in favor of 25-8 which  
14 is to reject Comment 21.

15           RALPH GERDES: Do I have a second.

16                           (Second.)

17           RALPH GERDES: Proceed.

18           JOSH ELVOVE: If you accept this comment,  
19 you'll delete the proposed new text for 40151.  
20 Basically, I don't know what that means. It says, "The  
21 new text states that the evaluation is not part of  
22 normal ITM." I know we've beat this one to death. I  
23 know where the assembly stands, but uses the term "is."  
24 That's not appropriate language. I'm not trying to be  
25 Bill Clinton.

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1           Basically, at the NFPA 25 session yesterday --  
2 was it this morning? Geez. Jim gave a presentation and  
3 he showed the same item and it said, "Shall not be part  
4 of normal ITM." I'm wondering whether this will be an  
5 editorial correction. Is that the license that they're  
6 taking? Is it going to say the evaluation is not part  
7 of a normal ITM or it shall not be part of a normal ITM?

8           And I'll tell you what, if it said  
9 (indiscernible) I probably wouldn't have gotten up here  
10 and made a big deal out of it. But shall not be a part  
11 of a normal (indiscernible) you've actually declared it  
12 clearly right there. You don't do it.

13           Whereas before I think we talked about this,  
14 there was an option involved. Now if it does say "shall  
15 not be," you can't do it. So I guess the point of  
16 order, the question is: What is it going to say? It's  
17 going to say "is" or "shall not be."

18           RALPH GERDES: The manual style says "it shall  
19 not be."

20           JOSH ELVOVE: Okay. Then I definitely am glad  
21 I brought this motion because "shall not be" is  
22 declaration that you can't do it, done deal, no options,  
23 no ifs, ands, or buts. Before we had a little bit more  
24 wiggle room, now we have none. Please, please accept  
25 this motion.



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1                   RALPH GERDES: Thank you.

2                   Mr. Bouchard.

3                   JOHN BOUCHARD: The proposal that the comment  
4 speaks to was passed 29 to 1. The comment was defeated  
5 28 to 1, but I also know that Ken who was the proposer  
6 at the ROP stages is at the mic, so I'll let him take it  
7 from there.

8                   RALPH GERDES: Thank you.

9                   Mic 2.

10                  KEN ISMAN: Thank you. Ken Isman with the  
11 National Fire Sprinkler Association. I'm opposed to the  
12 motion on the floor since I wrote the actual comment  
13 we're discussing.

14                  It doesn't really matter whether it says "is  
15 not" or "shall not be." You've got to read all the way  
16 to the end of the sentence. It shall not be required by  
17 this standard.

18                  I don't care what you do, Josh. You can hire  
19 somebody to do something on your own. It's a question  
20 of what's required by the standard, and we're just  
21 trying to clarify this is not what's required by the  
22 standard.

23                  RALPH GERDES: Thank you.

24                  Mic 5.

25                  MARCELO HIRSCHLER: Marcelo Hirschler, GBH

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1 International, speaking for myself. I just want to  
2 correct what Ken just said.

3 RALPH GERDES: Are you speaking for or against  
4 the motion?

5 MARCELO HIRSCHLER: I'm speaking for the  
6 motion. The evaluation requirement 415 is not part of  
7 the normal inspection required by the standard. It's  
8 not that it shall not be required, it's not part of  
9 the -- or shall not be part of the normal inspection  
10 required. Very different.

11 So if you choose to do the evaluation required  
12 by 415, you're not allowed to do it in accordance with  
13 this new section.

14 RALPH GERDES: Thank you.

15 Mic 1.

16 JIM FELD: Jim Feld, University of California,  
17 speaking in favor of the motion. I'm not sure what  
18 normal inspection is so I guess it would be part of the  
19 abnormal inspection, testing, and maintenance. But all  
20 levity aside, this sentence contradicts exactly what  
21 we're trying to do. This is very bad.

22 We're -- we say in 415 and 416, the owner has  
23 the responsibility to do certain things to make sure  
24 that the hazard classification hasn't changed, water  
25 supply, a whole laundry list, okay.

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1           And then we say oh, but that's not part of any  
2   of this. How can it not be part of it if you're telling  
3   him to do it. I think what's being confused here is  
4   what the contractor, inspector has to do versus what the  
5   owner has to do. This whole thing has to be grouped  
6   together as one thing. Whether it's the owner or the  
7   contractor, it has to be done.

8           When you start saying that this part doesn't  
9   belong here and yet you're telling him he has to do it,  
10  you've contradicted it, so I urge you to vote in favor.

11           RALPH GERDES: Thank you.

12           See no further discussion on the floor,  
13  Mr. Bouchard, do you have any final comments?

14           JOHN BOUCHARD: No, sir. Done.

15           RALPH GERDES: Thank you.

16           We're going to proceed with the motion which is  
17  to reject Comment 25-21. All those in favor of the  
18  motion, please raise your hand.

19                           (Raising Hands.)

20           RALPH GERDES: Thank you. Those opposed,  
21  please raise your hand.

22                           (Raising Hands.)

23           RALPH GERDES: Thank you. That motion fails.

24           Moving on to motion sequence 25-9.

25           Mic 1.

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1 JOSH ELVOVE: Josh Elvove with a recurring  
2 theme with the U.S. General Service Administration. I'd  
3 like to move 25-9 which rejects Comment 25-36.

4 RALPH GERDES: Is there a second.  
5 (Second.)

6 RALPH GERDES: Proceed.

7 JOSH ELVOVE: By accepting this comment, you're  
8 accepting proposal of 25-76 to include the  
9 identification of areas lacking sprinkler protection  
10 within the scope of an ITM inspection. That proposal  
11 was previously approved unanimously by the technical  
12 committee, yet was reversed during the ROC. Since we're  
13 all into numbers, Mr. Chairman's probably going to say  
14 it was 24 to 6 or 26 to 4, but there was some  
15 dissenters.

16 Basically -- presently there are requirements  
17 to identify whether the sprinkler shows signs of  
18 leakage, corrosion, pain or improper loading. It's also  
19 requiring to identify if sprinklers are installed in the  
20 correct position (indiscernible) instead of upright.  
21 And there's a requirement to identify if sprinklers are  
22 located within 18 inches of storage.

23 How can there -- and there's also a requirement  
24 to identify sprinklers inside a sprinkler cabinet, but  
25 there's no requirement to identify whether a sprinkler

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1 is actually where it's supposed to be regardless of  
2 whether it's a room that has no sprinklers or whether  
3 it's a pipe that has basically a cap in it.

4 A few minutes from now you're going to hear a  
5 motion to have a requirement to ensure hydraulic  
6 nameplate is attached to the riser regardless of whether  
7 the data is accurate and have it replaced or removed.  
8 Replace a sign of removed but don't replace a sprinkler  
9 is removed.

10 Accept this motion. Reject Comment 25-36 and  
11 let's get our priorities straight and make sure these  
12 areas are identified. We're only asking you to identify  
13 them. Thank you.

14 RALPH GERDES: Thank you.

15 Mr. Bouchard, do you have any comments?

16 JOHN BOUCHARD: Again, no. I'll let Ken speak  
17 to the subject.

18 RALPH GERDES: Thank you.

19 Mic 2.

20 KEN ISMAN: Thank you. Ken Isman with the  
21 National Fire Sprinkler Association, and I'm opposed to  
22 the motion on the floor. I agree with Josh in some of  
23 what he wrote in his commentary on his negative ballot  
24 in that it is very easy to go out and identify a room  
25 that doesn't have a sprinkler, but the next step is

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1 what's really, really difficult and something that we  
2 didn't want to put on the person performing this  
3 inspection as a burden which is then to figure out if  
4 this room exists without a sprinkler, is it correctly  
5 not sprinklered because of the myriad of rules that have  
6 been written over a hundred years of the standard as to  
7 what spaces are permitted to go unsprinklered.

8           Because there are lots and lots of spaces in  
9 NFPA 13 that are permitted to go unsprinklered and those  
10 spaces have changed over the years.

11           So at some point in time you go in and inspect  
12 a hotel. And you go into all the guest rooms of all the  
13 hotels and you find that there's no sprinklers in the  
14 bathroom. Well, is that okay or is that not okay?

15           That's a really tough distinction to ask an  
16 inspector to make because in order to make that  
17 determination as to whether that sprinkler really needs  
18 to be in that bathroom or not, you actually have to tear  
19 apart the tub/shower enclosure and find out whether  
20 there's a half inch of drywall behind it or not because  
21 that's what NFPA 13 says is, that you're only allowed to  
22 omit sprinklers from bathrooms in hotels and motels if  
23 there's a thermal barrier behind all the fixtures,  
24 including the tub and shower enclosure.

25           Is that what we want our inspectors doing is

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1 making that determination, was that sprinkler eliminated  
2 from that space correctly under the installation  
3 standard? The answer to that is no. That's why the  
4 committee re-thought this and appropriately dealt with  
5 this comment.

6           Now, I understand Josh's concern. You go out  
7 and you look into a room and where a sprinkler used to  
8 obviously be, there is no sprinkler anymore. But it  
9 seems to me that that already fails the sprinkler  
10 inspection where you actually see an open orifice where  
11 a sprinkler used to be screwed in and someone took it  
12 out, that's where a sprinkler should be and that fails  
13 the sprinkler inspection that's already in there on an  
14 annual basis.

15           But the original proposal that was trying to  
16 say identify all of those rooms that don't have any  
17 sprinklers in them, the committee realized that was  
18 inappropriate and they appropriately dealt with it at  
19 the comment stage and now I urge you not to vote in  
20 favor of the motion that's on the floor.

21           RALPH GERDES: Thank you.

22           Mic 1.

23           DAVID DE VRIES: David de Vries, Firetech  
24 Engineering Incorporated, speaking in favor of the  
25 motion on the floor. Mr. Isman is absolutely correct.

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1 We don't want the inspector doing that evaluation.

2 We simply want that inspector to say hey,  
3 Mr. Owner, I found one room out of the 20 that I looked  
4 in and there was no sprinkler in there. I don't know if  
5 there was supposed to be a sprinkler in there or not,  
6 but that's something that you need to know because maybe  
7 there was supposed to be a sprinkler in there so this  
8 triggers the evaluation.

9 It doesn't require the inspector to go in and  
10 start knocking out walls in the bathroom of a hotel. It  
11 doesn't require the inspector to know NFPA 13, every  
12 edition for the last hundred years. It's simply asking  
13 that inspector to tell the owner, I found some places  
14 where I thought there probably ought to be a sprinkler  
15 but there were none. I urge your support for the motion  
16 on the floor.

17 RALPH GERDES: Thank you.

18 Mic 4.

19 RALPH GLASS: Ralph Glass with Telgian. I'm  
20 speaking against the motion. This proposal would  
21 require the inspectors to, again, validate the design as  
22 already been mentioned, whether it's knowing whether  
23 sprinklers are required in closets in the original  
24 design or the port, canopies, and bathrooms, electrical  
25 rooms similarly.



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1           Similarly, we've also got buildings out there  
2 with partial sprinkler systems. They were approved that  
3 way in the original building, and it's not really the  
4 inspector's responsibility nor the scope of this  
5 document to require them to point those out and to  
6 identify them and label them as a deviation.

7           It also puts an unreasonable burden on the  
8 building owners because they would have -- particularly  
9 in those cases that have the mandatory reporting  
10 requirements, they're going to have to address this  
11 issue every time they've got the inspection, so I would  
12 urge you to vote no on this one.

13           RALPH GERDES: Thank you.

14           Mic 5.

15           PETE LARAMAR: Hello. Pete Laramar with the  
16 Department of Veterans Affairs. There's -- there's no  
17 design considerations expected at all. Sprinklers fail  
18 in supposed sprinkler buildings where fires happen and  
19 there are no sprinklers installed.

20           RALPH GERDES: Pete, could you clarify whether  
21 you're for or against the motion?

22           PETE LARAMAR: I'm sorry. Speaking for the  
23 motion. As an owner, I just want to know if the guy  
24 happens upon a space that's not sprinkler protected, if  
25 he would identify that to me. After that, the

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1 inspector's job is done.

2           He doesn't have to determine whether or not the  
3 material in the bathroom was of any particular material,  
4 he doesn't have to identify whether or not it's spaced  
5 properly or was supposed to be there or wasn't supposed  
6 to be there. We just want to know. And if he  
7 identifies it one time, then the owner will know and he  
8 can give that information to the next inspector when he  
9 comes in.

10           But we're not asking for anything other than to  
11 help us make sure that sprinkler systems operate  
12 properly. When we have fully sprinklered buildings and  
13 we have missing spots in there, that is why some systems  
14 that would otherwise be very effective can fail.

15           This is simply just asking to point out to the  
16 owner hey, you missed a spot here. Your electrical  
17 closet was locked during the installation. We never got  
18 back to put one in there or whatever, whatever the case  
19 is.

20           They're taking it further than what the  
21 proposal was adjusted to. It just says, "Rooms where  
22 there are no sprinklers installed shall be identified."  
23 No more. These steps that Mr. Isman was going forward  
24 to, people might think we might want them to go there,  
25 but that's not what this standard is asking for. We

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1 just want the area identified. Thank you.

2 RALPH GERDES: Thank you.

3 Mic 3.

4 SPEAKER: Thank you. I'm Chad (indiscernible)  
5 with Washington State Department of Health and I'm  
6 representing the healthcare section on this motion.

7 At our executive board meeting, we voted to  
8 support the motion before you as an entire section. In  
9 healthcare, community is dedicated to protecting our  
10 facilities with automatic sprinklers.

11 We need to know what areas of our facilities  
12 are unprotected, and I didn't see anything in the rule  
13 where it says that you had to identify and then go  
14 through a complete design review. It simply just says  
15 you have to identify areas that are lacking sprinklers,  
16 so I urge your support.

17 RALPH GERDES: Thank you.

18 Mic 4.

19 RUSS LEAVITT: Russ Leavitt, Telgian  
20 Corporation, excuse me, speaking against the motion. I  
21 wish it were as simple as identifying to the owner, but  
22 as an owner's representative on the committee,  
23 understand that in 12 states that identify to the owner  
24 also goes as a deficiency to the authority having  
25 jurisdiction and requires a response by the owner and

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1 triggers a response and becomes a deficiency every year  
2 I go in there and identify.

3           If we were only reporting to the owner, it  
4 would be simple, but it's not. This standard is being  
5 enforced with mandatory reporting and tagging. So if I  
6 report a missing sprinkler, I cannot have my system  
7 accepted as in compliance. So I wish it were that  
8 simple that we were just identifying to the owner. We  
9 are not in 12 states, and that number's growing every  
10 day. Thank you.

11           RALPH GERDES: Thank you.

12           Mic 1.

13           DAVID DE VRIES: David de Vries, Firetech  
14 Engineering Incorporated, speaking in favor of the  
15 motion on the floor. I have walked into buildings that  
16 were allegedly fully sprinklered, and I found fittings,  
17 T fittings or elbows where there was a pipe plug in  
18 there, not a sprinkler.

19           And when I pointed it out to the owner and said  
20 what happened here? I don't know. I'll take a look at  
21 it. Found out that a forklift truck had whacked the  
22 sprinkler that was there, they didn't have a replacement  
23 in the cabinet, so they put a pipe plug in there because  
24 there was water coming out.

25           Now, obviously the intent was oh, okay. We're

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1 going to go out and get a sprinkler and put it in or  
2 we're going to call the contractor to come out and  
3 replace that pipe plug with the right sprinkler, but  
4 somebody dropped the ball, forgot it, and that's  
5 something that the owner ought to know about it.

6 When you have missing sprinklers and your fire  
7 starts on the area where there are missing sprinklers,  
8 you can overwhelm your system simply because you're not  
9 putting water on it where it needs to be.

10 All we're asking is tell us where you find out  
11 that there are sprinklers missing, forget the evaluation  
12 part. Yes, maybe the owner is going to have to figure  
13 out why there were no sprinklers there, but once that's  
14 done and documented and it's part of the system  
15 documentation that the owner is required by this  
16 standard to have available, then it's a closed question.

17 If it was a bathroom in a hotel that didn't  
18 exceed 55 square feet in the edition of NFPA 13 when  
19 that applied, then document it once and that's it. I  
20 urge your support for the motion on the floor. Thank  
21 you.

22 RALPH GERDES: Thank you.

23 Mic 4.

24 RICHARD RAY: Richard Ray, Cyborg Fire  
25 Protection, speaking against the motion. I'll say it

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1 again, the NFPA inspection process does not replace the  
2 plan review and the building permitting processes.

3           And David, please don't be offended. I don't  
4 know a fire department in the world that when a forklift  
5 breaks off a sprinkler head and a water flow switch  
6 generates the alarm, here comes the trucks, they think  
7 it's a fire, they're just going to go home and not  
8 double-check if the guy actually replaced the plug or  
9 the sprinkler head thing.

10           RALPH GERDES: Thank you.

11           Microphone 7.

12           SPEAKER: Craig (indiscernible) Fire Services  
13 and also the Sacramento Fire Department. I'm speaking  
14 in favor of the proposal. I've been a fire marshal for  
15 15 years and I've done a number of inspections, and I  
16 did surveys for the Department of Health and a number of  
17 other people. And I'm just amazed that there's a  
18 discussion about not notifying an owner that they're  
19 sprinkler heads missing.

20           As the last gentleman speaking in favor of the  
21 motion said, once it's identified, it's on the  
22 paperwork, that's a clear indication of whether or not  
23 it's supposed to be there or not. But to have areas  
24 that are unsprinklered -- and they get missed all the  
25 time.

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1           I've done a number of projects throughout  
2 California where sprinkler heads were missed at some  
3 point in time. It's just -- it doesn't work. That  
4 needs to be something that's clearly identified. Once  
5 it's identified, it can be kept as a permanent record  
6 and it just makes sense to do that. Thank you.

7           RALPH GERDES: Thank you.

8           Mic 2.

9           KEN ISMAN: Thank you. Ken Isman with the  
10 National Fire Sprinkler Association, oppose the motion  
11 on the floor. Very quickly in rebuttal, a number of  
12 times a number of people have talked about the fact  
13 that -- in supporting this motion that this evaluation  
14 can be done by somebody else, it's not the role of the  
15 inspector to do it.

16           A couple of speakers ago you actually heard one  
17 of the people in favor of this motion say oh, just  
18 forget the evaluation part. That's actually a quote. I  
19 wrote it down. He said forget the evaluation part.

20           The problem is you can't forget the evaluation  
21 part because if you accept the motion that's on the  
22 floor, you will end up with language in the standard  
23 that says identifying areas where sprinklers are missing  
24 should trigger an evaluation to determine whether the  
25 absence of sprinklers is intentional. That's the

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1 language you get in the standard. You can't forget that  
2 part.

3           So we have to ask ourselves: Who is it that's  
4 supposed to do that evaluation then? Now, if the people  
5 who originally wrote this had intended that that be done  
6 by some other party hired by the owner as a part of some  
7 other contractual arrangement, we'd be okay with that,  
8 but that's not what got written in the standard. It  
9 says when you identify a space that doesn't have  
10 sprinklers, you better investigate and identify and  
11 determine, make this evaluation, and that's our concern.

12           So we'd be certainly willing to work on this  
13 and better write this next cycle, but for the ability of  
14 what we have to do here on the floor, we can only accept  
15 or reject this language so I urge you not to vote in  
16 favor of the motion.

17           RALPH GERDES: Thank you. I think the members  
18 are getting the sense of the discussion. We'll go on to  
19 Mic 5.

20           DAVE DAGENAIS: Dave Dagenais,  
21 Wentworth-Douglass Hospital, speaking on behalf of  
22 myself and speaking in favor of the motion. The concept  
23 of the inspector not reporting to me as an owner that is  
24 missing a sprinkler is troublesome to me. The reality  
25 is I am the customer and I'm relying on them and their



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1 expertise to just simply identify that there's a  
2 sprinkler missing, then it becomes my issue and if I  
3 have to report it because it's governed for me to do  
4 that, then that's the way it is.

5           Quite frankly as an owner, I do want the  
6 sprinklers in the appropriate rooms. So I'm not fearful  
7 of being notified about it, I'm not fearful of reporting  
8 it to the appropriate authorities because the reality is  
9 I should be doing that anyways. So I support the motion  
10 and as a owner, I ask everyone else, too.

11           RALPH GERDES: Thank you.

12           Mic 2.

13           MARCELO HIRSCHLER: Marcelo Hirschler, GBH  
14 International, I call the question.

15                                   (Second.)

16           RALPH GERDES: We've got a call the question  
17 and a second. All those in favor, please raise your  
18 hands.

19                                   (Raising hands.)

20           RALPH GERDES: Thank you.

21           Those opposed?

22           That motion carries. We're going on to the  
23 motion to reject Comment 25-36. All those in favor,  
24 raise your hand.

25                                   (Raising Hands.)

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1           RALPH GERDES: Thank you.

2           Those opposed?

3                           (Raising Hands.)

4           RALPH GERDES: Boy, this one's getting a little  
5 closer. I think I'm going to have to go to a standing  
6 vote.

7           All those in favor of the motion to reject  
8 Comment 25-36, please stand.

9                           (Standing.)

10          RALPH GERDES: Thank you. Please be seated.  
11 Those opposed to the motion, please stand.

12                           (Standing.)

13          RALPH GERDES: Thank you. You can be seated.

14          The vote was 49 to 60. That motion fails.

15          Moving on to motion sequence 25-10.

16          Mic 1.

17          DAVID DE VRIES: Thank you, Mr. Chairman.

18 David de Vries, Firetech Engineering Incorporated,  
19 speaking for myself. I move Comment 25-40.

20          RALPH GERDES: Is there a second?

21                           (Second.)

22          RALPH GERDES: Proceed.

23          DAVID DE VRIES: This speaks to the original  
24 proposal, Proposal 25-81, which was in the committee  
25 discussion was intended to simply move the language

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1 requiring verification that water filled sprinkler  
2 piping is not exposed to freezing conditions out of  
3 Chapter 5 which is the sprinkler system inspection  
4 requirements into Chapter 4 which is the general  
5 requirements.

6           And it was expanded in that move to include all  
7 water based systems. Certainly you don't want your fire  
8 pump being exposed to freezing conditions either, so  
9 that was a good move, and that's how the proposal was  
10 originally accepted. But then there was some tinkering  
11 with it and some language was added that said that the  
12 building owner shall ensure that the building is heated  
13 and piping is not exposed to freezing conditions.

14           Okay. That's part of the general requirements  
15 of the owner's responsibility to inspect, test, and  
16 maintain a sprinkler system, but it becomes redundant  
17 to incorporate that into that particular requirement.

18           If we incorporate it there, doesn't that raise  
19 the question as to why it is -- why it's missing from  
20 other sections. That implies that well, maybe somebody  
21 else is responsible for it.

22           My Comment 25-40 was simply let's drop that  
23 language about the tagging specifically to the building  
24 owner because maybe the building owner is going to hire  
25 a contractor to do that inspection and verify that the

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1 windows are all secure, that the perimeter of the  
2 building is tight and that the heat is on. I urge your  
3 support for the motion on the floor. Thank you.

4 RALPH GERDES: Thank you.

5 Mr. Bouchard.

6 JOHN BOUCHARD: Only to point out that the  
7 proposal was overwhelmingly accepted and the comment was  
8 overwhelmingly defeated. That's all I want to say.

9 RALPH GERDES: Thank you.

10 We're going to go to Mic 4.

11 GEORGE STANLEY: George Stanley with Wiginton  
12 Fire Systems speaking in opposition of the motion.  
13 Everybody would agree how important it is to maintain  
14 40 degrees for a wet pipe system. Everybody I believe  
15 would agree that maintaining that heat is an owner's  
16 responsibility. So as the committee voted on putting it  
17 in Section 41 which is -- clearly describes the owner's  
18 responsibility is the right place for it to be.

19 Owners -- most owners will not read NFPA 25  
20 from cover to cover, but they will go through and look  
21 at the owner's section, so this clearly points out to  
22 them that they need to maintain that heat in the winter  
23 months.

24 As a contractor, I have the opportunities every  
25 winter to go out and repair some of these systems where

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1 the heat has not been maintained and it's very costly.  
2 So I believe that -- I really think that we need to do  
3 as much as we can to point out to owners how important  
4 maintaining 40 degrees for wet pipe systems are. So it  
5 really needs to be in Section 41. I urge you to vote  
6 against this. Thank you.

7 RALPH GERDES: Thank you.

8 Seeing no further floor discussion, is there  
9 any final comments from Mr. Bouchard? No? That's --  
10 thank you.

11 We'll proceed with the vote. The motion is to  
12 accept Comment 25-40. All those in favor, please raise  
13 your hands.

14 (Raising Hands.)

15 RALPH GERDES: Thank you.

16 All those opposed?

17 (Raising Hands.)

18 RALPH GERDES: Thank you. That motion fails.

19 We're going to take another short break for a  
20 stenographer adjustment.

21 (A short recess was taken.)

22 RALPH GERDES: We're going to start up again.

23 We are at motion sequence 25-11.

24 We're going to go with Mic 5.

25 RICH RAY: Hi. My name is Rich Ray, Cyborg

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1 Fire Protection Company, and I make it a motion to  
2 accept Comment 25-41.

3 RALPH GERDES: Is there a second?

4 (Second.)

5 RALPH GERDES: Okay. Proceed.

6 RICH RAY: What this comment and this issue is  
7 about is about hydraulic nameplates. For some people in  
8 the room you might know them as -- they used to be  
9 called hydraulic placards, okay, so that's what this  
10 proposal is about.

11 And for some people who may not be familiar  
12 with what even a hydraulic placard or hydraulic  
13 nameplate is, the hydraulic nameplate identifies the  
14 design criteria of the fire sprinkler system. It  
15 identifies the calculated hydraulic demand of the system  
16 as well as a description of the occupancy that the  
17 system was designed to protect.

18 My motion is simply to add the requirement to  
19 replace the hydraulic nameplate that's found missing in  
20 the text. That's all I want to do, and I'm going to  
21 show you something. I'm not supposed to have props, but  
22 they're NFPA books that I thought that would be our...  
23 Copies of NFPA 25 here. I brought them out. John knows  
24 what I'm going to do. I had these at the ROC meeting.

25 I got two copies. They're both valid copies.

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1 They're not copies like, you know, Xerox. They're the  
2 same edition, the 2008 edition. Now, this one, if you  
3 go to page 16 in the table, there's a table, it says --  
4 it's under "Informational components." Hydraulic  
5 placards, you have to replace them if they're missing.

6 Now I go to this -- this copy and I go to the  
7 same page and somehow it's a different table. This  
8 table ends with inspectors test connection. It doesn't  
9 even talk about the placards. So it got printed wrong.  
10 I have no idea. I'm not a printer. I'm not an MPI. I  
11 have no idea how that happened.

12 All I want to do is add the words in the text.  
13 The text, sorry, currently says, "The hydraulic  
14 nameplate for hydraulic (indiscernible) systems shall be  
15 inspected quarterly to verify that it's attached  
16 securely to the riser and is legible," and I just want  
17 to add the words "and shall be replaced if found  
18 missing."

19 The tables are no good. I have two versions of  
20 the book that are different. The committee says well,  
21 let's put it in the appendix. We'll, you've heard a lot  
22 of discussion tonight. The appendix isn't enforceable,  
23 and hydraulic placards are very useful to owners like  
24 Josh and some of the owners in here who have spoken.

25 When an occupancy change occurs in a building,

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1 if they're going to move a different process into this  
2 facility or change the way that they store their  
3 products, they need to know how that affects the fire  
4 sprinkler system. We just got done discussing that. We  
5 just got done discussing it's the owner's  
6 responsibility.

7           If the placard is there, it makes my job as a  
8 fire protection engineer very simple. I can tell what  
9 the system is designed for. I go look and see what the  
10 new proposed occupancy is going to be. If the two  
11 match, we're in good shape.

12           The problem is if it's not there. If it's not  
13 there, then I got to tell the owners in the room well,  
14 guys, guess what? Now I got to get a lift out here, I  
15 got to get up at the deck, I got to check the orifices  
16 of the head, I got to verify the temperature of the  
17 head, I got to make sure those are 2-inch branch lines  
18 and not two and a half inch branch lines that are  
19 30 feet in the air.

20           A lot of cost, a lot of headaches for owners.  
21 That's all I want to do is add the words into the text  
22 of the standard which is a comment that we rejected.

23 Thank you.

24           RALPH GERDES: Thank you.

25           Mr. Bouchard.



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1           JOHN BOUCHARD: I know that Ray is passionate  
2 and has raised the issue of the different tables. As a  
3 matter of fact, I'm not sure if we ever found out an  
4 answer to that, but it was an anomaly and it was  
5 interesting to discover that way back when.

6           However, I will indicate that Ray actually  
7 reiterated the committee statement in the rejection  
8 statement for this -- his comment and basically  
9 indicated that it is covered in the annex. And in  
10 addition, the comment was rejected overwhelmingly.

11           RALPH GERDES: Thank you.

12           I'll go to Mic 5.

13           RICH RAY: I'll reiterate again. I think it's  
14 very important putting it in the appendix. To me it's  
15 no good.

16           RALPH GERDES: You are speaking for the motion?

17           RICH RAY: Yes, sir. I'm sorry. The appendix  
18 is not enforceable. It's a big help to me as a designer  
19 and big help to owners when it comes to occupancy  
20 changes. We just got done talking for a half an hour  
21 that if an occupancy changes in a building, the owner  
22 has to do something. I'm trying to make that something  
23 easier for him. That's all. That's all.

24           RALPH GERDES: Thank you.

25           Mic 4.

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1           JOSH ELVOVE: Josh Elvove with the U.S. General  
2 Service Administration speaking against a motion for a  
3 change.

4           "Owner shall" -- this is Chapter 5, "Owner  
5 shall" -- I thought we talked about the "owner shall" is  
6 supposed to be in Chapter 4. I'm not going to debate  
7 the importance of the sign, even though if the sign's  
8 there, it has Mickey Mouse on it, that's probably --  
9 it's okay. I mean, there's no validation of the actual  
10 data on the nameplate. It's basically it's there.

11           I mean, I think we need to get our priorities  
12 straight here. We're talking about having a sign, we're  
13 talking about having sprinklers. You obviously reject  
14 to having sprinklers, but that's not that important or  
15 it's not in the scope. But here we're going to go for a  
16 sign.

17           So I'm speaking against this on a principle.  
18 It doesn't belong in Chapter 5, it belongs anywhere, and  
19 although I thank Mr. Ray for the consideration, I don't  
20 think it belongs here. I urge you to reject this.

21           RALPH GERDES: Thank you.

22           Mic 5.

23           RICH RAY: You can't compare it to, you know,  
24 not wanting to identify where sprinklers are. That's a  
25 design issue. We've been through that for the last two

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1 and a half hours.

2 RALPH GERDES: You're speaking for or against  
3 the motion?

4 RICH RAY: I'm sorry. I'm speaking for my  
5 motion. NFPA 13 requires the sign. It can't have a  
6 picture of Mickey Mouse on it, Josh, or you can't get a  
7 certificate of occupancy, okay? It's not going to have  
8 a picture of Mickey Mouse.

9 If you use the right table with the right book,  
10 you see that it's required. If you happen to have a  
11 deviations with the wrong table, it's not required. Oh,  
12 but it's in the appendix. That isn't enforceable.  
13 Well, Josh wants me to verify the design of the system.  
14 Hey, Josh, I got to rent a lift. That \$50 job just went  
15 up five, ten times. I don't know what else to say.

16 RALPH GERDES: Thank you.

17 Mic 1.

18 JIM FELD: Jim Feld, University of California,  
19 speaking in favor. I don't think anybody here can  
20 minimize the importance of the hydraulic nameplate. And  
21 in the new edition of 13, we're going to hydraulic  
22 information signs that provide even more information.

23 This information is critical to having this --  
24 having any system perform as we want it to do for the  
25 longevity of the system.

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1           Now, bear in mind that in Chapter 13, Section  
2   3.3.1, we're required to put a sign on every control  
3   valve to say that it is a control valve. We're going to  
4   make sure that's done, but if the hydraulic nameplate's  
5   missing, well, maybe we don't really need it. It just  
6   doesn't make sense.

7           So if we're going to put control valve signs on  
8   control valves that are obviously control valves, then  
9   why not have the hydraulic information signs because  
10  that's going to solve a lot of problems later on when  
11  there's changes in occupancy, changes in water supply,  
12  changes in processing, all the other things that 415 and  
13  416 require the owner to do.

14           And that the owner's required to do it. And  
15  this is stuck in Chapter 5, is still legitimate because  
16  the first line of defense in this is that the contractor  
17  identifies that the nameplate is missing, then the owner  
18  steps in.

19           So it's not strictly just an owner  
20  responsibility that should be in Chapter 4. It's  
21  appropriately in Chapter 5. Thank you.

22           RALPH GERDES: Thank you.

23           Mic 5.

24           RICH RAY: Let everyone know, the nice lady  
25  who's in charge of making these books --

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1           RALPH GERDES: Name, affiliation --

2           RICH RAY: Rich Ray, Cyborg Fire Protection,  
3 speaking in favor of the motion. This nice lady from  
4 NFPA just explained to me how to figure out what  
5 printing of the book it is.

6           The first printing is the one that doesn't say  
7 it has to be replaced. The subsequent -- the other book  
8 is a subsequent printing. So somebody found this  
9 mistake before I did. To me that shows the importance  
10 of this. It was important for NFPA to then change the  
11 book and print it correctly.

12           So all I want to do is add those simple words  
13 to the text, and when it is missing, the owner shall  
14 replace it. Just the chart says in the correct version.  
15 Thank you.

16           RALPH GERDES: Thank you.

17           Mr. Bouchard, any final comments?

18           JOHN BOUCHARD: No. I was hoping a couple of  
19 other committee members might -- might get up and say  
20 something, but I feel that this could go either way and  
21 personally I don't worry about it. I support the  
22 committee, however, which again overwhelmingly defeated  
23 it after much discussion. It was not done  
24 surreptitiously.

25           RALPH GERDES: Thank you.

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1           We're going to move to the motion. The motion  
2 is to accept Comment 25-41. All those in favor, please  
3 raise your hand.

4                                   (Raising Hands.)

5           RALPH GERDES: Thank you.

6           All those opposed?

7                                   (Raising Hands.)

8           RALPH GERDES: I think I'm going to have to go  
9 to a standing count.

10           All those in favor of the motion to accept  
11 Comment 25-41, please stand.

12                                   (Standing.)

13           RALPH GERDES: Thank you. You can be seated.  
14 All those opposed to the motion, please stand.

15                                   (Standing.)

16           RALPH GERDES: Thank you. You can be seated.  
17 That motion passes. The vote was 52 to 35.

18 We're going to move on to motion sequence 25-12.

19           Microphone 5.

20           KENNETH ISMAN: Thank you. Kenneth Isman for  
21 the National Fire Sprinkler Association and I move my  
22 comment -- I move to accept my comment, 25-65.

23           RALPH GERDES: Is there a second?

24                                   (Second.)

25           RALPH GERDES: I heard a second. You can

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1 proceed.

2           KENNETH ISMAN: Thank you. This comment  
3 proposes a revision to Section 7.3.1. This revision is  
4 important because further down in the subsection of  
5 7.3.1, this rule requires that we generate flows that  
6 are similar to the systems demand for the systems that  
7 are connected to these private fire service mains and  
8 that we run this testing and we generate these flows and  
9 we measure these pressures.

10           How can we do that without fire hydrants? All  
11 I'm trying to do here is say that you only have to run  
12 this test when you actually have the equipment necessary  
13 to run the test.

14           Now, this requirement for flow testing even  
15 applies right now to individual lead-ins to fire  
16 protection systems because the definition of private  
17 fire service main what's in Section 3.6.3 includes pipe  
18 that is, quote, between a source of water and the base  
19 of a system riser, unquote.

20           Therefore, without my motion, NFPA 25 requires  
21 a test that cannot be performed. The committee  
22 acknowledged in their committee statement that  
23 individual lead-ins are a problem.

24           Interestingly the committee said, quote, it is  
25 not the intent of the committee to imply this

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1 requirement to the lead-ins to single systems, unquote.  
2 It's a fascinating statement, but it's incompatible with  
3 the language of NFPA 25. You need to accept my motion  
4 in order for the language of NFPA 25 to actually agree  
5 with the committee's intent.

6           One of the problems with the existing text  
7 that prompted my comment is that the stated purpose of  
8 this test in Section 7.3.1 is to, quote, determine the  
9 internal condition of the piping, end quote. That's a  
10 lot more than the old two hydrant test that we used to  
11 do with one hydrant being the flow hydrant, the other  
12 hydrant being a gauge hydrant.

13           That two hydrant test does not tell you  
14 anything about the internal conditions of a pipe. It  
15 only tells you about the flow and pressure of the water  
16 supply that are available which change due to many  
17 variables, not just the internal condition of the pipe.

18           If you want to comply with NFPA 25 and conduct  
19 a test that tells you the internal condition of the pipe  
20 which is required by the standard, you need to run a  
21 three hydrant test with one hydrant being a flow hydrant  
22 and then two gauge hydrants to say that you've measured  
23 the friction loss between those two gauge hydrants.  
24 Without the hydrants to run this test, there's no way to  
25 conduct the test.



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1           Now, my motion takes care of one additional  
2 problem. Once the test has been performed, it does not  
3 need to be repeated for all of the adjacent properties  
4 that rely on the same length of pipe that was already  
5 tested. And NFPA 25 is enforced on individual property  
6 owners.

7           Without my motion, adjacent building owners  
8 would have to run the same duplicate test with the same  
9 hydrants to prove the same internal conditions of the  
10 pipe because that pipe then feeds the individual systems  
11 in their individual buildings. That's a ridiculous  
12 waste of water, time, and expense.

13           We need to accept this comment so that we can  
14 actually have the equipment we need to run the test and  
15 when we don't have that equipment available, we're not  
16 required to somehow magically determine the condition of  
17 the piping. Thank you.

18           RALPH GERDES: Thank you.

19           Mr. Bouchard.

20           JOHN BOUCHARD: Only to say that this issue was  
21 discussed roundly by the committee. The votes were  
22 nearly unanimous, if not unanimous, but I've also  
23 deferred to a committee member or two if they would  
24 please speak up.

25           RALPH GERDES: Thank you.

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1           Mic 4.

2           RUSS LEAVITT: Russ Leavitt, Telgian  
3 Corporation, speaking against the motion, a committee  
4 member.

5           Ken is actually -- the thing of it is I guess  
6 is the definition of a flow test. If you go to the  
7 annex material on these lead-ins, and we are trying to  
8 figure out what these lead-ins do. It says, "Full float  
9 tests and underground piping can be accomplished by  
10 methods, including, but not limited to, flow through  
11 yard hydrants," there's the hydrants, "but also fire the  
12 connections once the check valve has been removed, even  
13 main drain connections and hose connections."

14           What the intent was of this test and is to  
15 compare to previous test results at system demand or  
16 what would be expected during a fire so that we can see  
17 if there is deterioration occurring of that underground.  
18 So, you know, it's the definition of flow test. I think  
19 the annex gives some good guidance here and, again, the  
20 committee felt that that was sufficient. Thank you.

21           RALPH GERDES: Thank you.

22           We're going to stay with Mic 4.

23           JIM FELD: Jim Feld, University of California,  
24 speaking in opposition to the motion. It was my initial  
25 proposal that has prompted this so the idea of doing

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1 individual flow tests for buildings that are adjacent to  
2 each other is what is ridiculous, and I don't use that  
3 word lightly because anybody that has designed a fire  
4 sprinkler system knows if you call a water utility, you  
5 get data.

6           Whether it's just a phone call and an e-mail,  
7 they may send you existing data, they may run a computer  
8 model. We're not dumping water like we used to. So  
9 that's just -- that's just out the door.

10           The idea here is to do these tests. You can  
11 get water supply information on the main for these what  
12 we call single lead-ins. You get water supply testing  
13 test information and we're going to go back to that  
14 hydraulic nameplate that we just passed so now you have  
15 something to compare it to.

16           I mean, you're going to tell them to put the  
17 hydraulic nameplate there, but we don't care what the  
18 water supply is to match to the hydraulic nameplate.  
19 Now what's ridiculous? Come on.

20           RALPH GERDES: Thank you.

21           Continuing at Mic 4.

22           JACK VACHTER: My name's Jack Vachter. I'm a  
23 fire sprinkler contractor in California. I'm speaking  
24 for the amendment. I think Mr. Feld's confused. What  
25 you're trying to do here is flow the on site, the on

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1 site, you see the condition of the pipe, the  
2 deterioration of the pipe.

3           Calling the water company to give you the water  
4 flow test out in the street has nothing to do with  
5 determining the sea factor of the underground piping.  
6 There's no way that I can flow enough hydrant or enough  
7 water on a single system to determine the sea factor  
8 that was 120 is now 50. There's just no way you can do  
9 that.

10           So what we're trying to do is minimize the cost  
11 to the consumer. That's what he's helping. He's  
12 helping me out who does these tests day in and day out  
13 by saying look, if you have a hydrant, you can do it.  
14 But we're not going to make you do it if it's 20 feet  
15 long. It just makes sense. Well, people in the room  
16 are trying to protect the costs who own these buildings.  
17 This is a plus for you. I suggest that you accept it.

18           RALPH GERDES: Thank you.

19           We'll continue at Mic 4.

20           BOB CAPUTO: Thank you. Bob Caputo  
21 representing Fire and Life Safety America. I speak in  
22 opposition to the proposal on the floor.

23           The committee statement was very clear that the  
24 committee intends single system lead-ins to be tested  
25 for the purpose of determining the condition of the

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1 underground piping, not just seek factor or the flow  
2 conditions. And certainly full flow backflow testing is  
3 one way to accomplish this as others that Mr. Leavitt  
4 enumerated. Thank you.

5 RALPH GERDES: Thank you.

6 Mr. Bouchard, any final comments?

7 JOHN BOUCHARD: No, I don't believe so. I will  
8 indicate, however, again, that Ken's comment was  
9 basically unanimously defeated, so just to give you a  
10 sense of what the committee was thinking. The committee  
11 is firmly behind its committee statements and action on  
12 this proposal.

13 RALPH GERDES: Okay. Thank you.

14 We'll proceed with the vote. The motion is to  
15 accept Comment 25-65. All those in favor, please raise  
16 your hands.

17 (Raising Hands.)

18 RALPH GERDES: Thank you.

19 All those opposed?

20 (Raising Hands.)

21 RALPH GERDES: That motion fails.

22 Moving on to motion sequence 25-13.

23 Microphone 5.

24 RICHARD RAY: My name's Richard Ray, Cyborg  
25 Fire Protection, Downers Grove, Illinois, member of the

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1 technical committee.

2           What my motion is is to reinstate the  
3 requirement that electric fire pumps be churn tested  
4 weekly. This requirement.

5           RALPH GERDES: I'm sorry. Can you state your  
6 motion again?

7           RICHARD RAY: My motions is to reinstate the  
8 requirement that electrical fire pumps be churn tested  
9 weekly.

10           RALPH GERDES: Are you asking to reject Comment  
11 25-68?

12           RICHARD RAY: Yes.

13           RALPH GERDES: And 70, 71, and 72?

14           RICHARD RAY: Correct.

15           RALPH GERDES: Okay.

16           RICHARD RAY: They grouped it.

17   (Second.)

18           RALPH GERDES: I hear a second.

19           Proceed.

20           RICHARD RAY: This requirement's weekly churn  
21 test of electrical fire pumps has been in NFPA 25 since  
22 the very first edition back in 1992, and it's been in  
23 every subsequent edition.

24           When we met in Salt Lake City back in January  
25 of '09 at the ROP meeting, this requirement was

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1 attacked. Building owner types attacked it; the owner  
2 group attacked it. The committee did the right thing  
3 and they kept the requirement in the standard, and when  
4 we left that meeting, electric fire pumps still had to  
5 be churn tested weekly.

6           And the substantiations included: There was no  
7 data submitted to substantiate changing to not do it  
8 weekly. The pump is a very critical component and  
9 spends most of its service life in stand-by mode.

10           Weekly testing of a fire pump is consistent  
11 with other required inspections and tests of water  
12 supplies. Waiting over -- this is a quote, waiting over  
13 seven days to detect a problem is unacceptable to the  
14 committee. And then an issue came up that I wasn't  
15 really familiar with, but boy, did I learn a lot.

16           Electric fire pumps are vulnerable to these  
17 voltage surges. They come alive, you know, an  
18 electrical line or -- that's where (indiscernible) or  
19 nearby lightning strike. And what can happen in these  
20 controllers is a contactor [sic] coil gets burned out or  
21 a relay gets burned out just from the induced current  
22 that happens when lightning strikes. I am not an  
23 electrician.

24           The fire pump controller doesn't look any  
25 different after that contactor coil burns. It looks the

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1 same. There's a green indicator light that says "Power  
2 on." That light's still lit. You walk in a room,  
3 light's on. Must be good to go. Pump cannot start.  
4 Pump will not start. Contactor coil's burned from a  
5 nearby lightening strike.

6           So we proceed to the ROC meeting. The  
7 requirement for weekly churn test fire pumps --  
8 electrical fire pumps is attacked again. This time it  
9 was overturned and the requirement was removed and we  
10 went to monthly tests.

11           In my opinion, that was a big mistake. There  
12 was no data submitted to allow going from a weekly  
13 frequency to a monthly frequency. The whole issue of  
14 the electrical problems and the lightening strikes was  
15 discussed again.

16           In fact, some of the members of the committee  
17 who are involved in the insurance industry mentioned  
18 that they had been involved in losses in buildings  
19 because lightening had taken out a contact coil and the  
20 electric fire pump couldn't start, but still it was  
21 overturned.

22           My opinion is there's a lot of people, a lot of  
23 people go in and out of pump rooms -- fire pump rooms,  
24 lots of people. Sprinkler contractors, backflow testing  
25 companies, alarm companies, maintenance people, there's



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1 a lot of people that go in and out of pump rooms. What  
2 we're doing is we're losing the chance to make sure that  
3 that electric pump is going to start from looking at it  
4 52 times a year to 12 times a year.

5           The substantiation at the ROC was this: This  
6 is what we lost, this is how we lost. This is what they  
7 substantiated with: Australia does it. Australia  
8 allows monthly churn tests. That was the  
9 substantiation.

10           There was no data submitted going to less  
11 frequent churn testing was good. No. They said well,  
12 Australia does it. The swayed enough committee votes.  
13 The sub -- the substantiation continued. If we screwed  
14 up by reducing the frequency or by increasing the  
15 frequency from weekly to monthly, then we can always --

16           RALPH GERDES: 45 seconds.

17           RICHARD RAY: Then we can always revert to  
18 weekly down the road. So when do we do that? After we  
19 lose one building? two buildings? three buildings? When  
20 do we say enough?

21           We made a big mistake in Charlotte at the ROC  
22 by losing the requirement to weekly churn test fire  
23 pumps that have been in this book since the day it was  
24 written. Thank you.

25           RALPH GERDES: Thank you.

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1           Mr. Bouchard.

2           JOHN BOUCHARD: I will defer to other committee  
3 members at this time.

4           RALPH GERDES: Thank you.

5           I'm going to go to Microphone 6.

6           TIM ADAMS: Hello, Mr. Chairman. I am Tim  
7 Adams with the American Society for Healthcare  
8 Engineering of the American Hospital Association and  
9 stand to -- in opposition to this amendment and support  
10 the action of the committee to change the testing  
11 frequency of electric pumps -- or the churn test to  
12 monthly, we support that.

13           There was data presented I don't think  
14 specifically to the comment, perhaps it has been spoken  
15 to. There were four different comments regarding this.  
16 The data was submitted and looked at by the committee  
17 for 61,070 tests that were performed.

18           This information came from healthcare  
19 facilities, from education facilities, and from general  
20 services administration showing a 99.96 percent  
21 operational state, successful operational state for fire  
22 pumps. That included diesel driven and electric driven.

23           When the committee considered this information  
24 in the ROC process, there was a statistical difference  
25 noted for electrical pumps as opposed to diesel driven

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1 pumps and consequently the results of that are that the  
2 electrical pumps, they have chosen to move to a monthly  
3 testing and the diesel driven pumps continue to stay at  
4 a weekly testing.

5           It was noted that an insurance representative  
6 said there was 70 fire pump failures because -- and many  
7 of those were from contact failures -- contactor  
8 failures or electrical problems. The question that I  
9 don't know that was answered or data presented regarding  
10 those 70 failures were had those particular pumps been  
11 tested according -- and inspected according to the NFPA  
12 25 requirements, and I don't know that that had  
13 happened.

14           So it would be interesting to look at those  
15 cases or to know were those tests being -- those pumps  
16 being routinely tested and still the insurance company  
17 found that many failures and data seems -- and not  
18 knowing the sample sizing seems a little different than  
19 the data that was presented.

20           It can be argued that there are conditions that  
21 can cause a pump to fail such as lightening strikes, and  
22 the committee did choose to add into the annex  
23 information that in an area where frequent lightening  
24 strikes happen, an owner or organization can choose to  
25 test those more often. It's -- again, these are minimum

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1 requirements and can always be -- can go even farther.

2 As an industry, and I'm from the healthcare  
3 industry, as an industry that's dedicated to health and  
4 healing and providing and the environment, that is  
5 exactly what we are after as I know most members in this  
6 room are.

7 I think the data does show, though, that was  
8 presented that fire pumps are reliable, and we would  
9 like for the members of the NFPA to consider the action  
10 that the committee has taken and I support the action  
11 they have taken to move churn testing of electric pumps  
12 to monthly. Thank you.

13 RALPH GERDES: Thank you.

14 Mic 1.

15 DAVID FULLER: Thank you, Mr. Chairman. My  
16 name is David Fuller. I'm from FM Global. I'm an NFPA  
17 20 member as well as an NFPA 25 committee member. I'm  
18 speaking in favor of the motion to maintain weekly  
19 testing of electric fire pumps.

20 I'd like to just add in deference to time and  
21 respecting everyone's time here tonight, I just wanted  
22 to make a few points to follow-up on what Mr. Ray said.

23 Those points being that when you're looking at  
24 the differences between electric and diesel drivers  
25 relative to testing which we then ignore as the fact

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1     that there's two other parts of the system and that is  
2     the pump itself as well as the controller which both  
3     require weekly testing in order to maintain their  
4     function. And ensure yourself that they're, in fact, in  
5     good working order.

6             There are certain vulnerabilities associated  
7     with electric fire pump controllers that will go  
8     unnoticed, and they are vulnerable to things like  
9     lightening strike and power surges, and those things are  
10    relays and contactor coils.

11            Those are not detectable faults within the fire  
12    pump controller, and therefore would be hidden from the  
13    owner/user. The panel itself would show you a green  
14    light when, in fact, that system is not ready to respond  
15    to an automatic start.

16            Finally, what I would just like to say is that  
17    weekly testing is consistent with other types of NFPA 25  
18    fire protection inspections and tests. For example, an  
19    air compressor on a dry system requires weekly start  
20    testing.

21            I think it's a little bit inconsistent to look  
22    at this from the perspective of I want to start my air  
23    compressor weekly but not my electric fire pump. It  
24    doesn't seem to make sense to me. Therefore, starting  
25    the pump in addition to the other weekly tests is

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1 logical and consistent with these other types of 25  
2 requirements.

3           It requires minimal additional manpower burden  
4 and provides a benefit of providing insurance that the  
5 pump system is ready to start in a fully functional  
6 condition. Thank you.

7           RALPH GERDES: Thank you.

8           I'm going to go to Mic 6.

9           JIM PETER: Yes. Jim Peter, came with  
10 (indiscernible) International speaking on behalf of the  
11 healthcare section. This morning at the annual business  
12 meeting --

13           RALPH GERDES: Are you speaking for or against  
14 the motion?

15           JIM PETER: Speaking against the motion. This  
16 morning, the healthcare section voted to oppose this  
17 motion. The healthcare section of the hospital  
18 industry -- healthcare industry is very accustomed to  
19 risk assessments. We require to do them for many  
20 things.

21           A risk assessment here has been done using  
22 data. Data has shown that weekly testing does not  
23 increase reliability. The data shows that. Is it  
24 really necessary? Why not -- if weekly's good enough,  
25 why isn't daily better? So what's the level of testing

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1     that's accepted?

2                   And I think the data has shown that and we're  
3     trying to move forward with codes and say let's justify  
4     what we're doing with technical data, and here we've  
5     done that and again the argument comes back well, that's  
6     not good enough. So I would urge you to reject this  
7     comment.

8                   RALPH GERDES: Thank you.

9                   I'm going to go to Mic 5.

10                  RICHARD RAY: Richard Ray, Cybor Fire, speaking  
11     in favor of the motion.

12                  The gentleman over here, The data's at  
13     99.6 percent and fire pumps are operational. That's  
14     because we've been testing them quickly since 1992.  
15     That's why the data is so strong.

16                  My second point, they didn't bring any data  
17     that would show that that 99.96 would stay 99.96 if we  
18     went to monthly. Annex, no. Where there's lightening  
19     prevalent in the area, maybe you want to think about  
20     doing this.

21                  I don't know that I want to be the guy that  
22     puts my PE stamp on it saying you know what, we don't  
23     get a lot of lightening strikes in this area, so we  
24     won't worry about having testing on fire pumps weekly.  
25     It's not always a lightening strike.

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1           Two years ago, a big manufacturer of  
2 controllers, I don't if anybody in this room is from  
3 that manufacturer, they had to send out an emergency  
4 bulletin, emergency bulletin. When I got my copy, I  
5 looked at them and said please read this because it may  
6 result in loss of life.

7           And it had something to do with, and again, I'm  
8 not an electrician, I'm sorry, it had something to do  
9 with transient voltages and they traced it down to our  
10 RF, radiofrequency interference. And they think it was  
11 these Nextel phones, I'll say the word. That little  
12 chirping thing you can do.

13           If you were near a fire pump controller that  
14 had this certain transducer in it, it would put the fire  
15 pump to sleep. The pump would go to sleep, never start,  
16 and no one would know it.

17           The gentleman over here just -- I'm glad --  
18 he's speaking against me, but he nailed it. He said  
19 fire pumps are reliable. He's right, because we're  
20 testing them weekly. I don't understand, a weekly churn  
21 test of a fire pimp takes about 11 minutes. Drop  
22 pressure, pump starts, runs for 10 minutes,  
23 automatically shuts off.

24           One more point, starting August 1st, one of the  
25 biggest insurance companies that's in this room



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1 requirement is if you buy a fire pump controller that's  
2 going on one of their insured properties, it has to have  
3 a weekly run period time. Weekly. Thank you.

4 RALPH GERDES: Thank you.

5 I'm going to go to Microphone 4.

6 JOHN SADY: John Sady with the U.S. Department  
7 of Energy, a technical committee member since inception  
8 like John at the podium. This topic that's been --

9 RALPH GERDES: Speaking for or against the  
10 motion?

11 JOHN SADY: I'm speaking against the motion in  
12 support of the committee action. This topic has been  
13 thoroughly debated and fully discussed and basic  
14 conclusion, the committee action does not change the  
15 churn test of the diesel drivers. It addresses the  
16 electric motors. I urge this membership to support the  
17 committee action and reject the motion on the floor.  
18 Thank you.

19 RALPH GERDES: Microphone 7.

20 BILL STALDER: Bill Stalder, Master Control  
21 System, a manufacturer of fire pump controller. I'm  
22 speaking in favor of the motion on the floor. I'd like  
23 to confirm what Ray was saying here, that there is an  
24 industrywide product change to all electric fire pump  
25 controllers to add weekly tests. This is an effective

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1 August 1st of this year. And we always highly recommend  
2 qualified personnel be present during any automatic  
3 weekly test.

4 This change now makes weekly test the same for  
5 both electric and diesel and all fire pump controllers.  
6 I support the motion on the floor.

7 RALPH GERDES: Thank you.

8 Microphone 6.

9 CLAUDE BAKER: Claude Baker, the University of  
10 Chicago Hospitals, speaking with the experience I have  
11 in 22 years --

12 RALPH GERDES: Are you speaking for or against  
13 the motion?

14 CLAUDE BAKER: I'm speaking against. Thank  
15 you.

16 In 22 years, I've been involved with three fire  
17 pumps that needed to be rebuilt. In each of those  
18 cases, we always asked, you know, give us some detail,  
19 what contributed to it. And without exception, each of  
20 the three different types, three different rebuilders,  
21 they said it's your frequent start-ups. If you were to  
22 run this continuously, you probably wouldn't be  
23 rebuilding it at this time.

24 I believe that the decay and the hospital pumps  
25 that I've experienced were due, in fact, to the frequent

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1 start-ups. And with regard to the 10-minute time out, I  
2 don't know where he's running it, but we're running it a  
3 little longer than that.

4           With regard to lightening strikes and power  
5 bumps that -- in our controllers, that kicks it on and  
6 brings the engineer to the pump. He doesn't leave the  
7 pump until he's satisfied the pump is ready to go into  
8 service again.

9           If it's a lightening situation, we go on fire  
10 guard and have provisions. If you have other  
11 considerations, go to hospitals in other states. I  
12 think we're pretty good and we're very comfortable with  
13 the monthly testing.

14           RALPH GERDES: Thank you.

15           Microphone 7.

16           DARREL UNDERWOOD: Darrel Underwood, Underwood  
17 Fire Equipment. My only comment here --

18           RALPH GERDES: Speaking for or against the  
19 motion?

20           DARREL UNDERWOOD: For. I had to think for a  
21 minute. Yeah, for, and here's the reason why: Not  
22 everybody is a hospital. There's housing for the  
23 elderly out there, and do you think they have the same  
24 kind of maintenance crews that you have in a hospital?  
25 I don't think so. And are we trying to protect just the

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1 hospitals or are we trying to protect everyone? That's  
2 my only comment.

3 RALPH GERDES: Thank you.

4 Microphone 5.

5 RICH RAY: Rich Ray, Cybor Fore, in favor of  
6 the motion. Real quick: Where do I get the ten  
7 minutes? NFPA 25 is where it says you run the pump for  
8 10 minutes.

9 RALPH GERDES: Thank you.

10 Mic 4.

11 RUSS LEAVITT: Russ Leavitt, Telgian  
12 Corporation, speaking against the motion. Couple of  
13 things that we need to be cognizant of. One, there is  
14 no such thing as a 10-minute test when it comes to  
15 actual time. NFPA 20 and both 25 require a qualified  
16 individual to be there at the test. This is the crux.  
17 Lots of the -- lots of our buildings don't have  
18 qualified individuals to go out and do a pump test.

19 Our firm deals with about 7000 pumps of which  
20 about 6000 of those are motor driven and most of these  
21 pumps are run at best semi-annually. They're run when  
22 we're there doing some sort of inspection or test. And  
23 I can tell you that the failure rate of the electrical  
24 motors is virtually nil. When we have a failure, it's  
25 at the annual test when the pump does not perform in



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1 raise your hands.

2 (Raising Hands.)

3 RALPH GERDES: Okay. Thank you.

4 All those opposed?

5 (Raising Hands.)

6 RALPH GERDES: That motion fails.

7 Moving on to motion sequence 25-14.

8 Mic 5.

9 KEN ISMAN: Thank you. Ken Isman with the  
10 National Fire Sprinkler Association, and I move to  
11 accept my comment, 25-75.

12 RALPH GERDES: Is there a second?

13 (Second.)

14 RALPH GERDES: Please proceed.

15 KEN ISMAN: Thank you. The way that the  
16 committee processed NFPA 25, the document contradicts  
17 itself. Section 8.3.5.2.1 specifically says, quote,  
18 Theoretical factors for correction to the rated speed  
19 shall be applied where determining the compliance of  
20 pump per the test, end quote.

21 So you shall apply the correction. It's not  
22 even a shall be permitted. It's a shall. You have to  
23 apply the corrections, the theoretical corrections,  
24 people call them the affinity laws under that section.

25 A few sentences later, Section 8.3.5.7, was

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1 added by Proposal 25-143 to state, quote, the pump  
2 performance shall be evaluated using the unadjusted flow  
3 rates and pressures, end quote. So you've got one  
4 section that says you must make the corrections; you've  
5 got another section that says you must use the  
6 unadjusted data. How can you do that?

7 My motion fixes the problem by eliminating the  
8 requirement for the theoretical adjustment to be  
9 performed because that's the correct way to evaluate the  
10 results of an annual flow test. We're talking about the  
11 annual test here, not the acceptance test. I recognize  
12 the need to use the theoretical adjustments at the  
13 acceptance test, but that's not in the scope of NFPA 25.

14 Before we go further, I need to clarify that  
15 what we're talking about are pumps that are rated to run  
16 at one speed. We're not talking about variable speed  
17 drivers in this case. When you conduct the annual test  
18 on a fire pump rated to run at one speed, there's only  
19 three possible outcomes of the test with respect to the  
20 speed at which the pump turns.

21 The first possible outcome is the pump turns at  
22 the proper speed during the test. When that occurs, an  
23 adjustment to the data is inappropriate so you need to  
24 remove the statement that requires an adjustment to the  
25 data.

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1           The second possible outcome is the pump that  
2 turns slower than the proper speed during the test. In  
3 this case, the use of the affinity laws to adjust the  
4 data of the test to determine what would have happened  
5 if the pump had turned at the right speed is  
6 inappropriate and it's dangerous.

7           The use of the affinity laws in this manner  
8 makes it look like the pump passes the test when, in  
9 fact, the pump may be impaired. It is horrible for NFPA  
10 25 to mandate the adjustment of the test data using  
11 theoretical math equations that appear to make  
12 everything look okay when, in fact, the pump is not  
13 creating sufficient pressure to make the fire protection  
14 system work.

15           The third possible outcome of a pump test with  
16 respect to speed is that the pump turns faster than is  
17 proper for the test. This is what I think the committee  
18 was looking at when they rejected my original comment.  
19 But I believe the committee needs to re-evaluate it's  
20 thinking.

21           If the pump turns too fast, and that's how the  
22 pump creates enough pressure for the test, you don't  
23 need to use the affinity laws to show that the pump was  
24 operating improperly. You can show that the pump was  
25 operating improperly by just looking at the speed of the



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1 pump.

2           The NFPA standards already adequately define  
3 the proper range of performance for the speed of the  
4 pump. If the pump runs too fast during the test, then  
5 you don't need to actually use the affinity laws to show  
6 that the results of the test are invalid, you can just  
7 use the speed of the pump.

8           So there's three possibilities of what could  
9 happen during the pump test with relation to the speed.  
10 If it turns at the right speed, you don't need to make  
11 the adjustment. If it turns too slow, you should make  
12 the adjustment because that's wrong. And if it turns  
13 too fast, you don't need to make the adjustment.

14           So why then should we have a rule that mandates  
15 the use of the adjustment when in all the possible  
16 conditions, it's either inappropriate or unnecessary to  
17 use the affinity laws. And remember you have to do --

18           RALPH GERDES: 30 seconds.

19           KEN ISMAN: Thank you. Remember you have to do  
20 something at this meeting because the document as it's  
21 processed by the committee contradicts itself, and this  
22 is the only certified amending motion that deals with  
23 the issue. Thank you.

24           RALPH GERDES: Thank you.

25           Mr. Bouchard.

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1           JOHN BOUCHARD: I will defer to at least a  
2 couple of my committee members who will speak to this,  
3 but I would also point out that the committee actions  
4 were overwhelmingly positive.

5           RALPH GERDES: Thank you.

6           I'll start with Mic 5.

7           TERRY VICTOR: Terry Victor with Play  
8 Co/Simplex Grinnell, NFPA 25 committee member, also NFPA  
9 20 committee member, and I'm speaking in support of the  
10 motion that's on the floor.

11           The theoretical factors for correction for rate  
12 and speed of a fire pump should never be applied to  
13 determine if the pump assembly has passed the annual or  
14 other frequency performance test.

15           The purpose of the pump testing for NFPA 25 is  
16 to determine if the pump meets a level of performance  
17 when the results are compared to either the original  
18 unadjusted field acceptance test curve or the  
19 performance characteristics on the nameplate of the pump  
20 and the system demand.

21           Adjusting the test results to a theoretical  
22 engine speed does not reflect the reality of the test in  
23 the field and may lead to a false sense of compliance to  
24 the acceptance criteria. The performance of the pump  
25 should stand on its own without adjustment to determine

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1 if it will perform as intended when needed.

2           It should also be noted that in NFPA 20,  
3 installation of stationary pumps for fire protection,  
4 the correction to rate of speed is only referenced in  
5 the annex as part of the recommended procedure to plus  
6 the pump performance as part of the original acceptance  
7 test to compare the pump to the manufacturer's bench  
8 test curve.

9           Again, I support the motion, and this language  
10 must be removed from this document. Thank you.

11           RALPH GERDES: Thank you.

12           Mic 4 -- I'm sorry. We'll go to Mic 1.

13           JIM FELD: Jim Feld, University of California,  
14 speaking in favor of the motion. I agree with Mr. Isman  
15 wholeheartedly. This is a major contradiction in our  
16 standard and besides in A3521, the term "theoretical  
17 factors" is a manufactured word that has no meaning and  
18 it's not in any of our codes and standards. We just  
19 assume that it means that the affinity laws, but that's  
20 not stated.

21           The only way that you can use the affinity laws  
22 in a pump test is to compare it to the shop test curve  
23 from the manufacturer. That's its only value. But when  
24 you read the document here, that's not required. You're  
25 not required to compare it to the shop test curve. It

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1 just says shall be used for determining the compliance  
2 of the pump or the test." It doesn't say to compare it  
3 to the shop test.

4 So using the affinity laws to adjust the pump  
5 curve, it does nothing. It goes nowhere. And also in  
6 8353, one of the comparisons is done with the unadjusted  
7 curves. That's already in there so that's going to be  
8 done. Thank you.

9 RALPH GERDES: Thank you.

10 Mic 4.

11 DARRELL UNDERWOOD: Darrell Underwood from  
12 Underwood Fire, and I've been a manufacturer of fire  
13 pumps --

14 RALPH GERDES: Speaking for or against the  
15 motion?

16 DARRELL UNDERWOOD: Against. I've been a  
17 manufacturer of fire pumps for more than 14 years and  
18 now out in the field testing pumps, and the code is not  
19 in conflict with itself. The code is totally clear that  
20 you are to do both. You're to take the building numbers  
21 and make sure that the unadjusted speed covers those  
22 ratings.

23 In addition to that, you have to find out  
24 whether the pump is good or not mechanically, and  
25 there's no one in this room that can tell me that they

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1 know the pump is mechanically good unless they run it  
2 back to the original factory curve.

3           We did a little experiment today, and we took  
4 some people from the union, contractors who Ken Isman  
5 represents, and visited the booths in the exhibition  
6 hall. Six manufacturers said that the curves are  
7 readily available for any pump manufacturer by seal  
8 number.

9           In addition to that, any pump out in the field  
10 that you're trying to test against the original  
11 acceptance test, out of 6 million buildings that we have  
12 out there, I defy anyone to come up with the original  
13 test. Thank you.

14           RALPH GERDES: Thank you.

15           Seeing no further discussion, Mr. Bouchard, do  
16 you have any final comments?

17           JOHN BOUCHARD: All set.

18           RALPH GERDES: Thank you.

19           We are going to proceed with the voting. The  
20 motion is to accept Comment 25-75.

21           All those in favor, please raise your hands.

22                           (Raising Hands.)

23           RALPH GERDES: Thank you.

24           All those opposed?

25                           (Raising Hands.)

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1 RALPH GERDES: I'm going to do a standing  
2 count.

3 All those in favor of accepting Comment 25-75,  
4 please stand.

5 (Standing.)

6 RALPH GERDES: Thank you. You can be seated.

7 All those opposed to the motion, please stand.

8 (Standing.)

9 RALPH GERDES: We have a tie vote, 40 to 40.  
10 By convention rules, the motion fails.

11 (A short recess was taken.)

12 RALPH GERDES: Motion sequence 25-15, and I am  
13 going to go to Mic 5.

14 GEORGE STANLEY: Thank you, Mr. Chairman. My  
15 name is Russ Fleming with the National Fire Sprinkler  
16 Association. I fooled you, didn't I?

17 RALPH GERDES: Please state your correct name.

18 GEORGE STANLEY: We look so much alike.

19 My name is George Stanley with Wiginton Fire  
20 Sprinklers -- or Wiginton Fire Systems rather, and I'm  
21 speaking on behalf of Russ Fleming who had to catch a  
22 plane. The certified amending motion is to accept  
23 Comment 25-104.

24 (Second.)

25 RALPH GERDES: Okay. You are a designated

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1 representative for Mr. Fleming, and I have a second, so  
2 you can proceed.

3           GEORGE STANLEY: Thank you, Mr. Chairman.  
4 Annex D.1 describes how important it is that pipe is  
5 free of obstruction and anything that might affect the  
6 proper flow of a sprinkler head. Accepting Comment  
7 25-104 clarifies what needs to be done, how to do it,  
8 and when it needs to be done for both the inspector and  
9 the owner alike.

10           The proposed new language of 14.2.1 clearly  
11 states that it all starts with a five-year internal  
12 inspection and how it needs to be done. Proposed new  
13 language of 14.2.1.3 clearly states that if anything is  
14 found that might obstruct the pipe or sprinkler, an  
15 obstruction investigation shall be conducted.

16           Proposed new language of 14.2.3 clearly states  
17 that buildings having multiple wet pipe systems either  
18 have or either other -- every other system shall be --  
19 shall have internal inspection every five years.

20 Proposed new language 14.2.3.1 clearly states that you  
21 would alternate between systems every five years.

22           Proposed new language 14.2.3.2 clearly states  
23 that if something is found during that internal  
24 inspection, that all systems will need to have to be  
25 internally inspected. Proposed new language 14.3.3

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1 clearly states that if there are obstructions that could  
2 obstruct the pipe or sprinkler, a complete flushing  
3 program shall be conducted by qualified personnel.

4           Again, I can't state it enough that it really  
5 cleans up Chapter 14: What needs to be done, when it  
6 needs to be done, and how it needs to be done. Thank  
7 you.

8           RALPH GERDES: Thank you. Mr. Bouchard.

9           JOHN BOUCHARD: I'm sure there's going to be a  
10 lot of discussion just after I say what I'm going to  
11 say, but it's mostly in terms of an explanation.

12           Understand that the committee discussed the  
13 obstruction issue, the investigation issue, the internal  
14 pipe condition at length, and this even precedes the ROP  
15 and ROC meeting for this cycle.

16           And at those meetings there were very many cite  
17 issues, maybe that's the wrong word to use, but  
18 different components of what people were for and what  
19 some folks were against. It created some close voting,  
20 very close within the committee to move some of these  
21 things forward.

22           At the comment stage, the committee established  
23 a subcommittee to address this multitude of issues to  
24 try to combine them and come up with a Chapter 14 that  
25 was clear and acceptable to each and every committee



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1 member who had a particular issue or component that was  
2 their particular concern.

3           When the committee considered this comment, and  
4 you'll note that it is a committee comment and it's  
5 25-104, unfortunately some of the issues that  
6 individuals were in favor of were now turned a little  
7 bit the other way and taken as a whole, resulted in the  
8 committee comment not passing ballot.

9           So this series of NITMAMs that you will hear in  
10 the next few minutes, or maybe several minutes,  
11 basically is trying to plug most of those holes so that  
12 the section which the committee has put a great deal of  
13 effort into already can move forward. With that, I'll  
14 turn it over to the floor.

15           RALPH GERDES: Thank you.

16           With that, we'll proceed to the floor  
17 discussion.

18           I'm going to go to Mic 5.

19           TERRY VICTOR: Thank you, Mr. Chairman. Terry  
20 Victor with Play Co/Simplex Grinnell. I'm speaking in  
21 favor of the motion as a committee member to NFPA 25 and  
22 as a member of the task group that came to the committee  
23 during the comment stage and submitted this committee  
24 comment.

25           Chapter 14 is in need of reorganization.

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1 There's a lot of confusion about Chapter 14, and this  
2 committee comment was intended to help with that  
3 reorganization and make it very clear what the  
4 requirements are and the differences between an internal  
5 pipe inspection that's required every five years, an  
6 obstruction investigation which is only required when  
7 certain things happen during the course providing normal  
8 inspection, testing, and maintenance.

9           The internal piping inspection is required  
10 every five years to check for evidence of internal  
11 corrosion, evidence of microbiologically influenced  
12 corrosion, and any other obstructing material that may  
13 be in the system. The obstruction investigation and  
14 prevention is only required on an as need basis.

15           The reorganization of Chapter 14 also includes  
16 the lessening of some of the internal inspection of  
17 piping requirements for buildings with multiple systems  
18 and for systems with nonmetallic pipe and for systems  
19 that do not have a means of performing this inspection.  
20 The reorganization is necessary as the current text has  
21 led to confusion, misinterpretation, and misapplication  
22 of the requirements.

23           There's even a frequently asked question posted  
24 on the NFPA website concerning this chapter and whether  
25 an internal -- or rather an obstruction investigation is

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1 required every five years, and the answer on the website  
2 is no, the obstruction investigation is only required  
3 when certain -- the 14 items that are on the list occur  
4 during the inspection and testing and maintenance  
5 processes. However, every five years you do have to do  
6 the internal pipe inspection on every system.

7           So I move -- or I propose to support this  
8 motion. I ask for your support on it just so we can  
9 have all this clarification that the committee did  
10 submit, and as John stated, it -- it was a slim margin  
11 of approval at the committee meeting for the ROC. It  
12 didn't pass the two-thirds ballot, so we're trying to  
13 get this thing back on track and make it as a comment  
14 that represents what the desire of committee is. Thank  
15 you.

16           RALPH GERDES: Thank you. Mic 1.

17           RICH RAY: Rich Ray, Cybor Fire Protection,  
18 committee member, speaking in favor of the motion. I  
19 think we did a great job with this, and Terry's right  
20 and George is right. We -- this section really needed a  
21 lot of clearing up.

22           First, we call it an obstruction investigation,  
23 two sentences later it's called an inspection of piping,  
24 then it's called an obstruction investigation again.  
25 Now, then, down here it's called an internal inspection.

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1           They did a good job of cleaning it up nicely,  
2   making a distinction between internal inspection being  
3   required every five years, and then when certain things  
4   happen, like you hear rocks in your pipe or when you  
5   open up an ITV, it plugs up with junk, then it's an  
6   obstruction investigation. We did a great job and we'd  
7   like your support. Thank you.

8                           (Court reporters switched at 9:13 p.m.)

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NFPA Meeting - June 9, 2010  
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1   REPORTER'S CERTIFICATE

2       STATE OF NEVADA )  
  ) ss:

3       COUNTY OF CLARK )

4               I, Blanca I. Cano, CCR No. 861, RPR, do hereby  
declare:

5               That I reported the taking of the NFPA  
proceedings commencing on Wednesday, June 9, 2010.

6  
                  That I thereafter transcribed my said shorthand  
7 notes into typewriting and that the typewritten  
transcript is a complete, true, and accurate  
8 transcription of my said shorthand notes.

9               I further certify that I am not a relative or  
employee of any of the parties, nor a relative or  
10 employee of the parties involved, nor a person  
financially interested in the action.

11  
                  IN WITNESS WHEREOF, I have set my hand in my  
12 office in the County of Clark, State of Nevada, this  
24th day of June, 2010.

13  
14

\_\_\_\_\_  
Blanca I. Cano, CCR No. 861, RPR

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The following is the continuation of the Hearing on  
NFPA 25, *Standard for the Inspection, Testing, and  
Maintenance of Water-Based Fire Protection  
Systems*

Start time: 9:12 PM

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REPORTER'S TRANSCRIPT OF  
NFPA ASSOCIATION TECHNICAL MEETING

Taken at Mandalay Bay Convention Center  
3950 South Las Vegas Boulevard  
Las Vegas, Nevada

On Wednesday, June 9, 2010

9:12 p.m. to 9:45 p.m.

Reported by: Jane V. Efaw, CCR #601, RPR

**NFPA Association - June 9, 2010  
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1           Wednesday, June 9, 2010; Las Vegas, Nevada

2                           P R O C E E D I N G S

3                           \* \* \* \* \*

4

5                   MR. KEATING: Good afternoon. My name is  
6 Larry Keating. I'm with Lifeline Fire Protection. I  
7 represent the Canadian Independent Sprinkler  
8 Association. And I'm a committee member. And I  
9 can't agree that we did a great job.

10                   THE CHAIR: Speaking for or against the  
11 motion?

12                   MR. KEATING: I'm speaking against the  
13 motion. I'm totally in favor of what we tried to do,  
14 but unfortunately I don't think we quite hit the  
15 mark. That's why I had a negative ballot. I was one  
16 of those people that didn't help with the two-thirds  
17 to get it passed because I had to vote against it.

18                   There were some issues. And I'm getting  
19 tired, so please bear with me. There is the issue of  
20 not having to check CBDC pipe just because CBDC  
21 doesn't corrode. But it is susceptible to getting  
22 debris and things that can plug a sprinkler in it.  
23 And I can't agree that we can accept paragraphs like  
24 that.

25                   There was the premise of always checking the



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1 one branch line besides the inspector's test  
2 connection. I disagree with that. You have to look  
3 at different places each time. If you always go and  
4 look at the safe thing, you always get the same  
5 result.

6 But that isn't the reason for the internal  
7 inspection. The internal inspection is to  
8 arbitrarily look at places to see if there's a  
9 problem in the system, just not one place in the  
10 system.

11 They tried to discuss the subject of when  
12 you have to inspect the internal end of a cross fan.  
13 I'm afraid they missed the boat there. They actually  
14 forgot to mention that. There were discussions about  
15 not having to rent a man-lift to get in there and  
16 inspect the internals of the cross-connection. They  
17 didn't do anything about having to check the branch  
18 line.

19 So as I said, I'm afraid we just didn't get  
20 there, and I can't support this motion.

21 THE CHAIR: Thank you. Mike 5.

22 MR. BILBO: Cecil Bilbo from the Academy of  
23 Fire Sprinkler Technology, and I speak in favor of  
24 the motion.

25 Over the last few years, we spent three days

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1 with probably 2,000 or 3,000 inspectors and ASJ's  
2 teaching them about water-based fire protection  
3 systems. This is a subject that comes up in each and  
4 every class, and it's a question that needs to be  
5 answered in each and every class. While this  
6 language that Mr. Keating states may not be  
7 pertinent, along with other things that's happened  
8 here tonight, this is moving in the right direction.  
9 And I would ask that everyone accepts this motion.

10 THE CHAIR: Thank you. Mike 4.

11 MR. ELVOVE: Josh Elvove with the U.S.  
12 General Services Administration speaking against the  
13 motion.

14 First of all, I have a point of order.  
15 There are at least four subsequent motions that are  
16 basically going to address this particular comment.  
17 And I was wondering how those are going to affect it.  
18 If this were to pass, we're going to be picking and  
19 choosing pieces of it.

20 THE CHAIR: If all these subsequent motions  
21 are successful, the Committee will be balloted. And  
22 that information is going to be passed onto the  
23 Standards Council. And there may be appeals. But  
24 the Council will ultimately make the decision.

25 MR. ELVOVE: Thank you. I just want to make

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1     sure that the assembly here was aware that there are  
2     multiple motions that would actually amend this again  
3     should you choose to accept this, which I ask you not  
4     to for what Larry has said.

5             And to counter what Mr. Bilbo has said, it's  
6     not even close to being perfect. Look at all the  
7     reasons used for rejecting this during the ROC  
8     ballot. And forget about the fact that the  
9     references were incorrect. There's no Section 14.22.  
10    Was that an editorial mistake or an omission of the  
11    text? Can someone say for sure given the confusion  
12    out of a committee member how this was very, very  
13    confusing.

14            We did our best to come up with the  
15    consensus language, but we obviously failed. A lot  
16    of motions are tied to this motion. And I don't  
17    think a lot of people can look at the ROP and ROC and  
18    really understand how this came to be. And let me  
19    continue.

20            This section also introduces new material  
21    that the public hasn't seen. I'm not sure if that's  
22    a fact or I asked that before. And apparently that  
23    wasn't an issue. But look at the committee's  
24    substantiation. At least four of the six listed  
25    changes are brand-new. But, regardless, some of the

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1 proposed changes are confused or flawed.

2           For example, new 14.232 requires an internal  
3 inspection for all systems if foreign organic or  
4 inorganic material is found during the five-year  
5 inspection. Yet in A14.213 it says the presence of  
6 some foreign material may not be sufficient to  
7 trigger an obstruction investigation. We're sending  
8 mixed signals there.

9           In addition, the new 14.232 seems to relax  
10 the five-year internal inspection requirement. But  
11 does it? The annex note requires that no evidence of  
12 any foreign or organic or inorganic material be found  
13 before this kicks in. So I look at that as an  
14 illusion.

15           And there's also an editorial mistake. The  
16 new A14.314, which I have no issue with, does not  
17 even accept it. So this was not really done very  
18 well. And I would urge the assembly here to really  
19 look at this before you accept this. It doesn't flow  
20 well. If it doesn't flow well, we might as well  
21 stick with what we have and go fix it later. I urge  
22 you to reject this comment.

23           THE CHAIR: Thank you. We'll go to mike 4.

24           MR. LARRIMER: My name is Pete Larrimer.

25 I'm with the Department of Veteran Affairs. And I

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1 speak opposed to the motion. I just want to point  
2 out a couple brief items.

3           You can see by the committee members, of  
4 which I am one also, that most of the committee  
5 members are confused as to what the requirements are.  
6 Mr. Keating in his negative comment is still looking  
7 for obstructions in plastic pipe.

8           Back when we were in Phoenix years ago when  
9 this was originally put in, I believe it was  
10 originally put in because of the MIC issue, and they  
11 were just looking inside for the presence of MIC.  
12 And it got turned around. But now we're looking for  
13 debris in this obstruction, and one little sprinkler  
14 location remained in a building like this. It's  
15 ridiculous. There's so many confusing things in this  
16 document. 104 will not clarify anything. If  
17 anything, it makes it more confusing. I speak in  
18 opposition to this motion. Thank you.

19           THE CHAIR: Thank you. Mike 5.

20           MR. VICTOR: Terry Victor with Tyco Simplex  
21 Grinnell. I can't let it go without saying again  
22 that the text the way it is now, if we don't pass  
23 this committee comment --

24           THE CHAIR: You're speaking for or against?

25           MR. VICTOR: I'm speaking in favor of the

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1 motion. If we don't pass this committee comment  
2 here, then we're going to revert back to basically  
3 the text that was in the previous edition, which is  
4 very confusing and is causing a lot of undue  
5 inspections and obstruction investigations.

6           And, again, as we spoke earlier, there's a  
7 confusion of terms even within the current document  
8 in Chapter 14. The question was whether subsequent  
9 comments and motions are going to be made following  
10 this one. Mine is up next. If this motion succeeds,  
11 I intend to withdraw my next motion, and we can speed  
12 up the process.

13           However, if this fails, I'm going to go  
14 forward with my motion, and we will address some of  
15 the issues that Mr. Keating has with the plastic  
16 pipe. And I think there were others that intend to  
17 withdraw motions if, in fact, this motion should  
18 pass.

19           So we want to clean it up. We want to make  
20 it user friendly. We want to keep the requirements  
21 in there that we know are working.

22           We have, in fact, recognized that there is  
23 material in these pipes that we didn't realize were  
24 there years ago. This requirement for the internal  
25 inspection was put in two cycles ago into the

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1 document. And since then we've been opening up these  
2 systems and finding all kinds of problems.

3 So we need to continue with this type of an  
4 internal inspection. We need to clarify the  
5 difference between the internal inspection and the  
6 obstruction investigation. And this committee  
7 comment and this motion will do that. Thank you.

8 THE CHAIR: Thank you. Seeing no further  
9 discussion on the floor, Mr. Brushard?

10 MR. BRUSHARD: I would only comment that  
11 what Terry has just indicated and what I was going to  
12 say is that there's been discussion. And if this  
13 particular amendment should be passed, then there are  
14 a few of the following motions that would not be  
15 opposed, but they would be withdrawn at that point.

16 Again, relative to the overall effort, I  
17 believe that NFPA 25 is attempting to move forward.  
18 They are trying to address a lot of complex issues  
19 that are brought up between our enforcement  
20 officials, the users, our contractors, and also our  
21 insurance representatives.

22 And it is a major effort to try to not  
23 appease everyone but at least to address everyone's  
24 major concerns. And that's what the subcommittee  
25 attempted to do originally. And, yes, they missed

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1 the mark.

2           The current proposal on the floor, in my  
3 opinion, is a good attempt to bring quite a few of  
4 those minor or sub items into focus so that we can  
5 move forward with it. If this one does not pass,  
6 then there will be three or four more. And,  
7 unfortunately, I have to indicate that I think you  
8 will hear a lot of the same arguments.

9           THE CHAIR: Thank you. I'm going to go to  
10 mike 4.

11           MR. ELVOVE: Josh Elvove with the U.S.  
12 General Services Administration speaking against the  
13 motion. With no disrespect to the Chair, I don't  
14 think it's fair to speculate what will be happening  
15 next. There's a lot of motions coming up, and we  
16 don't know what's going to happen. So I would say  
17 disregard that.

18           I would just remind the assembly one more  
19 time that this one was not a consensus. You looked  
20 at the ballot. You saw this is the most contentious  
21 issue that the committee had to deal with. If that's  
22 the care, I'm reluctant and hesitant to want to pass  
23 it here on the floor. Thank you.

24           THE CHAIR: Thank you. I'll go to mike 5.

25           UNIDENTIFIED SPEAKER: I'm speaking in favor



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1 of the motion. Josh is right. You never know what's  
2 going to happen. But I'll tell you, if we get this  
3 one passed, I've got two coming up, and I'll pull  
4 them.

5 THE CHAIR: Okay. Thank you. We're going  
6 to close discussion on this issue and go to the vote.  
7 The motion is to accept Comment 25.104. All those in  
8 favor please raise your hand. Thank you. Those  
9 opposed. Thank you. That motion carries.

10 As previously stated in the last discussion,  
11 we're now going to see some motions that may be  
12 modifying what we just did. I just want to make the  
13 body aware of that. With that, we're going to  
14 proceed with Motion Sequence 25-16. Mike 5.

15 MR. VICTOR: My name is Terry Victor with  
16 Simplex Grinnell. And I move to withdraw my  
17 certified amended motion in favor of the previous  
18 action.

19 THE CHAIR: The Chair accepts your  
20 withdrawal. There will be no further discussion on  
21 that motion. We're going to move to Motion Sequence  
22 25-17.

23 MR. RAY: My name is Richard Ray, Cybor Fire  
24 Protection. And I'm going to withdraw this motion.

25 THE CHAIR: Thank you. I accept that

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1 withdrawal. No further discussion on that item.

2 We're now on Motion Sequence 25-18.

3 MR. LEAVITT: Russell Leavitt, Telgian  
4 Corporation. And I also remove my motion.

5 THE CHAIR: Thank you. The Chair accepts  
6 that withdrawal. There will be no further discussion  
7 on that item. We're now on Motion Sequence 25-19.  
8 Mike 1.

9 MR. LARRIMER: Pete Larrimer, Department of  
10 Veteran Affairs. I'd like to make a motion to accept  
11 25-19.

12 THE CHAIR: What's your motion? Is it to  
13 accept Comment 25-101?

14 MR. LARRIMER: Oh, yeah. With this motion  
15 I'm asking to accept Comment 25-101.

16 THE CHAIR: Okay. Is there a second?  
17 Proceed.

18 MR. LARRIMER: That comment is on page 25-26  
19 of the ROC. This is actually to accept the original  
20 proposal of 25-185, which can be found on page 25-44  
21 of the ROP.

22 If this motion is accepted, it will clarify  
23 a lot of this stuff, but we will have to go back and  
24 address 104. If this motion is accepted, the  
25 requirement to do an internal inspection of sprinkler

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1 piping will not be eliminated from the standard, but  
2 it will require one of the 14 triggers as identified  
3 in Chapter 14 to initiate that inspection and/or  
4 investigation be conducted. Please note that pinhole  
5 leaks suggesting the presence of MIC is in that list  
6 of triggers as Number 13.

7           There has never been any technical  
8 substantiation provided for this mandatory  
9 requirement to inspect the internal piping of  
10 sprinkler systems every five years. I have  
11 documented the lack of substantiation by the  
12 Committee in my negative vote on Proposal 25-185 on  
13 page 25-44 of the ROP.

14           The substantiation now provided by the  
15 Committee in the ROC Committee Statement states,  
16 "Reports of obstructions under actual field  
17 inspections supports the validity of the five-year  
18 internal inspection criteria. It is important to  
19 keep consistent collection points until more data can  
20 be collected."

21           Please understand that there were never any  
22 written reports on obstructions provided to the  
23 Technical Committee to support the inspection  
24 requirement, at least for the last three cycles that  
25 I've been on the committee. But now data has, in

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1 fact, been collected. And it can be found in the  
2 NFPA report dated February 2010 by John R. Hall, Jr.,  
3 titled "U.S. Experience with Sprinklers and other  
4 Automatic Fire Distinguishing Equipment." And it's  
5 readily available on the NFPA website.

6 A summary of this data shows that sprinklers  
7 have an excellent record of operating. And when they  
8 do fail, they operate effectively. Obstructions of  
9 the piping account for no more than 1 percent of  
10 those failures. The written data in the NFPA report  
11 identifies that there truly is no justification for  
12 inspecting every system every five years.

13 Accepting this motion will still require an  
14 inspection but only when there's just cause to do so.  
15 I ask you to support this motion. Thank you.

16 THE CHAIR: Thank you. Mr. Brushard?

17 MR. BRUSHARD: I'll defer to the committee  
18 members.

19 THE CHAIR: Thank you. I'm going to go to  
20 microphone 4.

21 MR. VICTOR: Terry Victor, Simplex Grunnell  
22 Tyco, member of the NFPA 25 Committee. And I speak  
23 against the motion on the floor.

24 First, the requirement to inspect the inside  
25 of two pipes in a system every five years is not

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1 onerous, as the submitter of the comment stated in  
2 the substantiation. Each system by design has at  
3 least one check valve, and that check valve must be  
4 inspected every five years internally.

5           While the system is drained down before this  
6 inspection, to also open up and inspect the inside of  
7 two pieces of pipe is not onerous. The Committee has  
8 never received an objection to the internal  
9 inspection of these check valves, and yet we still  
10 have these objections to inspecting the internal  
11 pipes, these two pipes on the system.

12           Second, since the introduction of the  
13 five-year internal pipe inspection two editions ago,  
14 results of these inspections have yielded many  
15 problems that would have affected system performance.

16           And I understand the 1 percent failure rate  
17 based on plug systems is a low percentage, but I  
18 think we've eliminated a lot of potential problems  
19 with this five-year internal inspection by picking up  
20 debris that we found in the pipes.

21           I personally have collected numerous  
22 pictures of the obstructions found in systems while  
23 performing the five-year inspection, which include  
24 rust, scale, rags, rocks, sludge, solid caking of  
25 material, and microbiologically influence corrosion.

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1           In 2008 and 2009 Simplex Grunnell submitted  
2   to one lab what are samples or evidence of MIC that  
3   was observed in 254 systems. Of those 254 systems,  
4   65, or 26 percent, showed evidence of high MIC  
5   activity. And 132, or 52 percent, showed medium MIC  
6   activity. In total, 78 percent of these systems  
7   needed some sort of action taken to address the MIC  
8   activity that was in these pipes.

9           While the original intent of this  
10   requirement was to proactively address the impact of  
11   MIC that it was having on our systems, other benefits  
12   have been realized, and this internal inspection  
13   every five years is needed. Again, I oppose the  
14   motion, and I ask you to also oppose it. Thank you.

15           THE CHAIR: Mike 5.

16           MR. DESHANAY: My name is Dave Deshanay.  
17   And I speak on behalf of the Healthcare Section. And  
18   we speak in favor of the motion.

19           This morning at the Healthcare Section of  
20   the Executive Board Meeting, the membership voted to  
21   support this motion. We feel that the five-year  
22   requirement inspection is completely unjustified and  
23   has no technical merit.

24           The requirement for the five-year  
25   investigation has been around for a few cycles. At

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1 every one of these cycles, there have been debate as  
2 to the rationale and the need for this inspection.  
3 And this cycle has no difference.

4 One justification was given to support the  
5 five-year requirement. And I quote, There is a need  
6 to check for possible obstruction in the lines, end  
7 quote. This statement carries no technical data, no  
8 justification to support, and is a requirement that  
9 has no merit.

10 Furthermore, the existing 4.2.2 has language  
11 that basically has 14 different items that would  
12 trigger such of an investigation if there were  
13 problems within the system.

14 The process of conducting investigations  
15 based on evidence and risk makes sense. The  
16 requirement to investigate or inspect every five  
17 years just for the sake of doing it does not make  
18 sense. We are all working in an environment where  
19 we're asked to do more for less. And this  
20 requirement is a perfect example of waste of time and  
21 resources.

22 The Healthcare Section fully supports all  
23 Codes and Standards that brings safety and value to  
24 the industry. However, this five-year requirement  
25 brings no added value or no safety to the industry.

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1 The Healthcare Section urges the membership to  
2 support this motion. Thank you.

3 THE CHAIR: Thank you. Mike 4.

4 MR. RAY: Rich Ray, Cybor Fire Protection,  
5 speaking against the motion.

6 Fire sprinklers have an excellent record, as  
7 Josh brought up, and I'm glad that he did. The  
8 reason we have an excellent record is because we test  
9 and maintain our systems. We don't take requirements  
10 that have been in there keeping that record off,  
11 keeping that 90-something percent liability off.  
12 What is the point of that? Just because we don't  
13 want to do it? So do we let the liability slide?  
14 Whoa, we did too much. We did too much. We've got  
15 to start requiring things again.

16 That's not the right way to do this. We  
17 have reached a pinnacle of excellence. Why go  
18 backwards. Terry's right. The standard already  
19 requires that every five years there's a check valve  
20 requirement. The system has to be drained to do  
21 that. I've got some crazy fitters, but they wouldn't  
22 even try that one on the fly. The system has to be  
23 drained down. You're asking somebody to take the cap  
24 off of a flushing connection and remove one  
25 sprinkler.



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1           I've been doing fire sprinklers for over 25  
2 years. I found pieces of asphalt bigger than my  
3 hand, workman's gloves, sandwich baggies, coupons.  
4 We call them coupons. You know, if you drill a hole  
5 in a piece of pipe, you've collected handfuls of  
6 those out of branch lines. I've gone to jobs where a  
7 flushing connection is removed on a piece of 2-inch  
8 cross-main. I ask you to remove this motion.

9           THE CHAIR: Thank you. Mike 7.

10          MR. LARRIMER: Pete Larrimer, Department of  
11 Veteran Affairs, speaking for the motion.

12           I want to address the check valve comment  
13 first. We often have systems where we'll have a fire  
14 pump with the check valve in line but a bypass in the  
15 check valve. Both of those check valves, if we were  
16 to do the five-year inspection, could be looked at  
17 internally without shutting the system down, causing  
18 a big problem.

19           So I'm not sure that we're real concerned  
20 about the check valve. They don't have a great  
21 effect on the system operation of our systems.

22           Also, I want to comment on it not being  
23 onerous. We have to follow impairment procedures in  
24 hospitals and take interim life safety measures. Not  
25 only are there costs involved in performing the

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1 inspection, but the impairment procedures that must  
2 take place to do the inspection does require a lot of  
3 effort.

4           In healthcare facilities, interim life  
5 safety measures must be instituted because they are  
6 usually taking a sprinkler system out of service to  
7 pull the required sprinkler. In a healthcare  
8 facility that operates 24/7, this is not as easy as  
9 the ITM votes would have you believe. Due to the  
10 necessary coordination among safety and facility  
11 staff, tags are required to be placed along fire  
12 department connections and control valves.

13           The authority having jurisdiction must be  
14 notified that the system must be taken out of  
15 service. The fire alarm system has to be taken out  
16 of service more often than not due to the numerous  
17 false trips of the flow switches while they're  
18 draining and filling up systems. People in the area  
19 of the system must be notified that their required  
20 sprinkler system is out of service.

21           Once the job is complete, the tags have to  
22 be removed from the fire department connection and  
23 control valve. The HGA must be notified that the  
24 system is back in service. The fire alarm system  
25 must be placed back into service. So the people in

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1 the area must be notified that the system is back in  
2 service.

3 This all takes a significant amount of  
4 resources in a hospital. This is not an easy task.  
5 With thousands of sprinkler systems in the VA Medical  
6 Center, the costs are not insignificant. Contractors  
7 coming to our Medical Center providing pricing for  
8 this internal inspection as a main focus of their ITM  
9 pass --

10 THE CHAIR: Pete, can you slow down a  
11 little? We're having a hard time with the  
12 transcript.

13 MR. LARRIMER: We have numerous systems at  
14 each campus, and we just haven't had failures with  
15 sprinkler systems that this inspection will remedy.  
16 And in my industry, the healthcare industry, we  
17 modify our systems so much that we're always inside  
18 our pipe.

19 And we might not be the same as some of  
20 these highly protective risk. And I understand it  
21 would probably behoove them to go out and inspect  
22 inside their piping if they're going to do systems  
23 like a healthcare facility. But in the healthcare  
24 area, we modify our systems. So we see the internals  
25 of our pipe. And also the items that Mr. Ray finds

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1 is through routine testing. We find the same thing.

2           One last point I want to make. Sprinkler  
3 systems operate effectively with some rust in the  
4 pipe. We designed it with a seeding factor of 120.  
5 And now it's going to go to 100 and even below that.  
6 The systems are still effective. The statistics bear  
7 that out. Most systems operate effectively with only  
8 one or two heads. 89 percent of the wet pipe  
9 sprinkler systems control the fire with one or two  
10 heads. That is not a lot of water flowing.

11           Even with some obstructions, you will have a  
12 very effective system. We're not eliminating the  
13 requirement to do the inspection. We're just making  
14 the requirement conditional upon all the triggers  
15 that are in Chapter 14. Thank you.

16           THE CHAIR: Thank you. Mike 4.

17           MR. BELLEMY: Tracy Bellemy, Telgian  
18 Corporation, with a call to question.

19           THE CHAIR: We've got a call to question.  
20 Please raise your hands. Thank you. Those opposed.  
21 That motion carries. We're going to proceed with the  
22 vote.

23           The motion is to accept Comment 25-101. All  
24 those in favor please raise your hands. Thank you.  
25 All those opposed. I think we're going to go to a

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1 standing vote. All those in favor of accepting  
2 Comment 25-101, please stand. Thank you. Be seated.  
3 Those opposed to the motion, please stand. Thank  
4 you. You can be seated. The vote was 45 to 35. The  
5 motion passes.

6 Moving on. The next motion on NFPA 25,  
7 Motion Sequence 25-20, appeared on our agenda.  
8 However, the authorized maker of the motion or their  
9 designated representative has notified NFPA that they  
10 no longer wish to present this motion.

11 Therefore, in accordance with the NFPA  
12 rules, the motion may not be considered by the  
13 assembly, and it's removed from the agenda. We will  
14 now move on to the next motion.

15 The next motion is Motion Sequence 25-21.  
16 And I'm going to go to mike 4.

17 MR. RAY: Rich Ray, Cybor Fire Protection  
18 Company. As promised, I withdraw that motion.

19 THE CHAIR: The Chair accepts your  
20 withdrawal, and there will be no further discussion  
21 on that item. We're going to move on to Motion  
22 Sequence 25-22. Mike 1.

23 MR. ELVOVE: Josh Elvove with the U.S.  
24 General Services Administration, and I'm here to  
25 withdraw my motion.

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1           THE CHAIR: Thank you. The Chair accepts  
2 your withdrawal. No further discussion on that item.  
3 We're going to move on to Motion Sequence 25-23.

4           MR. ELVOVE: Josh Elvove with the U.S.  
5 General Services Administration. I'm here to  
6 withdraw my motion.

7           THE CHAIR: Thank you. The Chair accepts  
8 that withdrawal. No further discussion on that item.  
9 We're going to move on to Motion Sequence 25-24.

10          MR. ELVOVE: Josh Elvove with the U.S.  
11 General Services Administration. I'm withdrawing  
12 that motion.

13          THE CHAIR: The Chair accepts your  
14 withdrawal. No further discussion on that item.  
15 We're down to Motion Sequence 25-25. And I'm going  
16 to go to mike 4.

17          MR. LARRIMER: My name is Pete Larrimer with  
18 the Department of Veteran Affairs, and I withdraw  
19 that motion.

20          THE CHAIR: The Chair accepts that  
21 withdrawal. No further discussion on that item.  
22 Mike 1.

23          THE WITNESS: David de Vries, Firetech  
24 Engineering, Incorporated. I concur with  
25 Mr. Larrimer.

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1           THE CHAIR: Okay. Mr. Brushard, thank you.

2           MR. BRUSHARD: Well, thank you. I'd like to  
3 thank everyone for hanging in there with us tonight.  
4 And I do mean tonight. Thank you very much. And  
5 thank you for your support of the Committee.

6           And I also thank the Committee for all their  
7 hard work and their efforts leading up to this new  
8 edition of NFPA 25. Thank you, all.

9           THE CHAIR: I want to thank the membership  
10 for hanging in there tonight. We've covered a lot of  
11 ground.

12           This officially concludes this portion of  
13 the 2010 Annual Association Technical Meeting. This  
14 Association Technical Meeting will reconvene here  
15 tomorrow, Thursday, June the 10th, 2010, at 8:00 a.m.

16           I want to thank you for your participation,  
17 interest and support. I now declare this part of the  
18 meeting officially closed.

19           (Thereupon the proceedings were  
20 concluded at 9:45 p.m.)

21           \*     \*     \*     \*     \*

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1                                    CERTIFICATE OF REPORTER

2        STATE OF NEVADA    )

3                                    SS:

4        COUNTY OF CLARK.  )

5                    I, Jane V. Efaw, certified shorthand  
6        reporter, do hereby certify that I took down in  
7        shorthand (Stenotype) all of the proceedings had in  
8        the before-entitled matter at the time and place  
9        indicated; and that thereafter said shorthand notes  
10       were transcribed into typewriting at and under my  
11       direction and supervision and the foregoing  
12       transcript constitutes a full, true and accurate  
13       record of the proceedings had.

14                    IN WITNESS WHEREOF, I have hereunto affixed  
15       my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

16  
17  
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\_\_\_\_\_

19                                    Jane V. Efaw, CCR #601

20  
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22  
23  
24  
25



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