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

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

2:03 P.M.

-oOo-

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

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

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

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

As with any organization, we have certain rules

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

I'd also like to call your attention to the NFPA convention rules which set the process to be followed today. Copies of both documents are contained in the NFPA Code and Standards Directory which is posted on the NFPA website, www.NFPA.org, and copies are also available at the NFPA registration desk.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

the association, that is, those with yellow badges.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

afternoon.

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

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

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

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

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

motion as long as it is not repetitious.

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

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

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

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

special achievement awards and committee service awards.

JIM PAULEY: Thank you, Shane, and good afternoon. The special achievement award is presented to recognize significant contribution of a committee member to a single project that has enhanced the NFPA codes and standards making process. We have three special achievement awards that will be presented today.

The first one goes to Dale Dressel, and I would like to ask Dale to please join me here on stage.

AMY BEASLEY-CRONIN: Dale Dressel of Solutia Incorporated in St. Louis, Missouri has been serving since 1988 on the technical committee on multiple burner boilers, the technical committee on single-burner boilers, and the technical correlating committee on boiler combustion system hazards which he was chair from '95 to 2004. These committees are responsible for NFPA 85, boiler and combustion system hazardous codes.

As a member of these committees and in his chairmanship of the correlating committee, Dale was very active in helping the committee merge the six boiler standards into a single code, NFPA 85. Dale's knowledge and expertise in this area played a key role in the success of these committees and in the success of the boiler combustion system hazardous project as a whole.

(Applause.)

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

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

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

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

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

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

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

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

(Applause.)

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

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

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

safety chapter of the book written.

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

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

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

(Applause.)

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

(Applause.)

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

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

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

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

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

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

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

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

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

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

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

SHANE CLARY: Thank you, Jim and Amy.

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

behind me on the screen.

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

Mr. Minister.

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

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

SHANE CLARY: Thank you, Mr. Minister.

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

And where are they?

Microphone 5.

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

I submitted a proposal to NFPA 45 requesting that they change the wording of Section 8.10.1 from a negative statement to a positive statement. Let me explain.

SHANE CLARY: Okay. First, Mr. -- we need your motion, please.

BILL ECKHOLM: The motion is to accept Proposal 45-20.

SHANE CLARY: Okay. Do we have a second.

(Second.)

SHANE CLARY: We have a second. Please proceed.

BILL ECKHOLM: Again, allow me to explain the logic behind this. The current wording of 8.10.1 is, "Automatic fire protection systems shall not be required in chemical fume hoods or exhaust systems except in the following cases." The paragraph then goes on to describe the exceptions that would mandate fire protection.

I have steadfastly argued that stating fire protection is not necessary and then listing exceptions where fire protection is necessary is simply wrong. It's poor style and it's backwards.

My proposal is very simple: I propose that 8.10.1 be reversed. In other words, instead of stating

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

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

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

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

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

the exceptions that would mandate fire protection apply to them.

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

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

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

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

I've also heard countless stories of how very

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

SHANE CLARY: One minute.

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

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

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

SHANE CLARY: Please complete your comments.

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

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

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

SHANE CLARY: Okay. Please conclude.

BILL ECKHOLM: Okay. Thank you.

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

SHANE CLARY: Okay. Thank you.

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

SHANE CLARY: Okay. Thank you.

BILL ECKHOLM: Thank you for considering.

SHANE CLARY: Mr. Chairman, any comments.

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

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

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

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

SHANE CLARY: Okay. Thank you.

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

We'll begin on Microphone 5, Chief.

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

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

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

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

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

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

The current language also creates and sets up

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

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

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

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

SHANE CLARY: Okay. Thank you.

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

record and, of course, your name.

Please proceed, Microphone No. 2.

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

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

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

The additional look by the NFPA survey showed

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

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

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

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

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

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

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

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

SHANE CLARY: Thank you.

Microphone No. 8.

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

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

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

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

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

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

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

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

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

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

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

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

SHANE CLARY: Thank you.

Microphone No. 1.

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

SHANE CLARY: Thank you.

And Microphone No. 8.

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

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

SHANE CLARY: Is this for or against the motion.

JOHN SADY: Is this for or against the motion?

SHANE CLARY: Thank you. Please proceed.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SHANE CLARY: Okay. Thank you very much.

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

And Microphone No. 9.

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

SHANE CLARY: No. You're okay.

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

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

I noticed that the gentlemen from Exxon and

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

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

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

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

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

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

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

SHANE CLARY: One minute.

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

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

SHANE CLARY: Thank you.

And it looks like Microphone No. 2.

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

SHANE CLARY: Please state your name.

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

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

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

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

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

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

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

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

SHANE CLARY: Okay. Thank you.

Any further discussion on the motion before us?

And Microphone No. 7, please.

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

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

SHANE CLARY: Okay. Thank you.

Microphone No. 6, please.

SPEAKER: Steve (indiscernible), call the question.

SHANE CLARY: We have a second?

(Second.)

SHANE CLARY: We have a second.

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

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

(Raising hands.)

Thank you.

All opposed?

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

(Raising hands.)

SHANE CLARY: Thank you.

And all opposed, same sign.

(Raising hands.)

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

So all in favor, please stand up.

(Standing.)

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

And those opposed, you may now exercise your legs.

(Standing.)

SHANE CLARY: Okay. You can all be seated. You can all be seated. And the motion failed 87 for and 119 were against the motion, so the motion fails.

Okay. Thank you, Mr. Minister.

ANDREW MINISTER: Thank you.

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

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

Mr. Frank.

WALTER FRANK: Thank you, Chair.

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

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

proceed with the certified amending motions.

SHANE CLARY: Thank you, Mr. Frank.

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

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

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

(Second.)

SHANE CLARY: There was a second.

Mr. Cholin, please proceed.

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

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

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

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

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

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

SHANE CLARY: Okay. Thank you.

Mr. Frank.

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

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

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

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

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

fires and explosions result from a deflagration.

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

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

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

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

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

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

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

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

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

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

SHANE CLARY: Okay. Thank you.

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

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

Association on this issue.

Frankly, using other words to describe subsets of a broader term, in this case deflagration, I think is, in fact, removing the term from the code. Mr. Cholin's Comment I believe is right on target. It will, in fact, make this in -- conflict and set apart from among other things model building codes that rely upon this standard for continued enforcement.

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

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

SHANE CLARY: Okay. Thank you.

And Microphone No. 2, please.

ERDOM URAL: Oh, that's me.

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

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

SHANE CLARY: Step away from the mic.

(Laughter.)

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

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

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

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

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

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

SHANE CLARY: Thank you.

Microphone No. 1, please.

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

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

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

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

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

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

SHANE CLARY: Thank you.

And Microphone No. 2, please.

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

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

First of all --

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

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

SHANE CLARY: Thank you. You may proceed.

BILL STEPHENSON: Thank you.

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

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

SHANE CLARY: Thank you.

Any further discussion on Motion 654-1?

And, yes, Microphone No. 5.

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

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

BRICE CHASTAIN: I'm speaking for the motion.

SHANE CLARY: Thank you. Please proceed.

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

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

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

SHANE CLARY: Okay. Thank you.

Microphone No. 1.

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

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

SHANE CLARY: Okay. Thank you.

Any further discussion on the motion --

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

SHANE CLARY: Mr. Frank, please proceed.

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

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

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

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

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

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

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

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

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

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

SHANE CLARY: Thank you.

Microphone No. 2, Chief Black.

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

SHANE CLARY: Okay. Can we have a second.

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

(Raising hands.)

SHANE CLARY: All opposed same sign.

Motion carries. We now immediately move to the

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

(Raising Hands.)

SHANE CLARY: Thank you.

All opposed?

(Raising Hands.)

SHANE CLARY: The motion carries.

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

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

And Microphone No. 1.

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

The proposed new section 6.1 --

SHANE CLARY: Do we have a second?

(Second.)

SHANE CLARY: Thank you.

Mr. Cholin, you may now proceed.

JOHN CHOLIN: Thank you.

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

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

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

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

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

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

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

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

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

The current edition of the standard provides a

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

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

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

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

SHANE CLARY: One minute.

JOHN CHOLIN: I understand.

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

SHANE CLARY: Thank you.

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

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

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

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

Those equations were what we provided to

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

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

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

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

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

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

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

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

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

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

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

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

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

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

WALTER FRANK: I'm sorry. Okay.

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

ERDOM URAL: Oh, that's me.

SHANE CLARY: That is you.

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

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

equations or not.

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

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

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

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

layer nobody knows.

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

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

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

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

SHANE CLARY: One minute.

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

SHANE CLARY: Okay. Thank you.

Microphone No. 5, please.

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

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

For example, the determining and training

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

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

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

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

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

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

SHANE CLARY: Thank you.

Microphone No. 2.

BILL STEPHENSON: Thank you. Am I on?

SHANE CLARY: You're on.

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

SHANE CLARY: Are you speaking against or in favor.

BILL STEPHENSON: I am speaking against the motion.

SHANE CLARY: Thank you.

BILL STEPHENSON: Thank you.

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

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

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

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

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

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

SHANE CLARY: Thank you.

Microphone No. 5.

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

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

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

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

SHANE CLARY: Okay. Thank you.

WALTER FRANK: Mr. Chairman.

SHANE CLARY: Mr. Frank.

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

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

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

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

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

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

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

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

SHANE CLARY: Okay. Thank you.

Microphone No. 5, please.

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

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

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

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

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

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

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

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

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

in reducing the risk of combustible dust deflagration and explosions.

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

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

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

Many industry facilities will be substantially

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

SHANE CLARY: One minute, please.

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

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

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

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

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

SHANE CLARY: Okay. Thank you.

Microphone No. 7.

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

SHANE CLARY: Are you for or against the motion.

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

SHANE CLARY: Thank you.

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

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

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

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

SHANE CLARY: Thank you.

And Mr. Frank.

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

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

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

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

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

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

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

SHANE CLARY: Thank you.

Microphone No. 5, please. Number 5, please. Ma'am, that's you.

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

SHANE CLARY: Please proceed.

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

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

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

protect our employees. Thank you.

SHANE CLARY: Thank you.

Microphone No. 2.

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

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

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

SHANE CLARY: For the record.

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

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

ERDOM URAL: Oh, Erdom Ural.

SHANE CLARY: Thank you.

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

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

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

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

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

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

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

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

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

SHANE CLARY: Okay. Thank you.

Microphone No. 5.

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

SHANE CLARY: We have a second.

(Second.)

SHANE CLARY: Numerous seconds.

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

(Raising Hands.)

SHANE CLARY: All opposed? Motion carried.

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

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

(Raising Hands.)

SHANE CLARY: Thank you.

All opposed?

(Raising Hands.)

SHANE CLARY: The motion carries.

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

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

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

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

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

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

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

SAM FRANCIS: I just moved it.

SHANE CLARY: Okay. Do we have a second.

(Second.)

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

SAM FRANCIS: And it's all been said.

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

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

SHANE CLARY: Okay. Thank you.

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

SHANE CLARY: Okay.

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

SHANE CLARY: Hold on, Doctor.

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

SHANE CLARY: Okay. Mr. Francis.

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

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

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

SAM FRANCIS: Yes.

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

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

SHANE CLARY: Okay. Thank you.

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

So Mr. Francis, that was your motion?

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

SHANE CLARY: Yeah. You need to officially

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

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

(Second.) ^

SHANE CLARY: Okay. We have a second.

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

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

Mr. Francis, please proceed.

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

Once we send back the equations and that sort

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

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

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

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

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

SHANE CLARY: Okay. Thank you.

Mr. Frank.

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

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

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

SHANE CLARY: Okay. Thank you.

Microphone No. 2.

MARCELO HIRSCHLER: Marcelo Hirschler GBH

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

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

MARCELO HIRSCHLER: Thank you.

SHANE CLARY: You're welcome.

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

Mr. Frank, do you have any final comments?

WALTER FRANK: No.

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

Microphone No. 1, Mr. Cholin.

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

SHANE CLARY: And are you in favor or against

the motion.

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

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

SHANE CLARY: Okay. Thank you.

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

Okay. Microphone No. 2.

ERDOM URAL: You want phone number?

SHANE CLARY: Say again.

ERDOM URAL: I thought you said phone number.

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

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

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

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

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

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

SHANE CLARY: Okay. Thank you.

Further discussion?

Mr. Frank.

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

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

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

SHANE CLARY: Okay. Thank you.

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

(Raising Hands.)

SHANE CLARY: Thank you.

All opposed?

(Raising Hands.)

SHANE CLARY: And the motion carries.

Thank you, Mr. Frank.

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

(A short recess was taken.)

SHANE CLARY: We're back on the record.

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

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

Mr. Bush.

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

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

SHANE CLARY: Thank you, Mr. Bush.

Let's now proceed with discussion on the

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

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

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

KEN SMITH: Sorry.

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

KEN SMITH: That's my motion.

SHANE CLARY: And we have a second.

(Second.)

SHANE CLARY: Okay. Now you may proceed.

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

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

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

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

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

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

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

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

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

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

SHANE CLARY: Thank you.

Mr. Bush.

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

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

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

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

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

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

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

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

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

SHANE CLARY: Thank you, Mr. Bush.

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

are speaking in support or against the motion.

And Microphone No. 9.

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

SHANE CLARY: Please hold on.

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

Once again, anyone having any discussion on this matter?

Microphone No. 9.

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

SHANE CLARY: No, the rules do not.

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

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

RUBIN GOLDBERG: Thank you.

SHANE CLARY: You're welcome.

Okay. Any further discussion on the matter?

Okay. Microphone No. 4.

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

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

SHANE CLARY: Okay. Thank you.

Mr. Bush, do you have any concluding comments?

KENNETH BUSH: Nothing further.

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

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

(Raising hands.)

SHANE CLARY: All opposed, same sign.

(Raising Hands.)

SHANE CLARY: The motion fails.

Thank you, Mr. Bush.

KENNETH BUSH: Thank you.

SHANE CLARY: The next report under consideration this afternoon is that of technical committee on oxygen enriched atmosphere. Here to present the committee's report is committee chair Joel Stoltzfus of the National Aeronautics and Space Administration, Las Cruces, New Mexico.

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

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

Please proceed.

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

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

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

SHANE CLARY: Thank you, Mr. Stoltzfus.

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

And Dr. Hirschler, Microphone No. 5.

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

SHANE CLARY: Okay. Thank you.

Do we have a second?

(Second.)

SHANE CLARY: Okay. Thank you.

Please proceed.

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

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

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

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

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

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

Please support what I have done in this change

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

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

SHANE CLARY: Thank you.

Mr. Stoltzfus.

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

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

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

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

SHANE CLARY: Thank you.

Let's now proceed with discussions on this motion.

Number 5, Microphone No. 5.

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

SHANE CLARY: Are you for or against the motion.

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

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

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

SHANE CLARY: Thank you.

It looks like Microphone No. 4, please.

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

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

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

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

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

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

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

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

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

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

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

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

SHANE CLARY: Thank you.

And Microphone No. 4, please, again.

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

and qualification of materials and components.

We -- I'm also speaking on behalf of -- or in my capacity as subcommittee chairman of the ASTMG4 committee which is on flammability and sensitivity of materials and oxygen enriched atmospheres and I'm speaking against the motion, in opposition to the motion.

SHANE CLARY: Okay. Please proceed.

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

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

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

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

apply across the board to all of these varied industries.

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

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

SHANE CLARY: Okay. Thank you.

Mr. Stoltzfus, any concluding comments?

JOEL STOLTZFUS: No, sir.

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

(Raising Hands.)

SHANE CLARY: Thank you.

All opposed, same sign.

(Raising Hands.)

SHANE CLARY: And the motion fails.

Next we're moving to sequence 53-2.

And Microphone No. 5.

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

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

(Second.)

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

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

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

Perhaps what they should do is withdraw it.

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

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

SHANE CLARY: Okay. Thank you.

Mr. Stoltzfus.

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

SHANE CLARY: Okay. Thank you.

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

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

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

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

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

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

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

single statement would put the industry into a turmoil.

The vast majority of aircraft that are flying use aluminum lines. The vast majority of hospital ventilators at low pressure use aluminum manifolds. There are millions of oxygen cylinders that are made out of aluminum that are used every day and used safely. And so it really does depend on the application, and the industry best practices right now exist to address each of the hazards of those certain situations.

Now, this document is -- is brief in its text as it relates to the -- those practices as it relates to the text that should be changed to a standardized wording. Now, this document as it stands is useful and would have to change entirely in order to be changed into a standard. It would have to be changed substantially and completely reformatted and its current usefulness would be lost.

So in my judgment, what the industry needs is this standard as it stands and the industry best practices that are codified elsewhere fit the needs for our industry. And so as a task group, we chose to go that direction at the current time and the way this currently stands as opposed to try to completely fundamentally change the document.

SHANE CLARY: Thank you.

Microphone No. 5, please.

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

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

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

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

SHANE CLARY: Thank you.

Mr. Stoltzfus, any concluding comments?

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

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

SHANE CLARY: Okay. Thank you.

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

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

(Raising Hands.)

SHANE CLARY: Thank you.

And all opposed, same sign.

(Raising Hands.)

SHANE CLARY: The motion fails.

Mr. Stoltzfus, thank you.

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

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

The next report under consideration this afternoon is that of the technical committee on any ovens and furnaces.

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

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

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

Mr. Gallagher.

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

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

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

SHANE CLARY: Thank you.

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

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

SHANE CLARY: Thank you.

Do we have a second?

(Second.)

SHANE CLARY: Thank you.

Please proceed.

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

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

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

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

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

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

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

SHANE CLARY: Thank you.

Mr. Gallagher, comments?

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

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

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

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

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

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

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

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

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

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

SHANE CLARY: Thank you.

And Microphone No. 4, please.

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

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

turn determining the amount of air moving through an oven.

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

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

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

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

MARCELO HIRSCHLER: In favor of the motion.

SHANE CLARY: You may now proceed.

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

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

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

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

SHANE CLARY: Thank you.

Microphone No. 4, please.

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

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

SHANE CLARY: Thank you.

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

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

SHANE CLARY: Okay. Thank you.

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

(Raising Hands.)

SHANE CLARY: Thank you.

All opposed?

(Raising Hands.)

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

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

(Standing.)

SHANE CLARY: Okay. You may please be seated. All opposed, your turn.

(Standing.)

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

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

Thank you, Mr. Gallagher.

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

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

And Mr. Light.

RT LIGHT: Mr. Chair, ladies and gentlemen.

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

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

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

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

SHANE CLARY: Okay. Thank you.

Do we have a second?

(Second.)

SHANE CLARY: Thank you.

Please proceed.

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

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

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

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

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

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

that it gets done, whatever that happens to be.

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

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

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

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

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

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

SHANE CLARY: Thank you.

Mr. Light.

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

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

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

SHANE CLARY: Okay. Thank you.

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

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

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

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

Thank you, Mr. Chairman.

SHANE CLARY: Thank you.

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

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

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

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

SHANE CLARY: Okay. Thank you.

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

(Raising Hands.)

SHANE CLARY: Okay. Thank you.

And all opposed, same sign.

(Raising Hands.)

SHANE CLARY: And the motion fails.

Next is 96-2. Microphone No. 1.

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

SHANE CLARY: Thank you.

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

Microphone No. 1.

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

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

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

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

RT LIGHT: Thank you.

And thank you, Josh.

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

Take it away, Ralph.

(Applause.)

RALPH GERDES: Thank you, Shane. Good job.

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

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

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

Mr. Tucker.

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

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

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

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

Microphone 5.

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

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

RALPH GERDES: Do we have second?

(Second.)

RALPH GERDES: We have a second.

Proceed.

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

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

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

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

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

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

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

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

SHANE CLARY: Thank you.

Mr. Tucker.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

RALPH GERDES: Thank you.

We'll continue at Mic 2.

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

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

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

You've already heard testimony relative to the

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

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

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

RALPH GERDES: Thank you.

Mic 5.

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

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

It provides no additional guidance for the designer.

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

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

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

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

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

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

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

RALPH GERDES: Thank you.

Mic 5.

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

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

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

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

prevents the automatic heat vent from opening.

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

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

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

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

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

RALPH GERDES: Thank you.

Mic 2.

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

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

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

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

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

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

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

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

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

RALPH GERDES: Thank you.

Mic 5.

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

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

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

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

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

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

RALPH GERDES: Thank you.

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

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

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

RALPH GERDES: Thank you.

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

(Raising Hands.)

RALPH GERDES: All those opposed, raise your hands.

(Raising Hands.)

RALPH GERDES: That motion carries.

Any further discussion?

Mic 5.

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

(Second.)

RALPH GERDES: That motion is in order.

Microphone 5.

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

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

RALPH GERDES: Thank you.

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

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

RALPH GERDES: Thank you.

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

(Raising Hands.)

RALPH GERDES: Thank you.

Opposed?

That motion carries.

Thank you, Mr. Tucker.

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

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

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

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

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

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

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

Mr. Bouchard.

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

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

RALPH GERDES: Thank you.

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

JOSH ELVOVE: Mr. Chair, ready?

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

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

(Second.)

RALPH GERDES: Proceed.

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

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

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

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

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

As an owner, I may want to have the option to have someone verify the system design. If it's the inspector, then it's my prerogative. At best, this is annex material.

On the flip side, A 1131 uses prescriptive language that specifically prevents an owner from evaluating the adequacy of the design during an ITM. Please support this motion. Accept Comment 5 as a standard that's better off without this additional language.

RALPH GERDES: Thank you.

Mr. Bouchard, do you have any comments?

JOHN BOUCHARD: I'll make a brief comment. I know that there are several committee members here, and I'm sure that others will speak to this issue also.

I can only point out that this subject was roundly discussed by the committee at both the ROP stage and the ROC stage with a great deal of involvement, commitment, passion, and technical detail of the committee.

And I would then point out that the original proposal was defeated and, in fact, this particular comment that the presenter refers to was also defeated in a 25 to 4 vote, and that's all I have to say at the moment.

RALPH GERDES: Thank you.

And now proceed with discussion on the floor.

Microphone 2.

TERRY VICTOR: Thank you, Mr. Chairman. My name is Terry Victor. I'm with SimplexGrinnell representing (indiscernible) SimplexGrinnell on the NFPA 25 technical committee. I speak in opposition to the motion.

I've been on the NFPA 25 technical committee since its inception six editions ago. And there's a statement in the scope of this standard that reads, "This standard applies to fire protection systems that have been properly installed in accordance with generally accepted practices."

This new section, 1.1.3.1, was added during the proposal phase to further clarify that an inspector and/or an inspection testing and maintenance service is not required to verify the adequacy of the design and installation of a system for existing occupancy and contents.

An inspector can't possibly do this. It takes an engineering evaluation to do this which would include the knowledge of the installation code in force at the time the system was designed and installed; any modifications to that code allowed by the local

authority having jurisdiction; any variances granted by the authority having jurisdiction at the time of installation; any changes to the use, occupancy, storage arrangements, or commodity in that building; any changes in the building itself.

An inspector is not an engineer generally in this industry. An inspector is a technician and he's tasked with providing reasonable assurance that the fire protection system will operate in a fire event. This motion needs to be rejected and the committee action upheld. Thank you.

RALPH GERDES: Thank you.

Microphone 4.

RUSSELL LEAVITT: Good afternoon. My -- or evening probably now, correct? My name is Russell Leavitt. I'm with Telgian Corporation. I'm on the NFPA 25 technical committee representing the Home Depot as a user.

Before I make my comments, I also want to indicate that in support of what I'm having here, I have an additional 16 major corporations and representing over 14,000 locations and one and a half billion square feet in support -- or in speaking against this motion.

There was a comment made that this actually takes away from the owner the ability to have the system

evaluated for design. That is not true. All this original accepted material tried to do was be specific about what the inspection is all about.

There is tremendous misinterpretation in the industry regarding the scope of the inspection. And as a result, the owners and users that I represent in numerous occasions have authorities having jurisdiction as well as service providers identifying or trying to quantify the existing design of the -- of this adequacy of the design of this system. And this is not the intent of the standard and was not ever contemplated by the standard.

There is language in the owner's responsibility that if the owner makes changes to the building, the use, or if water supply changes, they're required to evaluate those changes in conjunction with the existing system. But to have an inspector, whether it's an internal inspector, meaning someone that is working directly for the owner or a contracted basis, the qualifications are not there.

I have a tremendous amount of experience as many as you do. If I were to walk in this building and follow the scope of the inspection, I could not walk out of here and tell you that the design is adequate.

In order to do that, would require an

additional amount of knowledge as well as engineering and design analysis which the cost of such is not appropriate to what we're trying to do. We're looking for a reasonable application of the -- of the standard.

I also want to point out that simply that this follows along with Section 1.1.3 which was adopted in ROP 8 which says this: "This standard addresses the operating condition of the fire protection system as well as impairment handling and reporting and applies to fire protection systems that have been properly installed in accordance with generally accepted practice. It is limited to the operating condition of the standard, not the design."

Again, I emphasize, this is an owners group. Number of owners that are in support of this language in the standard to help clarify the intent. Thank you.

RALPH GERDES: Thank you.

Mic 1.

DAVID DE VRIES: Thank you, Mr. Chairman. David de Vries, Firetech Engineering, speaking in support of the motion on the floor.

If we allow this language to go in, we are adding confusion to the standard, not clarity. As Mr. Leavitt pointed out, this is an issue about what the duties are of an inspector, but this is not the place to

incorporate those requirements.

The language that was accepted by the technical committee in this accepted principle action on Comment 25-4 in essence confuses the relationship between the owner and the inspector or the service if that's the nature of the relationship. It says that the inspector does not do this.

Well, what if the owner hires this inspector to do this? That is -- that is just going to simply result in confusion and the solution to this is simply to strike the language entirely, and I urge you to do so by voting in favor of the motion on the floor.

RALPH GERDES: Thank you.

Mic 4.

RICH RAY: My name is Rich Ray. I'm with Cybor Fire Protection Company near Chicago, Illinois. I'm a professional fire protection engineer and also a member of the NFPA 25 technical committee. I guess to speak against this motion, I'd like to make a few points.

NFPA 25 inspection process cannot be construed to replace the plan review, the building permittee, and the commissioning process. The purpose of NFPA 25 inspection is not to try to find the things that were missed when the buildings were built. That's what this owner group is looking for the scope to include.

As Terry Victor pointed out, the level of experience and training of a person who does an inspection, they're technician's, they're not engineers. And as everybody sitting in this room who knows anything about fire suppression, the key is hazard analysis. You have to know what you're going to try to suppress before you can start.

So for an inspector to be expected to be able to walk into a building and verify that the system that's in the building is adequate to put out a fire for the product that's in the building is well beyond their level of experience, education, and training.

I'd also like to inform the body here that the NFPA committee voted 25 to 4 against this comment and an owner would also have the right to verify the adequacy of his system. We're not saying the owner can't do that; the owner should do that.

If the owner changes occupancy, the standard requires him to do it. All we're saying is that's not the job of the inspector. That would be the job of perhaps an engineer and some people want to call it engineering evaluations or system analysis. I'm comfortable doing those. I would certainly not be comfortable as a business owner having an inspector or a technician type do that. Thanks.

RALPH GERDES: Thank you.

Mic -- we'll continue with Mic 4.

DARRELL UNDERWOOD: Darrell Underwood, Underwood Fire Equipment, and I'm speaking on behalf of William Shepherd. He votes against the motion and he is an owner. As I have talked to another owner here, he would absolutely kick me off the property if I tried to tell him how to run his company or how to set up his stock or how to run his conveyers or how to protect them.

The job of the inspector is to inspect what is there existing. Is it painted, sprinkler head painted? Does the pump work? Does the control panel work? Do we have water available? End of comment.

RALPH GERDES: Thank you.

We'll continue at Mic 4.

RUSS LEAVITT: Again, Russ Leavitt, Telgian Corporations, on the NFPA 25 technical committee representing the Home Depot and others as I pointed out.

I want to be clear about the language that the specific requirement says this standard does not require the inspector to verify the adequacy of the system.

RALPH GERDES: I want to clarify. You're speaking for or against the --

RUSS LEAVITT: I'm sorry. Against. I

apologize. A lot of passion in there. We -- it does not -- it's been implied that this would prohibit the owner from doing this. Contrary, all this is doing is trying to be very specific about what the inspector in following the inspection requirements of 25 is not required to do.

I have a number of users and owners who want this and will do this, but they don't want it mandated and at times there is confusion by the enforcers who think this is what is being done or by service providers, inspectors who because they're not sure, address these types of issues inappropriately. Thank you.

RALPH GERDES: Thank you.

Mic 1.

JOSH ELVOVE: Josh Elvove with the U.S. General Service Administration speaking in favor of the motion. To Russ' comment about 113, I have no issue with that. That was a good change. If you notice my comment on ROC 5, it was against 1131 and A1131.

Again, I'm on a number of technical committees: I'm on NFPA 25, I'm on 72, I'm on 101. People who know me know I'm a stickler with words. You have to put the right words in the standard, okay? We're putting in a new term, "inspector." I mean, we all think it's a

generic term, but every term in here gets defined, okay?

When you put the term "inspector," you got the term "inspection," you got the term "testing," you got the term "maintenance." Those are clear. All of a sudden you enter a new term and you can already hear right now the question of: Who's the inspector? I can be the inspector.

It's just a generic term. I'm worried about this being misconstrued. I didn't have much on an issue. I mean, I didn't necessarily like what was there before. I didn't have much of an issue with the previous language. The previous language said this standard doesn't require the inspection, testing, and maintenance service.

The difference there, that's a defined term in NFPA 25. You know what that is. I'm worried about this being misconstrued. I think the scope speaks for itself. I think this motion needs to be accepted so we don't add any new text that's going to make things more cloudy.

We're working with the standard as it is and we're adding new text. 113 will stand. You accept this motion, A1131 and 1131 will go away, it doesn't change where we are today and as the 113 which helps. I think we're good enough. Please accept the motion.

RALPH GERDES: Thank you.

Mic 4.

RICHARD RAY: Richard Ray, Cybor Fire Protection, speaking against the motion. We're playing with words. The inspector is the person who does the inspection and understand that the intent of an NFPA 25 inspection as Russ said is to test and inspect the components that are in place in the building, period, period.

Not there to say your system's going to operate, I'm not there to say that yeah, you got the right head spacing to protect those Group A plastics. That's above and beyond the scope of an NFPA 25 inspection and the person who does the inspection is the inspector.

RALPH GERDES: Thank you.

Mic 1.

JIM FELD: Jim Feld, University of California, speaking in favor of the motion. When I look at this, if 1131 and its associated annex would just disappear from this, there would be no change in the document because in 415 and 416, the owner is required to evaluate the hazard if there's any change, then he has to initiate a process to evaluate his system. So the owner has to do that anyway.

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

would be the appropriate time and place. Thank you.

RALPH GERDES: Thank you.

Mic 4.

BOB CAPUTO: Good evening. My name is Bob Caputo, and I am representing a firm called Fire and Life Safety America, a service provider providing inspection, testing, and service -- services for systems throughout the eastern seaboard and Texas. I'm a principal member of the 13 committee and the liaison from the 13 to 25 committee. In a number of states we operate NISAP (phonetic) certification --

RALPH GERDES: Bob, are you speaking for or against the motion?

BOB CAPUTO: I am sorry. I am speaking against the motion on the floor.

RALPH GERDES: Thank you.

BOB CAPUTO: We function in a number of states where NISAP (phonetic) certified inspectors are required to perform the services. And I assure you that where we have some 60 such certified individuals, none of those individuals are qualified to provide this type of an evaluation in any of the buildings, any of the facilities, or of any of the systems that we perform inspection, testing, and maintenance services for. Absolutely and positively I speak against this motion.

Thank you.

RALPH GERDES: Thank you.

Mic 5.

MARCELO HIRSCHLER: Marcelo Hirschler, GBH International, I call the question.

RALPH GERDES: Okay. The question's been called. All those in favor of calling the question, please raise your hands.

(Raising Hands.)

RALPH GERDES: Thank you.

Those opposed?

(Raising Hands.)

RALPH GERDES: That motion passes. We're going to move on to the motion.

The motion is to accept Comment 25-5. All those in favor, raise your hands.

(Raising Hands.)

SPEAKER: What?

RALPH GERDES: Accept Comment 25-5. All those in favor, please raise your hands.

(Raising Hands.)

RALPH GERDES: All those opposed?

(Raising Hands.)

RALPH GERDES: That motion fails.

We're going to move on to 25-3.

Mic 1.

DAVID DE VRIES: Mr. Chairman, this is David de Vries, Firetech Engineering Incorporated, I move -- I move Comment 25-3.

RALPH GERDES: What -- what was that motion?

DAVID DE VRIES: Oh, I'm sorry. Accept Comment 25-4. It's certified amending motion 25-3.

RALPH GERDES: That motion's in order. Is there a second?

(Second.)

RALPH GERDES: Proceed.

DAVID DE VRIES: This is basically the same issue that we just discussed. It's whether we're going to incorporate that word "inspector" in the language in 1131 or some other language.

The language that I proposed in my original comment was that we just say that the standard does not require verification of the adequacy of the design as part of the routine inspection, testing, and maintenance required by the standard.

And if we allow the language that was ultimately approved by the committee to stand, this will interfere with and confuse the respective roles of the owner and the inspection, testing, and maintenance provider. The owner may want or need evaluation of the

system as required in 4.1.5 and 4.1.6, and it would be appropriate then to confer with and perhaps retain the services of a qualified contractor or engineer to do that.

If we incorporate this language in here as it's written, it will simply result in a confusion about the roles between the inspection service and the owner. I urge your support for the motion.

RALPH GERDES: Thank you.

Mr. Bouchard.

JOHN BOUCHARD: I will only comment that much of the same discussion that you've just listened to, you will hear now again. It's basically the same issue. But then I would also turn over to any of the committee members or anyone that would like to discuss the issue.

RALPH GERDES: Thank you.

We'll proceed with the floor discussion.

Mic 4.

RICHARD RAY: Richard Ray, Cybor Fire Protection, Downers Grove, Illinois, also a member of the technical committee speaking against the motion.

All we did -- the comment that was submitted was that the standard was not required verification of the adequacy of a design. All we made it say was that the standard does not require the inspector to do that

verification, and that's the key to this part.

Again, remember what I said a minute ago about the inspector, about his education and about how an inspection does not replace the plan review and the building permitting process and also...

RALPH GERDES: Thank you.

Mic 5.

PETE LARAMAR: My name's Pete Laramar. I'm with the department of veterans affairs and I speak in favor of the motion on the floor. I'm a member of this technical committee.

After hearing all this discussion on the previous comment, I think this is a very nice compromise. This does say that the standard -- the inspection, testing, and maintenance of the standard is not response -- is not -- the adequacy of the design is not the responsibility of NFPA 25 under inspection, testing, and maintenance procedures. That's exactly what they've been asking for in that previous argument.

We took out the "Who's responsibility for what" in this one and just said that the inspection, testing, and maintenance is not required to verify the adequacy of the design. This is exactly what we were looking for. Get ready of the "Who's responsible for what" and identify what the scope of the standard is all about. I

speak in favor of the motion.

RALPH GERDES: Thank you.

Mic 4.

BILL FESS: Thank you. I'm Bill Fess with Intertek and I am speaking against this motion. I have heard several times in discussing this document and several others where people have said if we do this or if we don't do that, these things will happen. But if you analyze most of those statements, they're actually highly speculative, so let's just be a little bit more judicious in our language and say that these things may happen when there really is not certainty at all.

RALPH GERDES: Thank you.

Mic 1.

LOWELL BLACK: Lowell Black with the General Services Administration speaking in favor. I would just like to point out again that most of this has little to do with concept and more to do with nomenclature.

Of the 30 several years I've been in the fire protection business, I have yet to hire a contractor who has a person on staff called a sprinkler service inspector. I have, however, hired an awful lot of sprinkler technicians who are NISAP certified technician. They're not inspectors.

I do have a lot of municipal fire inspectors

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

responsibility completely from the document.

You'll have systems out there that will go through water supply changes, hazard changes, and nothing will be done about it, and this is simply not right. We've enjoyed quite an impressive reliability from fire sprinkler systems. This is only erode that reliability. Thank you.

RALPH GERDES: Thank you.

Mic 1.

SPEAKER: My name is Richard (indiscernible), I'm with Dupont, and I call the question, please.

(Second.)

RALPH GERDES: The question's been called. All those in favor of calling the question, please raise your hands.

(Raising Hands.)

RALPH GERDES: Thank you.

Those opposed?

That motion passes.

We are going to move on to the motion to accept Comment 25-4. All those in favor, please raise your hands.

(Raising Hands.)

RALPH GERDES: Thank you. Those opposed?

(Raising Hands.)

RALPH GERDES: That motion fails. Thank you.

We're going to move on to motion sequence 25-4.

Mic 1.

JOSH ELVOVE: Thank you. Mr. Chair. Josh Elvove with the U.S. General Service Administration, also a member of the NFPA 1025 technical committee meeting. I'd like to move 25-4 which accepts Comment 11.

(Second.)

RALPH GERDES: We've got a motion to accept Comment 25-11. We've got a second.

Proceed.

JOSH ELVOVE: This motion pertains to the new definition of "deficiency" which was revised by Proposal 19 and then further revised by Comment 11. The proposed new definition is flawed and my motion returns the definition back to the current text of the 2008 edition.

The new definition defines "deficiency" as a condition in which a system or portion thereof is damaged, inoperable, or in need of service but does not rise to the level of an impairment. So an inoperable system can be a deficiency. Many would think an inoperable system would be considered an impairment. There we have a direct conflict.

In addition, the text as revised during the

ROC introduced two new completely subdefinitions for critical and noncritical deficiencies that have not yet been vetted by the membership. They were just introduced in the ROC.

Moreover, these two new definitions which are introduced aren't even used in the body of the standard so why are they needed? So for those reasons, I ask you to approve this motion and return the definition to the current edition.

RALPH GERDES: Thank you. Now, before I ask the committee chair for his comments, I want to inform the membership that the next motion also proposes a definition for deficiency, so I anticipate in this floor discussion you may be going between both the motions. Please take that under consideration.

Mr. Bouchard, do you have any comments?

JOHN BOUCHARD: Again, the committee spent quite a bit of time at both the ROP stage and at the ROC stage debating and discussing the term "deficiency" and I would like to just point out that the ballots, although a little closer this time, but was 26 to 6 in defeating the comment.

RALPH GERDES: Thank you.

We're going to proceed with floor discussion.

I'm going to got to Mic 5.

MARCELO HIRSCHLER: Marcelo Hirschler, GBH International, speaking for the glossary committee and I am the proponent of the next NITMAM, and I definitely, I prefer the definition that we've put forward with the glossary committee. However, if this definition were to pass --

RALPH GERDES: Marcelo, are you speaking for or against the motion?

MARCELO HIRSCHLER: Speaking for the motion.

RALPH GERDES: Thank you.

MARCELO HIRSCHLER: Excuse me, I thought I said that. I apologize. Sorry. Again, I would prefer that we move to 25-5, and I think even Josh would have preferred that. Unfortunately, the order in which things came is the order in which they come. So if this motion passes, I'll -- I'll leave it at that.

The problem is that the existing definition of "deficiency" that the committee proposed makes no sense because what we're talking about is something that can be inoperable and yet not necessarily result in system impairment. Makes no sense. It's just technically incorrect and needs to be deleted.

I hope that you will go with my -- with mine in the next motion, but whichever you choose to do, we need to get rid of the definition that the committee put

forward this cycle because it is technically incorrect. Thank you.

RALPH GERDES: Thank you.

And we will go to Mic 2.

KEN ISMAN: Thank you. Ken Isman with the National Fire Sprinkler Association and I'm against the motion on the floor. I'm also going to ask for a ruling from the chair so we can understand exactly what the effect of the motion is.

We had testimony from the proponent of the motion that this is somehow going to affect Comment 25-12 and the two definitions for different kinds of deficiencies that are in Comment 25-12 and that's not my understanding of how this motion is going to work, so I'd like some clarification that if this motion passes, is that also going to send back the definition for "critical deficiency" and "noncritical deficiency" in Comment 25-12?

RALPH GERDES: Okay. Acceptance of this comment is not going to effect Comment 25-12, but there may be a follow-up motion regarding those definitions.

KEN ISMAN: Okay. Thank you, Mr. Chair. So we still stand in opposition to the motion. The definition of "deficiency" that this motion would bring into NFPA 25 or bring back to NFPA 25 comes from a completely

different document.

It comes from our 1000 series of standards that has to do with professional qualifications, and it's a little bit different than the way NFPA 25 really wants to use the concept of a deficiency.

In this case, if you bring the language into NFPA 25 or you keep it in 25 where it's been inappropriately used in the past, we'll end up having to evaluate every component and its designed limitations or specifications.

Do we have the design specifications for every component of a sprinkler system when we go out there and do our inspections and tests? The answer is no. That's not the intent of NFPA 25. We don't want to go out there and evaluate something and see whether it's in its designed limitations or specifications. We're out there to see if it's still functioning the way it's supposed to function.

RALPH GERDES: Thank you.

Mic 4.

RUSS LEAVITT: Russ Leavitt, Telgian Corporation, member of the committee speaking against. I'm speaking against principally because the proponent brought in the definitions of "critical and noncritical deficiencies."

I was chair of the task group that was appointed at the end of the ROP process at the request of the committee chair and the committee to address these specific challenges that are present right now in real world situations where we have no guidance concerning deficiency. There was literally -- we've literally seen very punitive application because the standard basically treats all deficiencies the same.

We have documented instances in states where tagging and system rating is being applied where buildings have been declared unoccupiable [sic] and the building shut down because of missing signs which is not the intent. And so the committee felt strongly, the task group was appointed to be very clear about not only deficiency, the definition of deficiency, but also giving some guidance concerning that all deficiencies are not created equally.

And that -- and gentlemen and ladies, that is really, really needed particularly in the environment where we work and operate now where we have a number of states that are requiring mandatory reporting, mandatory rating, and mandatory correction of deficiencies. The guidance is needed. Thank you.

RALPH GERDES: Thank you.

Mic 1.

JOSH ELVOVE: Josh Elvove with the U.S. General Service Administration speaking in favor of the motion. In response to Mr. Isman's comment, he submitted Comment 25-9 which I find very interesting. He basically restated in his comment the existing definition of "deficiency" but added the words "but does not rise to level of impairment." That would have worked, but that got changed to what we have now, so, you know, sorry that No. 9 didn't go through, but we're not debating that right now.

And then just for the record, I don't know if I would (indiscernible) I didn't raise 25-12. I guess that was in the comment. I didn't speak to that point. Regarding the 25 119, the critical versus noncritical.

Conceptually I have no issue with that. I mean, if there's a need to define between critical and noncritical, so be it, and I commend the task group effort that Russ Leavitt shared.

The problem is if you go to your ROC, to page 2534, you will find 13 pages of tables, 13 pages of information that is pretty darn new that was given to our committee. The committee was supposed to evaluate this about a week before.

Now, I know we're supposed to be diligent NFPA committee members, but I got to tell you, I was at the

committee meeting. We didn't spend a lot of time going through these 13 pages of stuff that are now thrust upon you and that are in Annex E that are basically the backbone of this critical and noncritical deficiency debate.

This is the only time we're talking about critical and noncritical that's right here in Annex E which is a nice list if it was correct.

Now, 13 pages, you want to spend some time going through it or should I save you some time? I've gone through some of these things and if you accept -- if you deny this motion and then this remains, you're going to accept an annex that's got flawed material as guidance out there for our inspections to go by.

Let me start. On 2535, it shows that paper bags used to protect against paint overspray is an impairment. Paper bags is okay. That was just NFPA 13. That was changed recently to NFPA 25. That's okay. It says that it's not okay. It says that's an impairment. That's a flaw.

On page 2534, it says a spray pattern that is obstructed by ducks, decks, or overhead doors over 4 feet wide is listed as a noncritical deficiency. Oh, wait a minute here. Why we getting involved with the design issues all of a sudden? That's not even touching

NFPA 25. That's two. You got time? Go through the stuff.

It's -- I commend the committee. I commend the task group. It's a wonderful job. If you accept this definition, you get Annex E because you have to get Annex E because if you don't get Annex E, there's no reason for the words "critical," "noncritical," so you get everything as a package. Keep that in mind and please support the motion.

RALPH GERDES: Thank you.

I'm going to go to Mic 4.

RUSS FLEMING: Thank you, Mr. Chairman. Mr. Russ Fleming, National Fire Sprinkler Association speaking against the motion. I'm a member of the NFPA 25 committee. I'm speaking against the motion. I mainly wanted to address Mr. Hirschler's comments about the lack of the standardized definition.

And I understand that his heart is in the right place, but the fact is if you go back to the original proposal in this item which is 25-19, you'll see the paper trail that the committee deliberately chose to disassociate itself from the standardized definition and did so with the guidance from the staff liaison by using the terms "for the purposes of inspection, testing, and maintenance" and went on with their definition.

And they did so because, as Mr. Isman pointed out, the standardized definition includes the design side of things which based on our earlier discussion is clearly not intended to be covered within NFPA 25.

I'd also like to make one more comment which is with regard to the word "inoperable" and whether that's automatically an impairment of two speakers that said that's a problem. But if you'll notice, this definition talks about system or portion system being inoperable.

And referring to those tables that Mr. Elvove referred to, for example, if you have an inoperable alarm, that does not rise to a level of an impairment. It's a serious deficiency with the system, but it doesn't mean your system itself will not respond to the fire, so I urge you to vote against this motion.

RALPH GERDES: Thank you.

Mic 2.

MARCELO HIRSCHLER: Marcelo Hirschler, GBH International, against the motion. I know I spoke for the motion before. My point is that what we need is to get rid of this definition, and I think the last speaker just made my point.

If it is inoperable, it is deficient in some way and yet according to the definition we're putting in now, if either this motion or the next motion doesn't

pass, it can be inoperable and not deficient. That's ridiculous.

So criticism has been raised by the committee to the original definition. Fine. Let's get rid of the original definition, vote this down, then support 25-13 because that's a generic definition which then has the annex item that depending on the nature of significance of the deficiency, it may result in system impairment.

So 25 -- Comment 25-13 does exactly what everyone is asking for, so if you defeat this -- but the key thing is that we need to get rid of the definition that the committee put forward which is wrong.

RALPH GERDES: Thank you.

Mic 4.

RUSS LEAVITT: Russ Leavitt, Telgian Corporation, speaking against the motion. We heard about the 13 pages and yes, there is a lot there, but I want to make sure that you understand why the technical committee and the task group on the task group recommendation put this as an annex and we it in Annex E with this note that says, "This annex is not a part of the requirement of this NFPA document, but is included for informational purposes only."

And it goes on to say that it is providing some examples, and the table is not all inclusive, but it is

included in this annex to provide some guidance in responding to needed corrections or repairs.

The table does not take into account the nature of the hazard or the life safety exposure of the occupancy and should be used with good judgment. The feeling of the technical committee was that we needed to get this out there so that we could get some feedback, okay, and those who are -- we've already had some feedback and we will not get this feedback if we don't have something out there. Let's put in the annex with specific language that is not intended and it is not a part of the standard.

RALPH GERDES: Thank you.

Mic 2.

ART BLACK: Mr. Chair, Art Black, Carmel Fire Protection. As fascinating as all this is, I'm going to call the question.

RALPH GERDES: There's a call for the question. Is there a second?

(Second.)

RALPH GERDES: We have a second. We are going to proceed with the vote on calling the question. All those in favor, raise your hands.

(Raising Hands.)

RALPH GERDES: All those opposed?

(Raising Hands.)

RALPH GERDES: That motion carries.

We're going to go to the motion to accept Comment 25-11. All those in favor of accepting that comment, please raise your hands.

(Raising Hands.)

RALPH GERDES: Thank you.

Those opposed?

(Raising Hands.)

RALPH GERDES: That motion fails.

We're going to take a stretch break. Give everybody a chance to just stand up and stretch for a minute or two.

(A short recess was taken.)

RALPH GERDES: We're going to move on with motion sequence 25-5.

Mic 5.

MARCELO HIRSCHLER: Marcelo Hirschler, GBH International, speaking for the glossary of terms, technical advisory committee, and I move to accept Comment 25-13.

RALPH GERDES: Is there a second?

(Second.)

RALPH GERDES: Proceed.

MARCELO HIRSCHLER: I don't want to go through

the whole discussion we just had before the break because it's the same issue. The real -- again, what we have is the definition that the committee put forward is flawed, doesn't work technically. We -- the assembly didn't like the 12 definitions -- the old definition was pointed out by several members of the committee that the old definition caused some problems.

This definition is general enough that it doesn't cause any problems. It leads you in the right direction, and it includes the annex note that is the key issue that the committee wanted, which depending on the nature and significance of the deficiency, it may result in a system impairment.

Please support this motion and get -- eliminate a tech -- incorrect definition. Thank you.

RALPH GERDES: Thank you.

Mr. Bouchard, do you have any comments.

JOHN BOUCHARD: Only to say that the arguments and discussion that we've listened to the previous proposal is also congruent to this proposal, and you would hear the same arguments. However, I see a committee member waiting to address, so I will then release the floor to him.

RALPH GERDES: Thank you. We can go to floor discussion.

Mic 4.

RUSS FLEMING: Yes. Thank you. Russ Fleming, National Fire Sprinkler Association, a member of the NFPA 25 committee speaking against the motion. I'm sorry to be up here. I thought we were lumping that last -- this motion in with the last one, but we have to discuss it again.

Just to make it very clear, the revised definition of "deficiency" is intentional on the part of the committee and deliberately the parts from Mr. Hirschler's standard glossary.

Well, if you have the salmon sheets, look at what would happen if we accept this motion on the floor. The wording of deficiency would be, "A condition in which a system or component is not suitable for performing its function because either, A, a device is not being used within its design limits or specifications, or 2, the device is damaged, inoperable, or in need of service."

So the preferred definition has those two parts and based on all the discussions on 113 that we had earlier, everyone agrees that this whole check of design is not intended to be part of NFPA 25. That's why the NFPA 25 definition that's moving forward is only half of the preferred definition. They've taken out the part

about checking it to see whether it's in line with its design specifications and left the part about damaged, inoperable, or in need of service.

So they did it the right way. They said we're departing from the standard definition for this reason, and we should accept the work of the committee and reject this motion.

RALPH GERDES: Thank you.

Mic 5.

MARCELO HIRSCHLER: Marcelo Hirschler, GBH International, for the glossary committee, and I just want to clarify one thing that was just said. It is not my glossary of terms, it's the NFPA glossary of terms. I don't own it; NFPA owns it.

RALPH GERDES: Thank you.

Mic 4.

GEORGE STANLEY: My name is George Stanley with Wiginton Fire Systems speaking in opposition of the motion.

We're a contractor based in Florida. Florida has adopted or implemented a tagging system which I understand there's 12 other states that have implemented this. These definitions, particularly the critical and noncritical deficiencies, are very important to our inspectors. Help give them guidance before they put

that tag on a system.

And the other point I wanted to make is that the tables that were referred to earlier and Russ referred to it is in Annex E and it is just suggestive, it's not a requirement so I urge you to vote against this. Thank you.

RALPH GERDES: Thank you.

Mic 1.

JOSH ELVOVE: Josh Elvove of the U.S. General Service Administration speaking in favor of the motion.

Sit down, Art. We have another chance to debate this.

Basically, I'm going to get into Annex E one more time. I don't care what you say about Annex A, B, C, D, E. It goes in the body of -- it goes in the standard. Regardless of what you call it, someone's going to want to use it, okay?

Define "critical deficiencies" and "noncritical deficiencies." There's nothing in the standard -- in the body of the standard that talks about it. So where do you go? You go over to A 414 which sends you to Annex E 'cause you want to learn what is this critical stuff and you go to this annex and now you use it. What are you going to do with it? Not use it? Of course you are. And it's got problems. I mean, you go again.

There's -- item on a sprinkler cabinet, on a steam pipe cabinet, if it's corroded, damaged, or not easy to open, that's a critical deficiency. This hasn't been vetting.

You're accepting this definition and you're accepting these 13 pages without even looking at this, and people aren't going to use this in your red tag program or whatever you want to call it, you're going to use it. Do you want to send something out to the public that's not been vetted that's got some flaws?

I urge you to accept the motion to accept Marcelo's definition. It's what we've been using, the definition for 2008. We've had that definition. Was that a problem? We had that definition. This does cause -- this may cause a problem. Thank you.

RALPH GERDES: Thank you.

Mic 5.

PETE LARAMAR: Pete Laramar with the Department of Veteran Affairs speaking in favor of the motion. I just wanted to point out that the term "deficiency" actually was used in the standard before and it was actually under the design chapter in Chapter 4, so now that they've changed the "deficiency" definition, there is no definition for the deficiency under Chapter 4 that's there.

So what they've done is they said okay, we'll define the deficiency for the inspector for what he does, but now the deficiency under Chapter 4 that addresses that type of work that covered that design part is no longer defined. The definition worked for that before.

So in their exuberance to eliminate and just address the inspection, testing, and maintenance, they've now taken deficiency away from that design issue in Chapter 4.

RALPH GERDES: Thank you.

Mic 4.

RUSS LEAVITT: Russ Leavitt, Telgian Corporation, speaking against the motion. I just want to point out again, I know what Josh said that it's going to get used, that's not true. And the annex, regardless of the standard, always has those changes. I can take you to the annex in NFPA 13 which we've had for years and in the annex it says, "A hospital is light hazard. "A hospital is not light hazard." A part of a hospital is light hazard possibly.

The fact is what we say there, it's a guideline, it has to be used with judgment. There may be some mistake. We've got to get something out there to give some guidance. We know there's flaws, but don't

throw the baby out with the bathwater. Please vote against this motion. Thank you.

RALPH GERDES: Thank you.

We'll continue at Mic 4.

RICH RAY: Rich Ray, Cyborg Fire Protection, speaking against the motion. No offense to Marcelo, I know he means well, his definition of deficiency, we can't accept it. It goes back to the part of the definition. The device is not being used within it's designed limits or specifications.

I walk into a building I didn't install the system, do I have the design specifications for every part of the building? They don't exist. I'm going to turn to an owner, demand them 'cause now the standard requires, and I'm going to put an undue burden on every owner in this room.

RALPH GERDES: Thank you.

Seeking no further discussion, I'm going to ask the chair for any final comments.

JOHN BOUCHARD: No, not at this time I don't.

RALPH GERDES: Okay. With that, we're going to proceed to the vote. The motion is to accept Comment 25-13. All those in favor, please raise your hand.

(Raising Hands.)

RALPH GERDES: Those opposed.

(Raising Hands.)

RALPH GERDES: That motion fails.

We're going to move on to motion sequence 25-6.

Mic 1.

DAVID DE VRIES: Mr. Chairman, David de Vries, Firetech Engineering Incorporated speaking for myself. I move acceptance of Comment 25-17.

RALPH GERDES: Is there a second? Did I hear a second?

(Second.)

RALPH GERDES: Thank you.

Proceed.

DAVID DE VRIES: This comment revolves around what was intended to be a simple editorial change in Proposal 25-38. The discussion at the meeting, the ROP meeting, was that in the interest of conformance with the manual of style, a list of examples should be incorporated into the annex and that the body of the standard should refer to a generic term that covers that list of examples.

But in the exuberance of the committee to comply with the manual of style, they did throw out the baby with the bathwater. What they did was they eliminated the reference to written document that establishes the transfer of authority for inspecting,

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.

JOHN BOUCHARD: I will comment that the proposal that this commenter refers to was accepted in a vote of 29 to 0. The action of the committee to reject the comment to that proposal was rejected 29 to 0.

You're listening to a lot of argument that the committee has spent untold hours and discussion in consideration. And to -- I don't want anyone in this room to think that for a moment that this and these subjects are something that the committee moved through quickly just to move on.

I've been on the committee since its inception, in fact, some 18 years ago, and the committee -- this committee is very passionate and very concerned and is very supportive of their document.

And the discussion that went on at the committee meetings with regards to all of these subjects was deep and it was committed and nothing was taken lightly, and I just wanted to point that out that this particular comment was soundly defeated.

RALPH GERDES: Thank you.

With that, we'll proceed to floor discussion.

Mic 4.

RICHARD RAY: Hi. Richard Ray, Cybor Fire Protection, speaking against the motion. What we're talking about here is the fact that NFPA says that an

owner of a building is required to be responsible for the inspection and testing and maintenance of his fire sprinkler system. And then NFPA 25 says if he wants to enter into some agreement and pass that on to some other party, he can do it. I'm all for that.

Understand and please hear what the committee's statement was in soundly rejecting this. There were 30 people to vote. 29 of them voted against it. The last ballot wasn't returned. But our committee statement was, and it's always the owner's prerogative to convey the responsibility of inspection, testing, and maintenance to a designated rep.

How does this formalize? It's up to the owner. The last thing we need to be doing here is telling owners what their contractual language should be with their subcontractors. I would think every owner in this room would support...

RALPH GERDES: Thank you.

Mic 1.

DAVID DE VRIES: David de Vries, Firetech Engineering Incorporated, speaking in favor of the motion.

In the many committee discussions of NFPA 25, the overall sense of the committee and the discussion has always been how do we improve the reliability of

sprinkler systems and other water based extinguishing systems through an effective inspection, testing, and maintenance program?

By allowing this to be in whatever form the owner chooses or neglects to incorporate into his agreement, we reduce the effectiveness of the ITNM program, we reduce the reliability sprinkler systems, and again, I point out that that word "written" has been in there for 16 years, since the 1994 edition.

It ought to stay in there. It's not justified. If we're justified to remove that term, then why wasn't it removed in the other three editions of this standard? Thank you.

RALPH GERDES: Thank you.

Mic 4.

JOHN CAMPBELL: John Campbell, Telgian Corporation. I'd like to call for the question.

(Second.)

RALPH GERDES: Okay. We've got a call for the question. All those in favor, please raise your hands.

(Raising Hands.)

RALPH GERDES: Thank you.

Those opposed?

(Raising Hands.)

RALPH GERDES: That motion carries.

We are going to move on to the motion to accept Comment 25-17. All those in favor, please raise your hands.

(Raising Hands.)

RALPH GERDES: Thank you.

Those opposed?

(Raising Hands.)

RALPH GERDES: Thank you. That motion fails.

Moving on to motion sequence 25-7.

Mic 1.

JOSH ELVOVE: Josh Elvove with the U.S. General Service Administration speaking in favor of 25-7 (indiscernible) Comment 25-14.

(Second.)

RALPH GERDES: We have a second.

Proceed.

ART BLACK: Point of order 25-24?

JOSH ELVOVE: 25-24. Thank you. Thank you.

I better talk quickly before someone calls the question.

RALPH GERDES: I do have a second so you can proceed.

JOSH ELVOVE: Thank you. That may be all I get. This may sound like heresy, but this motion removes Section 415 and 416 from NFPA 25. These

sections require an owner to address changes in occupancy, hazard use, and materials and processes.

These two sections should have never been inserted into the standard in the first place, and hazard evaluations do not belong in an ITM document.

Moreover, NFPA 25 has no provisions for ensuring the adequacy of design. When this comment was rejected, the committee stated, "Verifications of this section are within the scope of the document." I challenge anyone to find where this is stated.

If you look at pages 1, 2, and 5 in the standard, you will note that this is not addressed or implied in either the preamble on the origin, development of the standard, the technical committee scope, or the document scope. This committee has been and continues to overstep its bounds.

Now, as an owner, do I want this stuff? Absolutely. But does it belong in the standard that was not scoped out properly? Absolutely not. Because of that, I urge you to accept this motion and remove those sections that should never be there and why should NFPA 25 be there for all the other standards that have similar types of issues? Thank you.

RALPH GERDES: Thank you.

Mr. Bouchard.

JOHN BOUCHARD: As I've indicated, I have been on the committee since its inception and have been heavily involved with NFPA 13 and 13A, the predecessor to the sprinkler portion at least of NFPA 25, and there has always been the discussion and the concept has always been included that the owner has certain responsibilities and that has been there from the beginning.

In the discussion that we're about to hear, understand that we're not asking for the owner to do a lot, but he needs to understand that if the building has changed or the occupancy has changed, that it's incumbent upon the owner to verify that the building is still safe. In other words, that the system now is adequate for whatever change has been made and that is what the Sections 415 and 416 speak to.

RALPH GERDES: Thank you.

We are going to go to Mic 4.

RUSS FLEMING: Russ Fleming, National Fire Sprinkler Association, speaking against the motion on the floor. Almost hesitate to bring up maybe an inconsistency in the NFPA definitions, but there is a relevant one here that argues against Mr. Elvove's claim that this is a scope issue.

This committee has given authority for

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

sections, 415 and 416. But, in fact, the committee itself could write a separate document if it wanted to on this concept of hazard evaluation. This is the way it's chosen to deal with it.

But I'm simply saying that Mr. Elvove is incorrect and it's within the scope of the committee as assigned by the standards council and this is simply the way it's chosen to deal with the issue so I urge you to vote against this motion.

RALPH GERDES: Thank you.

We'll continue at Mic 4.

RUSS LEAVITT: Russ Leavitt, Telgian Corporation, and member of the NFPA 25 committee. I just want to say one thing that's key here. Number 1, don't forget the fact that there's triggers, and the triggers are if you change the use of this room or you change the room itself. You have to -- the owner has to get somebody that's qualified to evaluate the system.

RALPH GERDES: I want to clarify, you're for or against --

RUSS LEAVITT: I'm sorry. I'm against, Mr. Chairman. And if you don't say it here, where do we say it?

RALPH GERDES: Thank you.

Mic 1.

JOSH ELVOVE: Josh Elvove with the U.S. General Service Administration. I knew this would -- speaking in favor of the motion. I knew this would be heresy.

If Russ is correct regarding the committee scope, I'd like to see that actually headed forth to our committee by the standards council.

I'm reading this committee scope. I've read this scope a number of times. I don't see anywhere where that's part of it. I look at other documents that have similar issues where there could be hazard evaluations required, and nowhere do you see the extensive issues of NFPA 25 language written in those types of documents.

We were just looking at 96 and the word "owner" shows up three times. Once so they can receive a report and another one you say basically that the responsible ITM belongs with the owner. Yeah. We're not going to argue with that. It's these other things that are going on.

I really question that this is actually in the scope of the document, and this was one that I think needs to go further. Thank you.

RALPH GERDES: Thank you.

Seeing no further discussion on the floor, Mr. Bouchard, do you have any final comments?

JOHN BOUCHARD: No. I am all set.

RALPH GERDES: Thank you. We're going to proceed with the vote. The motion is to accept Comment 25-24. All those in favor, please raise your hands.

(Raising Hands.)

RALPH GERDES: Thank you.

Those opposed, raise your hands.

(Raising Hands.)

RALPH GERDES: That motion fails. Thank you.

We're moving on to motion sequence 25-8.

Mic 1.

JOSH ELVOVE: Josh Elvove with the U.S. General Service Administration speaking in favor of 25-8 which is to reject Comment 21.

RALPH GERDES: Do I have a second.

(Second.)

RALPH GERDES: Proceed.

JOSH ELVOVE: If you accept this comment, you'll delete the proposed new text for 40151. Basically, I don't know what that means. It says, "The new text states that the evaluation is not part of normal ITM." I know we've beat this one to death. I know where the assembly stands, but uses the term "is." That's not appropriate language. I'm not trying to be Bill Clinton.

Basically, at the NFPA 25 session yesterday -- was it this morning? Geez. Jim gave a presentation and he showed the same item and it said, "Shall not be part of normal ITM." I'm wondering whether this will be an editorial correction. Is that the license that they're taking? Is it going to say the evaluation is not part of a normal ITM or it shall not be part of a normal ITM?

And I'll tell you what, if it said (indiscernible) I probably wouldn't have gotten up here and made a big deal out of it. But shall not be a part of a normal (indiscernible) you've actually declared it clearly right there. You don't do it.

Whereas before I think we talked about this, there was an option involved. Now if it does say "shall not be," you can't do it. So I guess the point of order, the question is: What is it going to say? It's going to say "is" or "shall not be."

RALPH GERDES: The manual style says "it shall not be."

JOSH ELVOVE: Okay. Then I definitely am glad I brought this motion because "shall not be" is declaration that you can't do it, done deal, no options, no ifs, ands, or buts. Before we had a little bit more wiggle room, now we have none. Please, please accept this motion.

RALPH GERDES: Thank you.

Mr. Bouchard.

JOHN BOUCHARD: The proposal that the comment speaks to was passed 29 to 1. The comment was defeated 28 to 1, but I also know that Ken who was the proposer at the ROP stages is at the mic, so I'll let him take it from there.

RALPH GERDES: Thank you.

Mic 2.

KEN ISMAN: Thank you. Ken Isman with the National Fire Sprinkler Association. I'm opposed to the motion on the floor since I wrote the actual comment we're discussing.

It doesn't really matter whether it says "is not" or "shall not be." You've got to read all the way to the end of the sentence. It shall not be required by this standard.

I don't care what you do, Josh. You can hire somebody to do something on your own. It's a question of what's required by the standard, and we're just trying to clarify this is not what's required by the standard.

RALPH GERDES: Thank you.

Mic 5.

MARCELO HIRSCHLER: Marcelo Hirschler, GBH

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.

And then we say oh, but that's not part of any of this. How can it not be part of it if you're telling him to do it. I think what's being confused here is what the contractor, inspector has to do versus what the owner has to do. This whole thing has to be grouped together as one thing. Whether it's the owner or the contractor, it has to be done.

When you start saying that this part doesn't belong here and yet you're telling him he has to do it, you've contradicted it, so I urge you to vote in favor.

RALPH GERDES: Thank you.

See no further discussion on the floor, Mr. Bouchard, do you have any final comments?

JOHN BOUCHARD: No, sir. Done.

RALPH GERDES: Thank you.

We're going to proceed with the motion which is to reject Comment 25-21. All those in favor of the motion, please raise your hand.

(Raising Hands.)

RALPH GERDES: Thank you. Those opposed, please raise your hand.

(Raising Hands.)

RALPH GERDES: Thank you. That motion fails.

Moving on to motion sequence 25-9.

Mic 1.

JOSH ELVOVE: Josh Elvove with a recurring theme with the U.S. General Service Administration. I'd like to move 25-9 which rejects Comment 25-36.

RALPH GERDES: Is there a second.

(Second.)

RALPH GERDES: Proceed.

JOSH ELVOVE: By accepting this comment, you're accepting proposal of 25-76 to include the identification of areas lacking sprinkler protection within the scope of an ITM inspection. That proposal was previously approved unanimously by the technical committee, yet was reversed during the ROC. Since we're all into numbers, Mr. Chairman's probably going to say it was 24 to 6 or 26 to 4, but there was some dissenters.

Basically -- presently there are requirements to identify whether the sprinkler shows signs of leakage, corrosion, pain or improper loading. It's also requiring to identify if sprinklers are installed in the correct position (indiscernible) instead of upright. And there's a requirement to identify if sprinklers are located within 18 inches of storage.

How can there -- and there's also a requirement to identify sprinklers inside a sprinkler cabinet, but there's no requirement to identify whether a sprinkler

is actually where it's supposed to be regardless of whether it's a room that has no sprinklers or whether it's a pipe that has basically a cap in it.

A few minutes from now you're going to hear a motion to have a requirement to ensure hydraulic nameplate is attached to the riser regardless of whether the data is accurate and have it replaced or removed. Replace a sign of removed but don't replace a sprinkler is removed.

Accept this motion. Reject Comment 25-36 and let's get our priorities straight and make sure these areas are identified. We're only asking you to identify them. Thank you.

RALPH GERDES: Thank you.

Mr. Bouchard, do you have any comments?

JOHN BOUCHARD: Again, no. I'll let Ken speak to the subject.

RALPH GERDES: Thank you.

Mic 2.

KEN ISMAN: Thank you. Ken Isman with the National Fire Sprinkler Association, and I'm opposed to the motion on the floor. I agree with Josh in some of what he wrote in his commentary on his negative ballot in that it is very easy to go out and identify a room that doesn't have a sprinkler, but the next step is

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

making that determination, was that sprinkler eliminated from that space correctly under the installation standard? The answer to that is no. That's why the committee re-thought this and appropriately dealt with this comment.

Now, I understand Josh's concern. You go out and you look into a room and where a sprinkler used to obviously be, there is no sprinkler anymore. But it seems to me that that already fails the sprinkler inspection where you actually see an open orifice where a sprinkler used to be screwed in and someone took it out, that's where a sprinkler should be and that fails the sprinkler inspection that's already in there on an annual basis.

But the original proposal that was trying to say identify all of those rooms that don't have any sprinklers in them, the committee realized that was inappropriate and they appropriately dealt with it at the comment stage and now I urge you not to vote in favor of the motion that's on the floor.

RALPH GERDES: Thank you.

Mic 1.

DAVID DE VRIES: David de Vries, Firetech Engineering Incorporated, speaking in favor of the motion on the floor. Mr. Isman is absolutely correct.

We don't want the inspector doing that evaluation.

We simply want that inspector to say hey, Mr. Owner, I found one room out of the 20 that I looked in and there was no sprinkler in there. I don't know if there was supposed to be a sprinkler in there or not, but that's something that you need to know because maybe there was supposed to be a sprinkler in there so this triggers the evaluation.

It doesn't require the inspector to go in and start knocking out walls in the bathroom of a hotel. It doesn't require the inspector to know NFPA 13, every edition for the last hundred years. It's simply asking that inspector to tell the owner, I found some places where I thought there probably ought to be a sprinkler but there were none. I urge your support for the motion on the floor.

RALPH GERDES: Thank you.

Mic 4.

RALPH GLASS: Ralph Glass with Telgian. I'm speaking against the motion. This proposal would require the inspectors to, again, validate the design as already been mentioned, whether it's knowing whether sprinklers are required in closets in the original design or the port, canopies, and bathrooms, electrical rooms similarly.

Similarly, we've also got buildings out there with partial sprinkler systems. They were approved that way in the original building, and it's not really the inspector's responsibility nor the scope of this document to require them to point those out and to identify them and label them as a deviation.

It also puts an unreasonable burden on the building owners because they would have -- particularly in those cases that have the mandatory reporting requirements, they're going to have to address this issue every time they've got the inspection, so I would urge you to vote no on this one.

RALPH GERDES: Thank you.

Mic 5.

PETE LARAMAR: Hello. Pete Laramar with the Department of Veterans Affairs. There's -- there's no design considerations expected at all. Sprinklers fail in supposed sprinkler buildings where fires happen and there are no sprinklers installed.

RALPH GERDES: Pete, could you clarify whether you're for or against the motion?

PETE LARAMAR: I'm sorry. Speaking for the motion. As an owner, I just want to know if the guy happens upon a space that's not sprinkler protected, if he would identify that to me. After that, the

inspector's job is done.

He doesn't have to determine whether or not the material in the bathroom was of any particular material, he doesn't have to identify whether or not it's spaced properly or was supposed to be there or wasn't supposed to be there. We just want to know. And if he identifies it one time, then the owner will know and he can give that information to the next inspector when he comes in.

But we're not asking for anything other than to help us make sure that sprinkler systems operate properly. When we have fully sprinklered buildings and we have missing spots in there, that is why some systems that would otherwise be very effective can fail.

This is simply just asking to point out to the owner hey, you missed a spot here. Your electrical closet was locked during the installation. We never got back to put one in there or whatever, whatever the case is.

They're taking it further than what the proposal was adjusted to. It just says, "Rooms where there are no sprinklers installed shall be identified." No more. These steps that Mr. Isman was going forward to, people might think we might want them to go there, but that's not what this standard is asking for. We

just want the area identified. Thank you.

RALPH GERDES: Thank you.

Mic 3.

SPEAKER: Thank you. I'm Chad (indiscernible) with Washington State Department of Health and I'm representing the healthcare section on this motion.

At our executive board meeting, we voted to support the motion before you as an entire section. In healthcare, community is dedicated to protecting our facilities with automatic sprinklers.

We need to know what areas of our facilities are unprotected, and I didn't see anything in the rule where it says that you had to identify and then go through a complete design review. It simply just says you have to identify areas that are lacking sprinklers, so I urge your support.

RALPH GERDES: Thank you.

Mic 4.

RUSS LEAVITT: Russ Leavitt, Telgian Corporation, excuse me, speaking against the motion. I wish it were as simple as identifying to the owner, but as an owner's representative on the committee, understand that in 12 states that identify to the owner also goes as a deficiency to the authority having jurisdiction and requires a response by the owner and

triggers a response and becomes a deficiency every year I go in there and identify.

If we were only reporting to the owner, it would be simple, but it's not. This standard is being enforced with mandatory reporting and tagging. So if I report a missing sprinkler, I cannot have my system accepted as in compliance. So I wish it were that simple that we were just identifying to the owner. We are not in 12 states, and that number's growing every day. Thank you.

RALPH GERDES: Thank you.

Mic 1.

DAVID DE VRIES: David de Vries, Firetech Engineering Incorporated, speaking in favor of the motion on the floor. I have walked into buildings that were allegedly fully sprinklered, and I found fittings, T fittings or elbows where there was a pipe plug in there, not a sprinkler.

And when I pointed it out to the owner and said what happened here? I don't know. I'll take a look at it. Found out that a forklift truck had whacked the sprinkler that was there, they didn't have a replacement in the cabinet, so they put a pipe plug in there because there was water coming out.

Now, obviously the intent was oh, okay. We're

going to go out and get a sprinkler and put it in or we're going to call the contractor to come out and replace that pipe plug with the right sprinkler, but somebody dropped the ball, forgot it, and that's something that the owner ought to know about it.

When you have missing sprinklers and your fire starts on the area where there are missing sprinklers, you can overwhelm your system simply because you're not putting water on it where it needs to be.

All we're asking is tell us where you find out that there are sprinklers missing, forget the evaluation part. Yes, maybe the owner is going to have to figure out why there were no sprinklers there, but once that's done and documented and it's part of the system documentation that the owner is required by this standard to have available, then it's a closed question.

If it was a bathroom in a hotel that didn't exceed 55 square feet in the edition of NFPA 13 when that applied, then document it once and that's it. I urge your support for the motion on the floor. Thank you.

RALPH GERDES: Thank you.

Mic 4.

RICHARD RAY: Richard Ray, Cyborg Fire Protection, speaking against the motion. I'll say it

again, the NFPA inspection process does not replace the plan review and the building permitting processes.

And David, please don't be offended. I don't know a fire department in the world that when a forklift breaks off a sprinkler head and a water flow switch generates the alarm, here comes the trucks, they think it's a fire, they're just going to go home and not double-check if the guy actually replaced the plug or the sprinkler head thing.

RALPH GERDES: Thank you.

Microphone 7.

SPEAKER: Craig (indiscernible) Fire Services and also the Sacramento Fire Department. I'm speaking in favor of the proposal. I've been a fire marshal for 15 years and I've done a number of inspections, and I did surveys for the Department of Health and a number of other people. And I'm just amazed that there's a discussion about not notifying an owner that they're sprinkler heads missing.

As the last gentleman speaking in favor of the motion said, once it's identified, it's on the paperwork, that's a clear indication of whether or not it's supposed to be there or not. But to have areas that are unsprinklered -- and they get missed all the time.

I've done a number of projects throughout California where sprinkler heads were missed at some point in time. It's just -- it doesn't work. That needs to be something that's clearly identified. Once it's identified, it can be kept as a permanent record and it just makes sense to do that. Thank you.

RALPH GERDES: Thank you.

Mic 2.

KEN ISMAN: Thank you. Ken Isman with the National Fire Sprinkler Association, oppose the motion on the floor. Very quickly in rebuttal, a number of times a number of people have talked about the fact that -- in supporting this motion that this evaluation can be done by somebody else, it's not the role of the inspector to do it.

A couple of speakers ago you actually heard one of the people in favor of this motion say oh, just forget the evaluation part. That's actually a quote. I wrote it down. He said forget the evaluation part.

The problem is you can't forget the evaluation part because if you accept the motion that's on the floor, you will end up with language in the standard that says identifying areas where sprinklers are missing should trigger an evaluation to determine whether the absence of sprinklers is intentional. That's the

language you get in the standard. You can't forget that part.

So we have to ask ourselves: Who is it that's supposed to do that evaluation then? Now, if the people who originally wrote this had intended that that be done by some other party hired by the owner as a part of some other contractual arrangement, we'd be okay with that, but that's not what got written in the standard. It says when you identify a space that doesn't have sprinklers, you better investigate and identify and determine, make this evaluation, and that's our concern.

So we'd be certainly willing to work on this and better write this next cycle, but for the ability of what we have to do here on the floor, we can only accept or reject this language so I urge you not to vote in favor of the motion.

RALPH GERDES: Thank you. I think the members are getting the sense of the discussion. We'll go on to Mic 5.

DAVE DAGENAIS: Dave Dagenais, Wentworth-Douglass Hospital, speaking on behalf of myself and speaking in favor of the motion. The concept of the inspector not reporting to me as an owner that is missing a sprinkler is troublesome to me. The reality is I am the customer and I'm relying on them and their

expertise to just simply identify that there's a sprinkler missing, then it becomes my issue and if I have to report it because it's governed for me to do that, then that's the way it is.

Quite frankly as an owner, I do want the sprinklers in the appropriate rooms. So I'm not fearful of being notified about it, I'm not fearful of reporting it to the appropriate authorities because the reality is I should be doing that anyways. So I support the motion and as a owner, I ask everyone else, too.

RALPH GERDES: Thank you.

Mic 2.

MARCELO HIRSCHLER: Marcelo Hirschler, GBH International, I call the question.

(Second.)

RALPH GERDES: We've got a call the question and a second. All those in favor, please raise your hands.

(Raising hands.)

RALPH GERDES: Thank you.

Those opposed?

That motion carries. We're going on to the motion to reject Comment 25-36. All those in favor, raise your hand.

(Raising Hands.)

RALPH GERDES: Thank you.

Those opposed?

(Raising Hands.)

RALPH GERDES: Boy, this one's getting a little closer. I think I'm going to have to go to a standing vote.

All those in favor of the motion to reject Comment 25-36, please stand.

(Standing.)

RALPH GERDES: Thank you. Please be seated.

Those opposed to the motion, please stand.

(Standing.)

RALPH GERDES: Thank you. You can be seated.

The vote was 49 to 60. That motion fails.

Moving on to motion sequence 25-10.

Mic 1.

DAVID DE VRIES: Thank you, Mr. Chairman. David de Vries, Firetech Engineering Incorporated, speaking for myself. I move Comment 25-40.

RALPH GERDES: Is there a second?

(Second.)

RALPH GERDES: Proceed.

DAVID DE VRIES: This speaks to the original proposal, Proposal 25-81, which was in the committee discussion was intended to simply move the language

requiring verification that water filled sprinkler piping is not exposed to freezing conditions out of Chapter 5 which is the sprinkler system inspection requirements into Chapter 4 which is the general requirements.

And it was expanded in that move to include all water based systems. Certainly you don't want your fire pump being exposed to freezing conditions either, so that was a good move, and that's how the proposal was originally accepted. But then there was some tinkering with it and some language was added that said that the building owner shall ensure that the building is heated and piping is not exposed to freezing conditions.

Okay. That's part of the general requirements of the owner's responsibility to inspect, test, and maintain a sprinkler system, but it becomes redundant to incorporate that into that particular requirement.

If we incorporate it there, doesn't that raise the question as to why it is -- why it's missing from other sections. That implies that well, maybe somebody else is responsible for it.

My Comment 25-40 was simply let's drop that language about the tagging specifically to the building owner because maybe the building owner is going to hire a contractor to do that inspection and verify that the

windows are all secure, that the perimeter of the building is tight and that the heat is on. I urge your support for the motion on the floor. Thank you.

RALPH GERDES: Thank you.

Mr. Bouchard.

JOHN BOUCHARD: Only to point out that the proposal was overwhelmingly accepted and the comment was overwhelmingly defeated. That's all I want to say.

RALPH GERDES: Thank you.

We're going to go to Mic 4.

GEORGE STANLEY: George Stanley with Wiginton Fire Systems speaking in opposition of the motion. Everybody would agree how important it is to maintain 40 degrees for a wet pipe system. Everybody I believe would agree that maintaining that heat is an owner's responsibility. So as the committee voted on putting it in Section 41 which is -- clearly describes the owner's responsibility is the right place for it to be.

Owners -- most owners will not read NFPA 25 from cover to cover, but they will go through and look at the owner's section, so this clearly points out to them that they need to maintain that heat in the winter months.

As a contractor, I have the opportunities every winter to go out and repair some of these systems where

the heat has not been maintained and it's very costly. So I believe that -- I really think that we need to do as much as we can to point out to owners how important maintaining 40 degrees for wet pipe systems are. So it really needs to be in Section 41. I urge you to vote against this. Thank you.

RALPH GERDES: Thank you.

Seeing no further floor discussion, is there any final comments from Mr. Bouchard? No? That's -- thank you.

We'll proceed with the vote. The motion is to accept Comment 25-40. All those in favor, please raise your hands.

(Raising Hands.)

RALPH GERDES: Thank you.

All those opposed?

(Raising Hands.)

RALPH GERDES: Thank you. That motion fails.

We're going to take another short break for a stenographer adjustment.

(A short recess was taken.)

RALPH GERDES: We're going to start up again. We are at motion sequence 25-11.

We're going to go with Mic 5.

RICH RAY: Hi. My name is Rich Ray, Cyborg

Fire Protection Company, and I make it a motion to accept Comment 25-41.

RALPH GERDES: Is there a second?

(Second.)

RALPH GERDES: Okay. Proceed.

RICH RAY: What this comment and this issue is about is about hydraulic nameplates. For some people in the room you might know them as -- they used to be called hydraulic placards, okay, so that's what this proposal is about.

And for some people who may not be familiar with what even a hydraulic placard or hydraulic nameplate is, the hydraulic nameplate identifies the design criteria of the fire sprinkler system. It identifies the calculated hydraulic demand of the system as well as a description of the occupancy that the system was designed to protect.

My motion is simply to add the requirement to replace the hydraulic nameplate that's found missing in the text. That's all I want to do, and I'm going to show you something. I'm not supposed to have props, but they're NFPA books that I thought that would be our... Copies of NFPA 25 here. I brought them out. John knows what I'm going to do. I had these at the ROC meeting.

I got two copies. They're both valid copies.

They're not copies like, you know, Xerox. They're the same edition, the 2008 edition. Now, this one, if you go to page 16 in the table, there's a table, it says -- it's under "Informational components." Hydraulic placards, you have to replace them if they're missing.

Now I go to this -- this copy and I go to the same page and somehow it's a different table. This table ends with inspectors test connection. It doesn't even talk about the placards. So it got printed wrong. I have no idea. I'm not a printer. I'm not an MPI. I have no idea how that happened.

All I want to do is add the words in the text. The text, sorry, currently says, "The hydraulic nameplate for hydraulic (indiscernible) systems shall be inspected quarterly to verify that it's attached securely to the riser and is legible," and I just want to add the words "and shall be replaced if found missing."

The tables are no good. I have two versions of the book that are different. The committee says well, let's put it in the appendix. We'll, you've heard a lot of discussion tonight. The appendix isn't enforceable, and hydraulic placards are very useful to owners like Josh and some of the owners in here who have spoken.

When an occupancy change occurs in a building,

if they're going to move a different process into this facility or change the way that they store their products, they need to know how that affects the fire sprinkler system. We just got done discussing that. We just got done discussing it's the owner's responsibility.

If the placard is there, it makes my job as a fire protection engineer very simple. I can tell what the system is designed for. I go look and see what the new proposed occupancy is going to be. If the two match, we're in good shape.

The problem is if it's not there. If it's not there, then I got to tell the owners in the room well, guys, guess what? Now I got to get a lift out here, I got to get up at the deck, I got to check the orifices of the head, I got to verify the temperature of the head, I got to make sure those are 2-inch branch lines and not two and a half inch branch lines that are 30 feet in the air.

A lot of cost, a lot of headaches for owners. That's all I want to do is add the words into the text of the standard which is a comment that we rejected. Thank you.

RALPH GERDES: Thank you.

Mr. Bouchard.

JOHN BOUCHARD: I know that Ray is passionate and has raised the issue of the different tables. As a matter of fact, I'm not sure if we ever found out an answer to that, but it was an anomaly and it was interesting to discover that way back when.

However, I will indicate that Ray actually reiterated the committee statement in the rejection statement for this -- his comment and basically indicated that it is covered in the annex. And in addition, the comment was rejected overwhelmingly.

RALPH GERDES: Thank you.

I'll go to Mic 5.

RICH RAY: I'll reiterate again. I think it's very important putting it in the appendix. To me it's no good.

RALPH GERDES: You are speaking for the motion?

RICH RAY: Yes, sir. I'm sorry. The appendix is not enforceable. It's a big help to me as a designer and big help to owners when it comes to occupancy changes. We just got done talking for a half an hour that if an occupancy changes in a building, the owner has to do something. I'm trying to make that something easier for him. That's all. That's all.

RALPH GERDES: Thank you.

Mic 4.

JOSH ELVOVE: Josh Elvove with the U.S. General Service Administration speaking against a motion for a change.

"Owner shall" -- this is Chapter 5, "Owner shall" -- I thought we talked about the "owner shall" is supposed to be in Chapter 4. I'm not going to debate the importance of the sign, even though if the sign's there, it has Mickey Mouse on it, that's probably -- it's okay. I mean, there's no validation of the actual data on the nameplate. It's basically it's there.

I mean, I think we need to get our priorities straight here. We're talking about having a sign, we're talking about having sprinklers. You obviously reject to having sprinklers, but that's not that important or it's not in the scope. But here we're going to go for a sign.

So I'm speaking against this on a principle. It doesn't belong in Chapter 5, it belongs anywhere, and although I thank Mr. Ray for the consideration, I don't think it belongs here. I urge you to reject this.

RALPH GERDES: Thank you.

Mic 5.

RICH RAY: You can't compare it to, you know, not wanting to identify where sprinklers are. That's a design issue. We've been through that for the last two

and a half hours.

RALPH GERDES: You're speaking for or against the motion?

RICH RAY: I'm sorry. I'm speaking for my motion. NFPA 13 requires the sign. It can't have a picture of Mickey Mouse on it, Josh, or you can't get a certificate of occupancy, okay? It's not going to have a picture of Mickey Mouse.

If you use the right table with the right book, you see that it's required. If you happen to have a deviations with the wrong table, it's not required. Oh, but it's in the appendix. That isn't enforceable. Well, Josh wants me to verify the design of the system. Hey, Josh, I got to rent a lift. That $50 job just went up five, ten times. I don't know what else to say.

RALPH GERDES: Thank you.

Mic 1.

JIM FELD: Jim Feld, University of California, speaking in favor. I don't think anybody here can minimize the importance of the hydraulic nameplate. And in the new edition of 13, we're going to hydraulic information signs that provide even more information.

This information is critical to having this -- having any system perform as we want it to do for the longevity of the system.

Now, bear in mind that in Chapter 13, Section 3.3.1, we're required to put a sign on every control valve to say that it is a control valve. We're going to make sure that's done, but if the hydraulic nameplate's missing, well, maybe we don't really need it. It just doesn't make sense.

So if we're going to put control valve signs on control valves that are obviously control valves, then why not have the hydraulic information signs because that's going to solve a lot of problems later on when there's changes in occupancy, changes in water supply, changes in processing, all the other things that 415 and 416 require the owner to do.

And that the owner's required to do it. And this is stuck in Chapter 5, is still legitimate because the first line of defense in this is that the contractor identifies that the nameplate is missing, then the owner steps in.

So it's not strictly just an owner responsibility that should be in Chapter 4. It's appropriately in Chapter 5. Thank you.

RALPH GERDES: Thank you.

Mic 5.

RICH RAY: Let everyone know, the nice lady who's in charge of making these books --

RALPH GERDES: Name, affiliation --

RICH RAY: Rich Ray, Cyborg Fire Protection, speaking in favor of the motion. This nice lady from NFPA just explained to me how to figure out what printing of the book it is.

The first printing is the one that doesn't say it has to be replaced. The subsequent -- the other book is a subsequent printing. So somebody found this mistake before I did. To me that shows the importance of this. It was important for NFPA to then change the book and print it correctly.

So all I want to do is add those simple words to the text, and when it is missing, the owner shall replace it. Just the chart says in the correct version. Thank you.

RALPH GERDES: Thank you.

Mr. Bouchard, any final comments?

JOHN BOUCHARD: No. I was hoping a couple of other committee members might -- might get up and say something, but I feel that this could go either way and personally I don't worry about it. I support the committee, however, which again overwhelmingly defeated it after much discussion. It was not done surreptitiously.

RALPH GERDES: Thank you.

We're going to move to the motion. The motion is to accept Comment 25-41. All those in favor, please raise your hand.

(Raising Hands.)

RALPH GERDES: Thank you.

All those opposed?

(Raising Hands.)

RALPH GERDES: I think I'm going to have to go to a standing count.

All those in favor of the motion to accept Comment 25-41, please stand.

(Standing.)

RALPH GERDES: Thank you. You can be seated.

All those opposed to the motion, please stand.

(Standing.)

RALPH GERDES: Thank you. You can be seated.

That motion passes. The vote was 52 to 35. We're going to move on to motion sequence 25-12.

Microphone 5.

KENNETH ISMAN: Thank you. Kenneth Isman for the National Fire Sprinkler Association and I move my comment -- I move to accept my comment, 25-65.

RALPH GERDES: Is there a second?

(Second.)

RALPH GERDES: I heard a second. You can

proceed.

KENNETH ISMAN: Thank you. This comment proposes a revision to Section 7.3.1. This revision is important because further down in the subsection of 7.3.1, this rule requires that we generate flows that are similar to the systems demand for the systems that are connected to these private fire service mains and that we run this testing and we generate these flows and we measure these pressures.

How can we do that without fire hydrants? All I'm trying to do here is say that you only have to run this test when you actually have the equipment necessary to run the test.

Now, this requirement for flow testing even applies right now to individual lead-ins to fire protection systems because the definition of private fire service main what's in Section 3.6.3 includes pipe that is, quote, between a source of water and the base of a system riser, unquote.

Therefore, without my motion, NFPA 25 requires a test that cannot be performed. The committee acknowledged in their committee statement that individual lead-ins are a problem.

Interestingly the committee said, quote, it is not the intent of the committee to imply this

requirement to the lead-ins to single systems, unquote. It's a fascinating statement, but it's incompatible with the language of NFPA 25. You need to accept my motion in order for the language of NFPA 25 to actually agree with the committee's intent.

One of the problems with the existing text that prompted my comment is that the stated purpose of this test in Section 7.3.1 is to, quote, determine the internal condition of the piping, end quote. That's a lot more than the old two hydrant test that we used to do with one hydrant being the flow hydrant, the other hydrant being a gauge hydrant.

That two hydrant test does not tell you anything about the internal conditions of a pipe. It only tells you about the flow and pressure of the water supply that are available which change due to many variables, not just the internal condition of the pipe.

If you want to comply with NFPA 25 and conduct a test that tells you the internal condition of the pipe which is required by the standard, you need to run a three hydrant test with one hydrant being a flow hydrant and then two gauge hydrants to say that you've measured the friction loss between those two gauge hydrants. Without the hydrants to run this test, there's no way to conduct the test.

Now, my motion takes care of one additional problem. Once the test has been performed, it does not need to be repeated for all of the adjacent properties that rely on the same length of pipe that was already tested. And NFPA 25 is enforced on individual property owners.

Without my motion, adjacent building owners would have to run the same duplicate test with the same hydrants to prove the same internal conditions of the pipe because that pipe then feeds the individual systems in their individual buildings. That's a ridiculous waste of water, time, and expense.

We need to accept this comment so that we can actually have the equipment we need to run the test and when we don't have that equipment available, we're not required to somehow magically determine the condition of the piping. Thank you.

RALPH GERDES: Thank you.

Mr. Bouchard.

JOHN BOUCHARD: Only to say that this issue was discussed roundly by the committee. The votes were nearly unanimous, if not unanimous, but I've also deferred to a committee member or two if they would please speak up.

RALPH GERDES: Thank you.

Mic 4.

RUSS LEAVITT: Russ Leavitt, Telgian Corporation, speaking against the motion, a committee member.

Ken is actually -- the thing of it is I guess is the definition of a flow test. If you go to the annex material on these lead-ins, and we are trying to figure out what these lead-ins do. It says, "Full float tests and underground piping can be accomplished by methods, including, but not limited to, flow through yard hydrants," there's the hydrants, "but also fire the connections once the check valve has been removed, even main drain connections and hose connections."

What the intent was of this test and is to compare to previous test results at system demand or what would be expected during a fire so that we can see if there is deterioration occurring of that underground. So, you know, it's the definition of flow test. I think the annex gives some good guidance here and, again, the committee felt that that was sufficient. Thank you.

RALPH GERDES: Thank you.

We're going to stay with Mic 4.

JIM FELD: Jim Feld, University of California, speaking in opposition to the motion. It was my initial proposal that has prompted this so the idea of doing

individual flow tests for buildings that are adjacent to each other is what is ridiculous, and I don't use that word lightly because anybody that has designed a fire sprinkler system knows if you call a water utility, you get data.

Whether it's just a phone call and an e-mail, they may send you existing data, they may run a computer model. We're not dumping water like we used to. So that's just -- that's just out the door.

The idea here is to do these tests. You can get water supply information on the main for these what we call single lead-ins. You get water supply testing test information and we're going to go back to that hydraulic nameplate that we just passed so now you have something to compare it to.

I mean, you're going to tell them to put the hydraulic nameplate there, but we don't care what the water supply is to match to the hydraulic nameplate. Now what's ridiculous? Come on.

RALPH GERDES: Thank you.

Continuing at Mic 4.

JACK VACHTER: My name's Jack Vachter. I'm a fire sprinkler contractor in California. I'm speaking for the amendment. I think Mr. Feld's confused. What you're trying to do here is flow the on site, the on

site, you see the condition of the pipe, the deterioration of the pipe.

Calling the water company to give you the water flow test out in the street has nothing to do with determining the sea factor of the underground piping. There's no way that I can flow enough hydrant or enough water on a single system to determine the sea factor that was 120 is now 50. There's just no way you can do that.

So what we're trying to do is minimize the cost to the consumer. That's what he's helping. He's helping me out who does these tests day in and day out by saying look, if you have a hydrant, you can do it. But we're not going to make you do it if it's 20 feet long. It just makes sense. Well, people in the room are trying to protect the costs who own these buildings. This is a plus for you. I suggest that you accept it.

RALPH GERDES: Thank you.

We'll continue at Mic 4.

BOB CAPUTO: Thank you. Bob Caputo representing Fire and Life Safety America. I speak in opposition to the proposal on the floor.

The committee statement was very clear that the committee intends single system lead-ins to be tested for the purpose of determining the condition of the

underground piping, not just seek factor or the flow conditions. And certainly full flow backflow testing is one way to accomplish this as others that Mr. Leavitt enumerated. Thank you.

RALPH GERDES: Thank you.

Mr. Bouchard, any final comments?

JOHN BOUCHARD: No, I don't believe so. I will indicate, however, again, that Ken's comment was basically unanimously defeated, so just to give you a sense of what the committee was thinking. The committee is firmly behind its committee statements and action on this proposal.

RALPH GERDES: Okay. Thank you.

We'll proceed with the vote. The motion is to accept Comment 25-65. All those in favor, please raise your hands.

(Raising Hands.)

RALPH GERDES: Thank you.

All those opposed?

(Raising Hands.)

RALPH GERDES: That motion fails.

Moving on to motion sequence 25-13.

Microphone 5.

RICHARD RAY: My name's Richard Ray, Cyborg Fire Protection, Downers Grove, Illinois, member of the

technical committee.

What my motion is is to reinstate the requirement that electric fire pumps be churn tested weekly. This requirement.

RALPH GERDES: I'm sorry. Can you state your motion again?

RICHARD RAY: My motions is to reinstate the requirement that electrical fire pumps be churn tested weekly.

RALPH GERDES: Are you asking to reject Comment 25-68?

RICHARD RAY: Yes.

RALPH GERDES: And 70, 71, and 72?

RICHARD RAY: Correct.

RALPH GERDES: Okay.

RICHARD RAY: They grouped it.

(Second.)

RALPH GERDES: I hear a second.

Proceed.

RICHARD RAY: This requirement's weekly churn test of electrical fire pumps has been in NFPA 25 since the very first edition back in 1992, and it's been in every subsequent edition.

When we met in Salt Lake City back in January of '09 at the ROP meeting, this requirement was

attacked. Building owner types attacked it; the owner group attacked it. The committee did the right thing and they kept the requirement in the standard, and when we left that meeting, electric fire pumps still had to be churn tested weekly.

And the substantiations included: There was no data submitted to substantiate changing to not do it weekly. The pump is a very critical component and spends most of its service life in stand-by mode.

Weekly testing of a fire pump is consistent with other required inspections and tests of water supplies. Waiting over -- this is a quote, waiting over seven days to detect a problem is unacceptable to the committee. And then an issue came up that I wasn't really familiar with, but boy, did I learn a lot.

Electric fire pumps are vulnerable to these voltage surges. They come alive, you know, an electrical line or -- that's where (indiscernible) or nearby lightening strike. And what can happen in these controllers is a contactor [sic] coil gets burned out or a relay gets burned out just from the induced current that happens when lightening strikes. I am not an electrician.

The fire pump controller doesn't look any different after that contactor coil burns. It looks the

same. There's a green indicator light that says "Power on." That light's still lit. You walk in a room, light's on. Must be good to go. Pump cannot start. Pump will not start. Contactor coil's burned from a nearby lightening strike.

So we proceed to the ROC meeting. The requirement for weekly churn test fire pumps -- electrical fire pumps is attacked again. This time it was overturned and the requirement was removed and we went to monthly tests.

In my opinion, that was a big mistake. There was no data submitted to allow going from a weekly frequency to a monthly frequency. The whole issue of the electrical problems and the lightening strikes was discussed again.

In fact, some of the members of the committee who are involved in the insurance industry mentioned that they had been involved in losses in buildings because lightening had taken out a contact coil and the electric fire pump couldn't start, but still it was overturned.

My opinion is there's a lot of people, a lot of people go in and out of pump rooms -- fire pump rooms, lots of people. Sprinkler contractors, backflow testing companies, alarm companies, maintenance people, there's

a lot of people that go in and out of pump rooms. What we're doing is we're losing the chance to make sure that that electric pump is going to start from looking at it 52 times a year to 12 times a year.

The substantiation at the ROC was this: This is what we lost, this is how we lost. This is what they substantiated with: Australia does it. Australia allows monthly churn tests. That was the substantiation.

There was no data submitted going to less frequent churn testing was good. No. They said well, Australia does it. The swayed enough committee votes. The sub -- the substantiation continued. If we screwed up by reducing the frequency or by increasing the frequency from weekly to monthly, then we can always --

RALPH GERDES: 45 seconds.

RICHARD RAY: Then we can always revert to weekly down the road. So when do we do that? After we lose one building? two buildings? three buildings? When do we say enough?

We made a big mistake in Charlotte at the ROC by losing the requirement to weekly churn test fire pumps that have been in this book since the day it was written. Thank you.

RALPH GERDES: Thank you.

Mr. Bouchard.

JOHN BOUCHARD: I will defer to other committee members at this time.

RALPH GERDES: Thank you.

I'm going to go to Microphone 6.

TIM ADAMS: Hello, Mr. Chairman. I am Tim Adams with the American Society for Healthcare Engineering of the American Hospital Association and stand to -- in opposition to this amendment and support the action of the committee to change the testing frequency of electric pumps -- or the churn test to monthly, we support that.

There was data presented I don't think specifically to the comment, perhaps it has been spoken to. There were four different comments regarding this. The data was submitted and looked at by the committee for 61,070 tests that were performed.

This information came from healthcare facilities, from education facilities, and from general services administration showing a 99.96 percent operational state, successful operational state for fire pumps. That included diesel driven and electric driven.

When the committee considered this information in the ROC process, there was a statistical difference noted for electrical pumps as opposed to diesel driven

pumps and consequently the results of that are that the electrical pumps, they have chosen to move to a monthly testing and the diesel driven pumps continue to stay at a weekly testing.

It was noted that an insurance representative said there was 70 fire pump failures because -- and many of those were from contact failures -- contactor failures or electrical problems. The question that I don't know that was answered or data presented regarding those 70 failures were had those particular pumps been tested according -- and inspected according to the NFPA 25 requirements, and I don't know that that had happened.

So it would be interesting to look at those cases or to know were those tests being -- those pumps being routinely tested and still the insurance company found that many failures and data seems -- and not knowing the sample sizing seems a little different than the data that was presented.

It can be argued that there are conditions that can cause a pump to fail such as lightening strikes, and the committee did choose to add into the annex information that in an area where frequent lightening strikes happen, an owner or organization can choose to test those more often. It's -- again, these are minimum

requirements and can always be -- can go even farther.

As an industry, and I'm from the healthcare industry, as an industry that's dedicated to health and healing and providing and the environment, that is exactly what we are after as I know most members in this room are.

I think the data does show, though, that was presented that fire pumps are reliable, and we would like for the members of the NFPA to consider the action that the committee has taken and I support the action they have taken to move churn testing of electric pumps to monthly. Thank you.

RALPH GERDES: Thank you.

Mic 1.

DAVID FULLER: Thank you, Mr. Chairman. My name is David Fuller. I'm from FM Global. I'm an NFPA 20 member as well as an NFPA 25 committee member. I'm speaking in favor of the motion to maintain weekly testing of electric fire pumps.

I'd like to just add in deference to time and respecting everyone's time here tonight, I just wanted to make a few points to follow-up on what Mr. Ray said.

Those points being that when you're looking at the differences between electric and diesel drivers relative to testing which we then ignore as the fact

that there's two other parts of the system and that is the pump itself as well as the controller which both require weekly testing in order to maintain their function. And ensure yourself that they're, in fact, in good working order.

There are certain vulnerabilities associated with electric fire pump controllers that will go unnoticed, and they are vulnerable to things like lightening strike and power surges, and those things are relays and contactor coils.

Those are not detectable faults within the fire pump controller, and therefore would be hidden from the owner/user. The panel itself would show you a green light when, in fact, that system is not ready to respond to an automatic start.

Finally, what I would just like to say is that weekly testing is consistent with other types of NFPA 25 fire protection inspections and tests. For example, an air compressor on a dry system requires weekly start testing.

I think it's a little bit inconsistent to look at this from the perspective of I want to start my air compressor weekly but not my electric fire pump. It doesn't seem to make sense to me. Therefore, starting the pump in addition to the other weekly tests is

logical and consistent with these other types of 25 requirements.

It requires minimal additional manpower burden and provides a benefit of providing insurance that the pump system is ready to start in a fully functional condition. Thank you.

RALPH GERDES: Thank you.

I'm going to go to Mic 6.

JIM PETER: Yes. Jim Peter, came with (indiscernible) International speaking on behalf of the healthcare section. This morning at the annual business meeting --

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

JIM PETER: Speaking against the motion. This morning, the healthcare section voted to oppose this motion. The healthcare section of the hospital industry -- healthcare industry is very accustomed to risk assessments. We require to do them for many things.

A risk assessment here has been done using data. Data has shown that weekly testing does not increase reliability. The data shows that. Is it really necessary? Why not -- if weekly's good enough, why isn't daily better? So what's the level of testing

that's accepted?

And I think the data has shown that and we're trying to move forward with codes and say let's justify what we're doing with technical data, and here we've done that and again the argument comes back well, that's not good enough. So I would urge you to reject this comment.

RALPH GERDES: Thank you.

I'm going to go to Mic 5.

RICHARD RAY: Richard Ray, Cybor Fire, speaking in favor of the motion.

The gentleman over here, The data's at 99.6 percent and fire pumps are operational. That's because we've been testing them quickly since 1992. That's why the data is so strong.

My second point, they didn't bring any data that would show that that 99.96 would stay 99.96 if we went to monthly. Annex, no. Where there's lightening prevalent in the area, maybe you want to think about doing this.

I don't know that I want to be the guy that puts my PE stamp on it saying you know what, we don't get a lot of lightening strikes in this area, so we won't worry about having testing on fire pumps weekly. It's not always a lightening strike.

Two years ago, a big manufacturer of controllers, I don't if anybody in this room is from that manufacturer, they had to send out an emergency bulletin, emergency bulletin. When I got my copy, I looked at them and said please read this because it may result in loss of life.

And it had something to do with, and again, I'm not an electrician, I'm sorry, it had something to do with transient voltages and they traced it down to our RF, radiofrequency interference. And they think it was these Nextel phones, I'll say the word. That little chirping thing you can do.

If you were near a fire pump controller that had this certain transducer in it, it would put the fire pump to sleep. The pump would go to sleep, never start, and no one would know it.

The gentleman over here just -- I'm glad -- he's speaking against me, but he nailed it. He said fire pumps are reliable. He's right, because we're testing them weekly. I don't understand, a weekly churn test of a fire pimp takes about 11 minutes. Drop pressure, pump starts, runs for 10 minutes, automatically shuts off.

One more point, starting August 1st, one of the biggest insurance companies that's in this room

requirement is if you buy a fire pump controller that's going on one of their insured properties, it has to have a weekly run period time. Weekly. Thank you.

RALPH GERDES: Thank you.

I'm going to go to Microphone 4.

JOHN SADY: John Sady with the U.S. Department of Energy, a technical committee member since inception like John at the podium. This topic that's been --

RALPH GERDES: Speaking for or against the motion?

JOHN SADY: I'm speaking against the motion in support of the committee action. This topic has been thoroughly debated and fully discussed and basic conclusion, the committee action does not change the churn test of the diesel drivers. It addresses the electric motors. I urge this membership to support the committee action and reject the motion on the floor. Thank you.

RALPH GERDES: Microphone 7.

BILL STALDER: Bill Stalder, Master Control System, a manufacturer of fire pump controller. I'm speaking in favor of the motion on the floor. I'd like to confirm what Ray was saying here, that there is an industrywide product change to all electric fire pump controllers to add weekly tests. This is an effective

August 1st of this year. And we always highly recommend qualified personnel be present during any automatic weekly test.

This change now makes weekly test the same for both electric and diesel and all fire pump controllers. I support the motion on the floor.

RALPH GERDES: Thank you.

Microphone 6.

CLAUDE BAKER: Claude Baker, the University of Chicago Hospitals, speaking with the experience I have in 22 years --

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

CLAUDE BAKER: I'm speaking against. Thank you.

In 22 years, I've been involved with three fire pumps that needed to be rebuilt. In each of those cases, we always asked, you know, give us some detail, what contributed to it. And without exception, each of the three different types, three different rebuilders, they said it's your frequent start-ups. If you were to run this continuously, you probably wouldn't be rebuilding it at this time.

I believe that the decay and the hospital pumps that I've experienced were due, in fact, to the frequent

start-ups. And with regard to the 10-minute time out, I don't know where he's running it, but we're running it a little longer than that.

With regard to lightening strikes and power bumps that -- in our controllers, that kicks it on and brings the engineer to the pump. He doesn't leave the pump until he's satisfied the pump is ready to go into service again.

If it's a lightening situation, we go on fire guard and have provisions. If you have other considerations, go to hospitals in other states. I think we're pretty good and we're very comfortable with the monthly testing.

RALPH GERDES: Thank you.

Microphone 7.

DARREL UNDERWOOD: Darrel Underwood, Underwood Fire Equipment. My only comment here --

RALPH GERDES: Speaking for or against the motion?

DARREL UNDERWOOD: For. I had to think for a minute. Yeah, for, and here's the reason why: Not everybody is a hospital. There's housing for the elderly out there, and do you think they have the same kind of maintenance crews that you have in a hospital? I don't think so. And are we trying to protect just the

hospitals or are we trying to protect everyone? That's my only comment.

RALPH GERDES: Thank you.

Microphone 5.

RICH RAY: Rich Ray, Cybor Fore, in favor of the motion. Real quick: Where do I get the ten minutes? NFPA 25 is where it says you run the pump for 10 minutes.

RALPH GERDES: Thank you.

Mic 4.

RUSS LEAVITT: Russ Leavitt, Telgian Corporation, speaking against the motion. Couple of things that we need to be cognizant of. One, there is no such thing as a 10-minute test when it comes to actual time. NFPA 20 and both 25 require a qualified individual to be there at the test. This is the crux. Lots of the -- lots of our buildings don't have qualified individuals to go out and do a pump test.

Our firm deals with about 7000 pumps of which about 6000 of those are motor driven and most of these pumps are run at best semi-annually. They're run when we're there doing some sort of inspection or test. And I can tell you that the failure rate of the electrical motors is virtually nil. When we have a failure, it's at the annual test when the pump does not perform in

delivering the required flow and pressure.

But in terms of operating and running a churn, we just do not see the failures with electrical motors. This is a minimum standard. If factory mutual and insurance company or whoever wants to go to a weekly, have at it, but let's go to monthly, give these owners an opportunity to reasonably test. We don't have much test data in the industry for weekly other than the large users because no one's doing it. Thank you.

RALPH GERDES: Thank you.

Mic 2.

ART BLACK: Mr. Chair, Art Black, Carmel Fire Protection, call the question.

RALPH GERDES: Is there a second?

(Second.)

RALPH GERDES: All those in favor of calling the question, please raise your hands.

(Raising Hands.)

RALPH GERDES: Thank you.

All those opposed?

(Raising Hands.)

RALPH GERDES: That motion passes.

We're going to vote on the motion. There's a group amending motion. The motion is to reject Comment 25-68, -70, -71, and -72. All those in favor, please

raise your hands.

(Raising Hands.)

RALPH GERDES: Okay. Thank you.

All those opposed?

(Raising Hands.)

RALPH GERDES: That motion fails.

Moving on to motion sequence 25-14.

Mic 5.

KEN ISMAN: Thank you. Ken Isman with the National Fire Sprinkler Association, and I move to accept my comment, 25-75.

RALPH GERDES: Is there a second?

(Second.)

RALPH GERDES: Please proceed.

KEN ISMAN: Thank you. The way that the committee processed NFPA 25, the document contradicts itself. Section 8.3.5.2.1 specifically says, quote, Theoretical factors for correction to the rated speed shall be applied where determining the compliance of pump per the test, end quote.

So you shall apply the correction. It's not even a shall be permitted. It's a shall. You have to apply the corrections, the theoretical corrections, people call them the affinity laws under that section.

A few sentences later, Section 8.3.5.7, was

added by Proposal 25-143 to state, quote, the pump performance shall be evaluated using the unadjusted flow rates and pressures, end quote. So you've got one section that says you must make the corrections; you've got another section that says you must use the unadjusted data. How can you do that?

My motion fixes the problem by eliminating the requirement for the theoretical adjustment to be performed because that's the correct way to evaluate the results of an annual flow test. We're talking about the annual test here, not the acceptance test. I recognize the need to use the theoretical adjustments at the acceptance test, but that's not in the scope of NFPA 25.

Before we go further, I need to clarify that what we're talking about are pumps that are rated to run at one speed. We're not talking about variable speed drivers in this case. When you conduct the annual test on a fire pump rated to run at one speed, there's only three possible outcomes of the test with respect to the speed at which the pump turns.

The first possible outcome is the pump turns at the proper speed during the test. When that occurs, an adjustment to the data is inappropriate so you need to remove the statement that requires an adjustment to the data.

The second possible outcome is the pump that turns slower than the proper speed during the test. In this case, the use of the affinity laws to adjust the data of the test to determine what would have happened if the pump had turned at the right speed is inappropriate and it's dangerous.

The use of the affinity laws in this manner makes it look like the pump passes the test when, in fact, the pump may be impaired. It is horrible for NFPA 25 to mandate the adjustment of the test data using theoretical math equations that appear to make everything look okay when, in fact, the pump is not creating sufficient pressure to make the fire protection system work.

The third possible outcome of a pump test with respect to speed is that the pump turns faster than is proper for the test. This is what I think the committee was looking at when they rejected my original comment. But I believe the committee needs to re-evaluate it's thinking.

If the pump turns too fast, and that's how the pump creates enough pressure for the test, you don't need to use the affinity laws to show that the pump was operating improperly. You can show that the pump was operating improperly by just looking at the speed of the

pump.

The NFPA standards already adequately define the proper range of performance for the speed of the pump. If the pump runs too fast during the test, then you don't need to actually use the affinity laws to show that the results of the test are invalid, you can just use the speed of the pump.

So there's three possibilities of what could happen during the pump test with relation to the speed. If it turns at the right speed, you don't need to make the adjustment. If it turns too slow, you should make the adjustment because that's wrong. And if it turns too fast, you don't need to make the adjustment.

So why then should we have a rule that mandates the use of the adjustment when in all the possible conditions, it's either inappropriate or unnecessary to use the affinity laws. And remember you have to do --

RALPH GERDES: 30 seconds.

KEN ISMAN: Thank you. Remember you have to do something at this meeting because the document as it's processed by the committee contradicts itself, and this is the only certified amending motion that deals with the issue. Thank you.

RALPH GERDES: Thank you.

Mr. Bouchard.

JOHN BOUCHARD: I will defer to at least a couple of my committee members who will speak to this, but I would also point out that the committee actions were overwhelmingly positive.

RALPH GERDES: Thank you.

I'll start with Mic 5.

TERRY VICTOR: Terry Victor with Play Co/Simplex Grinnell, NFPA 25 committee member, also NFPA 20 committee member, and I'm speaking in support of the motion that's on the floor.

The theoretical factors for correction for rate and speed of a fire pump should never be applied to determine if the pump assembly has passed the annual or other frequency performance test.

The purpose of the pump testing for NFPA 25 is to determine if the pump meets a level of performance when the results are compared to either the original unadjusted field acceptance test curve or the performance characteristics on the nameplate of the pump and the system demand.

Adjusting the test results to a theoretical engine speed does not reflect the reality of the test in the field and may lead to a false sense of compliance to the acceptance criteria. The performance of the pump should stand on its own without adjustment to determine

if it will perform as intended when needed.

It should also be noted that in NFPA 20, installation of stationary pumps for fire protection, the correction to rate of speed is only referenced in the annex as part of the recommended procedure to plus the pump performance as part of the original acceptance test to compare the pump to the manufacturer's bench test curve.

Again, I support the motion, and this language must be removed from this document. Thank you.

RALPH GERDES: Thank you.

Mic 4 -- I'm sorry. We'll go to Mic 1.

JIM FELD: Jim Feld, University of California, speaking in favor of the motion. I agree with Mr. Isman wholeheartedly. This is a major contradiction in our standard and besides in A3521, the term "theoretical factors" is a manufactured word that has no meaning and it's not in any of our codes and standards. We just assume that it means that the affinity laws, but that's not stated.

The only way that you can use the affinity laws in a pump test is to compare it to the shop test curve from the manufacturer. That's its only value. But when you read the document here, that's not required. You're not required to compare it to the shop test curve. It

just says shall be used for determining the compliance of the pump or the test." It doesn't say to compare it to the shop test.

So using the affinity laws to adjust the pump curve, it does nothing. It goes nowhere. And also in 8353, one of the comparisons is done with the unadjusted curves. That's already in there so that's going to be done. Thank you.

RALPH GERDES: Thank you.

Mic 4.

DARRELL UNDERWOOD: Darrell Underwood from Underwood Fire, and I've been a manufacturer of fire pumps --

RALPH GERDES: Speaking for or against the motion?

DARRELL UNDERWOOD: Against. I've been a manufacturer of fire pumps for more than 14 years and now out in the field testing pumps, and the code is not in conflict with itself. The code is totally clear that you are to do both. You're to take the building numbers and make sure that the unadjusted speed covers those ratings.

In addition to that, you have to find out whether the pump is good or not mechanically, and there's no one in this room that can tell me that they

know the pump is mechanically good unless they run it back to the original factory curve.

We did a little experiment today, and we took some people from the union, contractors who Ken Isman represents, and visited the booths in the exhibition hall. Six manufacturers said that the curves are readily available for any pump manufacturer by seal number.

In addition to that, any pump out in the field that you're trying to test against the original acceptance test, out of 6 million buildings that we have out there, I defy anyone to come up with the original test. Thank you.

RALPH GERDES: Thank you.

Seeing no further discussion, Mr. Bouchard, do you have any final comments?

JOHN BOUCHARD: All set.

RALPH GERDES: Thank you.

We are going to proceed with the voting. The motion is to accept Comment 25-75.

All those in favor, please raise your hands.

(Raising Hands.)

RALPH GERDES: Thank you.

All those opposed?

(Raising Hands.)

RALPH GERDES: I'm going to do a standing count.

All those in favor of accepting Comment 25-75, please stand.

(Standing.)

RALPH GERDES: Thank you. You can be seated.

All those opposed to the motion, please stand.

(Standing.)

RALPH GERDES: We have a tie vote, 40 to 40. By convention rules, the motion fails.

(A short recess was taken.)

RALPH GERDES: Motion sequence 25-15, and I am going to go to Mic 5.

GEORGE STANLEY: Thank you, Mr. Chairman. My name is Russ Fleming with the National Fire Sprinkler Association. I fooled you, didn't I?

RALPH GERDES: Please state your correct name.

GEORGE STANLEY: We look so much alike.

My name is George Stanley with Wiginton Fire Sprinklers -- or Wiginton Fire Systems rather, and I'm speaking on behalf of Russ Fleming who had to catch a plane. The certified amending motion is to accept Comment 25-104.

(Second.)

RALPH GERDES: Okay. You are a designated

representative for Mr. Fleming, and I have a second, so you can proceed.

GEORGE STANLEY: Thank you, Mr. Chairman. Annex D.1 describes how important it is that pipe is free of obstruction and anything that might affect the proper flow of a sprinkler head. Accepting Comment 25-104 clarifies what needs to be done, how to do it, and when it needs to be done for both the inspector and the owner alike.

The proposed knew language of 14.2.1 clearly states that it all starts with a five-year internal inspection and how it needs to be done. Proposed new language of 14.2.1.3 clearly states that if anything is found that might obstruct the pipe or sprinkler, an obstruction investigation shall be conducted.

Proposed new language of 14.2.3 clearly states that buildings having multiple wet pipe systems either have or either other -- every other system shall be -- shall have internal inspection every five years. Proposed new language 14.2.3.1 clearly states that you would alternate between systems every five years.

Proposed new language 14.2.3.2 clearly states that if something is found during that internal inspection, that all systems will need to have to be internally inspected. Proposed new language 14.3.3

clearly states that if there are obstructions that could obstruct the pipe or sprinkler, a complete flushing program shall be conducted by qualified personnel.

Again, I can't state it enough that it really cleans up Chapter 14: What needs to be done, when it needs to be done, and how it needs to be done. Thank you.

RALPH GERDES: Thank you. Mr. Bouchard.

JOHN BOUCHARD: I'm sure there's going to be a lot of discussion just after I say what I'm going to say, but it's mostly in terms of an explanation.

Understand that the committee discussed the obstruction issue, the investigation issue, the internal pipe condition at length, and this even precedes the ROP and ROC meeting for this cycle.

And at those meetings there were very many cite issues, maybe that's the wrong word to use, but different components of what people were for and what some folks were against. It created some close voting, very close within the committee to move some of these things forward.

At the comment stage, the committee established a subcommittee to address this multitude of issues to try to combine them and come up with a Chapter 14 that was clear and acceptable to each and every committee

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.

There's a lot of confusion about Chapter 14, and this committee comment was intended to help with that reorganization and make it very clear what the requirements are and the differences between an internal pipe inspection that's required every five years, an obstruction investigation which is only required when certain things happen during the course providing normal inspection, testing, and maintenance.

The internal piping inspection is required every five years to check for evidence of internal corrosion, evidence of microbiologically influenced corrosion, and any other obstructing material that may be in the system. The obstruction investigation and prevention is only required on an as need basis.

The reorganization of Chapter 14 also includes the lessening of some of the internal inspection of piping requirements for buildings with multiple systems and for systems with nonmetallic pipe and for systems that do not have a means of performing this inspection. The reorganization is necessary as the current text has led to confusion, misinterpretation, and misapplication of the requirements.

There's even a frequently asked question posted on the NFPA website concerning this chapter and whether an internal -- or rather an obstruction investigation is

required every five years, and the answer on the website is no, the obstruction investigation is only required when certain -- the 14 items that are on the list occur during the inspection and testing and maintenance processes. However, every five years you do have to do the internal pipe inspection on every system.

So I move -- or I propose to support this motion. I ask for your support on it just so we can have all this clarification that the committee did submit, and as John stated, it -- it was a slim margin of approval at the committee meeting for the ROC. It didn't pass the two-thirds ballot, so we're trying to get this thing back on track and make it as a comment that represents what the desire of committee is. Thank you.

RALPH GERDES: Thank you. Mic 1.

RICH RAY: Rich Ray, Cybor Fire Protection, committee member, speaking in favor of the motion. I think we did a great job with this, and Terry's right and George is right. We -- this section really needed a lot of clearing up.

First, we call it an obstruction investigation, two sentences later it's called an inspection of piping, then it's called an obstruction investigation again. Now, then, down here it's called an internal inspection.

They did a good job of cleaning it up nicely, making a distinction between internal inspection being required every five years, and then when certain things happen, like you hear rocks in your pipe or when you open up an ITV, it plugs up with junk, then it's an obstruction investigation. We did a great job and we'd like your support. Thank you.

(Court reporters switched at 9:13 p.m.)

REPORTER'S CERTIFICATE

STATE OF NEVADA )
) ss:
COUNTY OF CLARK )

I, Blanca I. Cano, CCR No. 861, RPR, do hereby declare:

That I reported the taking of the NFPA proceedings commencing on Wednesday, June 9, 2010.

That I thereafter transcribed my said shorthand notes into typewriting and that the typewritten transcript is a complete, true, and accurate transcription of my said shorthand notes.

I further certify that I am not a relative or employee of any of the parties, nor a relative or employee of the parties involved, nor a person financially interested in the action.

IN WITNESS WHEREOF, I have set my hand in my office in the County of Clark, State of Nevada, this 24th day of June, 2010.

_____

Blanca I. Cano, CCR No. 861, RPR

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

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

Wednesday, June 9, 2010; Las Vegas, Nevada

P R O C E E D I N G S

* * * * * * * * * *

MR. KEATING: Good afternoon. My name is Larry Keating. I'm with Lifeline Fire Protection. I represent the Canadian Independent Sprinkler Association. And I'm a committee member. And I can't agree that we did a great job.

THE CHAIR: Speaking for or against the motion?

MR. KEATING: I'm speaking against the motion. I'm totally in favor of what we tried to do, but unfortunately I don't think we quite hit the mark. That's why I had a negative ballot. I was one of those people that didn't help with the two-thirds to get it passed because I had to vote against it.

There were some issues. And I'm getting tired, so please bear with me. There is the issue of not having to check CBDC pipe just because CBDC doesn't corrode. But it is susceptible to getting debris and things that can plug a sprinkler in it. And I can't agree that we can accept paragraphs like that.

There was the premise of always checking the

one branch line besides the inspector's test connection. I disagree with that. You have to look at different places each time. If you always go and look at the safe thing, you always get the same result.

But that isn't the reason for the internal inspection. The internal inspection is to arbitrarily look at places to see if there's a problem in the system, just not one place in the system.

They tried to discuss the subject of when you have to inspect the internal end of a cross fan. I'm afraid they missed the boat there. They actually forgot to mention that. There were discussions about not having to rent a man-lift to get in there and inspect the internals of the cross-connection. They didn't do anything about having to check the branch line.

So as I said, I'm afraid we just didn't get there, and I can't support this motion.

THE CHAIR: Thank you. Mike 5.

MR. BILBO: Cecil Bilbo from the Academy of Fire Sprinkler Technology, and I speak in favor of the motion.

Over the last few years, we spent three days

with probably 2,000 or 3,000 inspectors and ASJ's teaching them about water-based fire protection systems. This is a subject that comes up in each and every class, and it's a question that needs to be answered in each and every class. While this language that Mr. Keating states may not be pertinent, along with other things that's happened here tonight, this is moving in the right direction. And I would ask that everyone accepts this motion.

THE CHAIR: Thank you. Mike 4.

MR. ELVOVE: Josh Elvove with the U.S. General Services Administration speaking against the motion.

First of all, I have a point of order. There are at least four subsequent motions that are basically going to address this particular comment. And I was wondering how those are going to affect it. If this were to pass, we're going to be picking and choosing pieces of it.

THE CHAIR: If all these subsequent motions are successful, the Committee will be balloted. And that information is going to be passed onto the Standards Council. And there may be appeals. But the Council will ultimately make the decision.

MR. ELVOVE: Thank you. I just want to make

sure that the assembly here was aware that there are multiple motions that would actually amend this again should you choose to accept this, which I ask you not to for what Larry has said.

And to counter what Mr. Bilbo has said, it's not even close to being perfect. Look at all the reasons used for rejecting this during the ROC ballot. And forget about the fact that the references were incorrect. There's no Section 14.22. Was that an editorial mistake or an omission of the text? Can someone say for sure given the confusion out of a committee member how this was very, very confusing.

We did our best to come up with the consensus language, but we obviously failed. A lot of motions are tied to this motion. And I don't think a lot of people can look at the ROP and ROC and really understand how this came to be. And let me continue.

This section also introduces new material that the public hasn't seen. I'm not sure if that's a fact or I asked that before. And apparently that wasn't an issue. But look at the committee's substantiation. At least four of the six listed changes are brand-new. But, regardless, some of the

proposed changes are confused or flawed.

For example, new 14.232 requires an internal inspection for all systems if foreign organic or inorganic material is found during the five-year inspection. Yet in A14.213 it says the presence of some foreign material may not be sufficient to trigger an obstruction investigation. We're sending mixed signals there.

In addition, the new 14.232 seems to relax the five-year internal inspection requirement. But does it? The annex note requires that no evidence of any foreign or organic or inorganic material be found before this kicks in. So I look at that as an illusion.

And there's also an editorial mistake. The new A14.314, which I have no issue with, does not even accept it. So this was not really done very well. And I would urge the assembly here to really look at this before you accept this. It doesn't flow well. If it doesn't flow well, we might as well stick with what we have and go fix it later. I urge you to reject this comment.

THE CHAIR: Thank you. We'll go to mike 4.

MR. LARRIMER: My name is Pete Larrimer. I'm with the Department of Veteran Affairs. And I

speak opposed to the motion. I just want to point out a couple brief items.

You can see by the committee members, of which I am one also, that most of the committee members are confused as to what the requirements are. Mr. Keating in his negative comment is still looking for obstructions in plastic pipe.

Back when we were in Phoenix years ago when this was originally put in, I believe it was originally put in because of the MIC issue, and they were just looking inside for the presence of MIC. And it got turned around. But now we're looking for debris in this obstruction, and one little sprinkler location remained in a building like this. It's ridiculous. There's so many confusing things in this document. 104 will not clarify anything. If anything, it makes it more confusing. I speak in opposition to this motion. Thank you.

THE CHAIR: Thank you. Mike 5.

MR. VICTOR: Terry Victor with Tyco Simplex Grinnell. I can't let it go without saying again that the text the way it is now, if we don't pass this committee comment --

THE CHAIR: You're speaking for or against?

MR. VICTOR: I'm speaking in favor of the

motion. If we don't pass this committee comment here, then we're going to revert back to basically the text that was in the previous edition, which is very confusing and is causing a lot of undue inspections and obstruction investigations.

And, again, as we spoke earlier, there's a confusion of terms even within the current document in Chapter 14. The question was whether subsequent comments and motions are going to be made following this one. Mine is up next. If this motion succeeds, I intend to withdraw my next motion, and we can speed up the process.

However, if this fails, I'm going to go forward with my motion, and we will address some of the issues that Mr. Keating has with the plastic pipe. And I think there were others that intend to withdraw motions if, in fact, this motion should pass.

So we want to clean it up. We want to make it user friendly. We want to keep the requirements in there that we know are working.

We have, in fact, recognized that there is material in these pipes that we didn't realize were there years ago. This requirement for the internal inspection was put in two cycles ago into the

document. And since then we've been opening up these systems and finding all kinds of problems.

So we need to continue with this type of an internal inspection. We need to clarify the difference between the internal inspection and the obstruction investigation. And this committee comment and this motion will do that. Thank you.

THE CHAIR: Thank you. Seeing no further discussion on the floor, Mr. Brushard?

MR. BRUSHARD: I would only comment that what Terry has just indicated and what I was going to say is that there's been discussion. And if this particular amendment should be passed, then there are a few of the following motions that would not be opposed, but they would be withdrawn at that point.

Again, relative to the overall effort, I believe that NFPA 25 is attempting to move forward. They are trying to address a lot of complex issues that are brought up between our enforcement officials, the users, our contractors, and also our insurance representatives.

And it is a major effort to try to not appease everyone but at least to address everyone's major concerns. And that's what the subcommittee attempted to do originally. And, yes, they missed

the mark.

The current proposal on the floor, in my opinion, is a good attempt to bring quite a few of those minor or sub items into focus so that we can move forward with it. If this one does not pass, then there will be three or four more. And, unfortunately, I have to indicate that I think you will hear a lot of the same arguments.

THE CHAIR: Thank you. I'm going to go to mike 4.

MR. ELVOVE: Josh Elvove with the U.S. General Services Administration speaking against the motion. With no disrespect to the Chair, I don't think it's fair to speculate what will be happening next. There's a lot of motions coming up, and we don't know what's going to happen. So I would say disregard that.

I would just remind the assembly one more time that this one was not a consensus. You looked at the ballot. You saw this is the most contentious issue that the committee had to deal with. If that's the care, I'm reluctant and hesitant to want to pass it here on the floor. Thank you.

THE CHAIR: Thank you. I'll go to mike 5.

UNIDENTIFIED SPEAKER: I'm speaking in favor

of the motion. Josh is right. You never know what's going to happen. But I'll tell you, if we get this one passed, I've got two coming up, and I'll pull them.

THE CHAIR: Okay. Thank you. We're going to close discussion on this issue and go to the vote. The motion is to accept Comment 25.104. All those in favor please raise your hand. Thank you. Those opposed. Thank you. That motion carries.

As previously stated in the last discussion, we're now going to see some motions that may be modifying what we just did. I just want to make the body aware of that. With that, we're going to proceed with Motion Sequence 25-16. Mike 5.

MR. VICTOR: My name is Terry Victor with Simplex Grinnell. And I move to withdraw my certified amended motion in favor of the previous action.

THE CHAIR: The Chair accepts your withdrawal. There will be no further discussion on that motion. We're going to move to Motion Sequence 25-17.

MR. RAY: My name is Richard Ray, Cybor Fire Protection. And I'm going to withdraw this motion.

THE CHAIR: Thank you. I accept that

withdrawal. No further discussion on that item. We're now on Motion Sequence 25-18.

MR. LEAVITT: Russell Leavitt, Telgian Corporation. And I also remove my motion.

THE CHAIR: Thank you. The Chair accepts that withdrawal. There will be no further discussion on that item. We're now on Motion Sequence 25-19. Mike 1.

MR. LARRIMER: Pete Larrimer, Department of Veteran Affairs. I'd like to make a motion to accept 25-19.

THE CHAIR: What's your motion? Is it to accept Comment 25-101?

MR. LARRIMER: Oh, yeah. With this motion I'm asking to accept Comment 25-101.

THE CHAIR: Okay. Is there a second? Proceed.

MR. LARRIMER: That comment is on page 25-26 of the ROC. This is actually to accept the original proposal of 25-185, which can be found on page 25-44 of the ROP.

If this motion is accepted, it will clarify a lot of this stuff, but we will have to go back and address 104. If this motion is accepted, the requirement to do an internal inspection of sprinkler

piping will not be eliminated from the standard, but it will require one of the 14 triggers as identified in Chapter 14 to initiate that inspection and/or investigation be conducted. Please note that pinhole leaks suggesting the presence of MIC is in that list of triggers as Number 13.

There has never been any technical substantiation provided for this mandatory requirement to inspect the internal piping of sprinkler systems every five years. I have documented the lack of substantiation by the Committee in my negative vote on Proposal 25-185 on page 25-44 of the ROP.

The substantiation now provided by the Committee in the ROC Committee Statement states, "Reports of obstructions under actual field inspections supports the validity of the five-year internal inspection criteria. It is important to keep consistent collection points until more data can be collected."

Please understand that there were never any written reports on obstructions provided to the Technical Committee to support the inspection requirement, at least for the last three cycles that I've been on the committee. But now data has, in

fact, been collected. And it can be found in the NFPA report dated February 2010 by John R. Hall, Jr., titled "U.S. Experience with Sprinklers and other Automatic Fire Distinguishing Equipment." And it's readily available on the NFPA website.

A summary of this data shows that sprinklers have an excellent record of operating. And when they do fail, they operate effectively. Obstructions of the piping account for no more than 1 percent of those failures. The written data in the NFPA report identifies that there truly is no justification for inspecting every system every five years.

Accepting this motion will still require an inspection but only when there's just cause to do so. I ask you to support this motion. Thank you.

THE CHAIR: Thank you. Mr. Brushard?

MR. BRUSHARD: I'll defer to the committee members.

THE CHAIR: Thank you. I'm going to go to microphone 4.

MR. VICTOR: Terry Victor, Simplex Grunnell Tyco, member of the NFPA 25 Committee. And I speak against the motion on the floor.

First, the requirement to inspect the inside of two pipes in a system every five years is not

onerous, as the submitter of the comment stated in the substantiation. Each system by design has at least one check valve, and that check valve must be inspected every five years internally.

While the system is drained down before this inspection, to also open up and inspect the inside of two pieces of pipe is not onerous. The Committee has never received an objection to the internal inspection of these check valves, and yet we still have these objections to inspecting the internal pipes, these two pipes on the system.

Second, since the introduction of the five-year internal pipe inspection two editions ago, results of these inspections have yielded many problems that would have affected system performance.

And I understand the 1 percent failure rate based on plug systems is a low percentage, but I think we've eliminated a lot of potential problems with this five-year internal inspection by picking up debris that we found in the pipes.

I personally have collected numerous pictures of the obstructions found in systems while performing the five-year inspection, which include rust, scale, rags, rocks, sludge, solid caking of material, and microbiologically influence corrosion.

In 2008 and 2009 Simplex Grunnell submitted to one lab what are samples or evidence of MIC that was observed in 254 systems. Of those 254 systems, 65, or 26 percent, showed evidence of high MIC activity. And 132, or 52 percent, showed medium MIC activity. In total, 78 percent of these systems needed some sort of action taken to address the MIC activity that was in these pipes.

While the original intent of this requirement was to proactively address the impact of MIC that it was having on our systems, other benefits have been realized, and this internal inspection every five years is needed. Again, I oppose the motion, and I ask you to also oppose it. Thank you.

THE CHAIR: Mike 5.

MR. DESHANAY: My name is Dave Deshanay. And I speak on behalf of the Healthcare Section. And we speak in favor of the motion.

This morning at the Healthcare Section of the Executive Board Meeting, the membership voted to support this motion. We feel that the five-year requirement inspection is completely unjustified and has no technical merit.

The requirement for the five-year investigation has been around for a few cycles. At

every one of these cycles, there have been debate as to the rationale and the need for this inspection. And this cycle has no difference.

One justification was given to support the five-year requirement. And I quote, There is a need to check for possible obstruction in the lines, end quote. This statement carries no technical data, no justification to support, and is a requirement that has no merit.

Furthermore, the existing 4.2.2 has language that basically has 14 different items that would trigger such of an investigation if there were problems within the system.

The process of conducting investigations based on evidence and risk makes sense. The requirement to investigate or inspect every five years just for the sake of doing it does not make sense. We are all working in an environment where we're asked to do more for less. And this requirement is a perfect example of waste of time and resources.

The Healthcare Section fully supports all Codes and Standards that brings safety and value to the industry. However, this five-year requirement brings no added value or no safety to the industry.

The Healthcare Section urges the membership to support this motion. Thank you.

THE CHAIR: Thank you. Mike 4.

MR. RAY: Rich Ray, Cybor Fire Protection, speaking against the motion.

Fire sprinklers have an excellent record, as Josh brought up, and I'm glad that he did. The reason we have an excellent record is because we test and maintain our systems. We don't take requirements that have been in there keeping that record off, keeping that 90-something percent liability off. What is the point of that? Just because we don't want to do it? So do we let the liability slide? Whoa, we did too much. We did too much. We've got to start requiring things again.

That's not the right way to do this. We have reached a pinnacle of excellence. Why go backwards. Terry's right. The standard already requires that every five years there's a check valve requirement. The system has to be drained to do that. I've got some crazy fitters, but they wouldn't even try that one on the fly. The system has to be drained down. You're asking somebody to take the cap off of a flushing connection and remove one sprinkler.

I've been doing fire sprinklers for over 25 years. I found pieces of asphalt bigger than my hand, workman's gloves, sandwich baggies, coupons. We call them coupons. You know, if you drill a hole in a piece of pipe, you've collected handfuls of those out of branch lines. I've gone to jobs where a flushing connection is removed on a piece of 2-inch cross-main. I ask you to remove this motion.

THE CHAIR: Thank you. Mike 7.

MR. LARRIMER: Pete Larrimer, Department of Veteran Affairs, speaking for the motion.

I want to address the check valve comment first. We often have systems where we'll have a fire pump with the check valve in line but a bypass in the check valve. Both of those check valves, if we were to do the five-year inspection, could be looked at internally without shutting the system down, causing a big problem.

So I'm not sure that we're real concerned about the check valve. They don't have a great effect on the system operation of our systems.

Also, I want to comment on it not being onerous. We have to follow impairment procedures in hospitals and take interim life safety measures. Not only are there costs involved in performing the

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

the area must be notified that the system is back in service.

This all takes a significant amount of resources in a hospital. This is not an easy task. With thousands of sprinkler systems in the VA Medical Center, the costs are not insignificant. Contractors coming to our Medical Center providing pricing for this internal inspection as a main focus of their ITM pass --

THE CHAIR: Pete, can you slow down a little? We're having a hard time with the transcript.

MR. LARRIMER: We have numerous systems at each campus, and we just haven't had failures with sprinkler systems that this inspection will remedy. And in my industry, the healthcare industry, we modify our systems so much that we're always inside our pipe.

And we might not be the same as some of these highly protective risk. And I understand it would probably behoove them to go out and inspect inside their piping if they're going to do systems like a healthcare facility. But in the healthcare area, we modify our systems. So we see the internals of our pipe. And also the items that Mr. Ray finds

is through routine testing. We find the same thing.

One last point I want to make. Sprinkler systems operate effectively with some rust in the pipe. We designed it with a seeding factor of 120. And now it's going to go to 100 and even below that. The systems are still effective. The statistics bear that out. Most systems operate effectively with only one or two heads. 89 percent of the wet pipe sprinkler systems control the fire with one or two heads. That is not a lot of water flowing.

Even with some obstructions, you will have a very effective system. We're not eliminating the requirement to do the inspection. We're just making the requirement conditional upon all the triggers that are in Chapter 14. Thank you.

THE CHAIR: Thank you. Mike 4.

MR. BELLEMY: Tracy Bellemy, Telgian Corporation, with a call to question.

THE CHAIR: We've got a call to question. Please raise your hands. Thank you. Those opposed. That motion carries. We're going to proceed with the vote.

The motion is to accept Comment 25-101. All those in favor please raise your hands. Thank you. All those opposed. I think we're going to go to a

standing vote. All those in favor of accepting Comment 25-101, please stand. Thank you. Be seated. Those opposed to the motion, please stand. Thank you. You can be seated. The vote was 45 to 35. The motion passes.

Moving on. The next motion on NFPA 25, Motion Sequence 25-20, appeared on our agenda. However, the authorized maker of the motion or their designated representative has notified NFPA that they no longer wish to present this motion.

Therefore, in accordance with the NFPA rules, the motion may not be considered by the assembly, and it's removed from the agenda. We will now move on to the next motion.

The next motion is Motion Sequence 25-21. And I'm going to go to mike 4.

MR. RAY: Rich Ray, Cybor Fire Protection Company. As promised, I withdraw that motion.

THE CHAIR: The Chair accepts your withdrawal, and there will be no further discussion on that item. We're going to move on to Motion Sequence 25-22. Mike 1.

MR. ELVOVE: Josh Elvove with the U.S. General Services Administration, and I'm here to withdraw my motion.

THE CHAIR: Thank you. The Chair accepts your withdrawal. No further discussion on that item. We're going to move on to Motion Sequence 25-23.

MR. ELVOVE: Josh Elvove with the U.S. General Services Administration. I'm here to withdraw my motion.

THE CHAIR: Thank you. The Chair accepts that withdrawal. No further discussion on that item. We're going to move on to Motion Sequence 25-24.

MR. ELVOVE: Josh Elvove with the U.S. General Services Administration. I'm withdrawing that motion.

THE CHAIR: The Chair accepts your withdrawal. No further discussion on that item. We're down to Motion Sequence 25-25. And I'm going to go to mike 4.

MR. LARRIMER: My name is Pete Larrimer with the Department of Veteran Affairs, and I withdraw that motion.

THE CHAIR: The Chair accepts that withdrawal. No further discussion on that item. Mike 1.

THE WITNESS: David de Vries, Firetech Engineering, Incorporated. I concur with Mr. Larrimer.

THE CHAIR: Okay. Mr. Brushard, thank you.

MR. BRUSHARD: Well, thank you. I'd like to thank everyone for hanging in there with us tonight. And I do mean tonight. Thank you very much. And thank you for your support of the Committee.

And I also thank the Committee for all their hard work and their efforts leading up to this new edition of NFPA 25. Thank you, all.

THE CHAIR: I want to thank the membership for hanging in there tonight. We've covered a lot of ground.

This officially concludes this portion of the 2010 Annual Association Technical Meeting. This Association Technical Meeting will reconvene here tomorrow, Thursday, June the 10th, 2010, at 8:00 a.m.

I want to thank you for your participation, interest and support. I now declare this part of the meeting officially closed.

(Thereupon the proceedings were concluded at 9:45 p.m.)

* * * * *

CERTIFICATE OF REPORTER

STATE OF NEVADA )
SS:
COUNTY OF CLARK. )

I, Jane V. Efaw, certified shorthand reporter, do hereby certify that I took down in shorthand (Stenotype) all of the proceedings had in the before-entitled matter at the time and place indicated; and that thereafter said shorthand notes were transcribed into typewriting at and under my direction and supervision and the foregoing transcript constitutes a full, true and accurate record of the proceedings had.

IN WITNESS WHEREOF, I have hereunto affixed my hand this _____ day of _____, 2010.

_____

Jane V. Efaw, CCR #601

E

## T