NFPA Association Technical Meeting

Certified Amending Motions

2:00 PM, Tuesday, June 14, 2011

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| 2 NFPA 51 A | Withdrawn | 13 |
| 3 NFPA 484 | Withdrawn | 13 |
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| 5 NFPA 664 | Vote on Motion | 46 |
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| 7 NFPA 2112-7 | Vote on Motion | 83 |
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P R O C E E D I N G S

MR. FARR: May I have your attention, please. I'll remind you that the authorized maker of a Certified Amending Motion is required to have signed in one hour prior to the start of this meeting. I'll remind you that a maker of a motion must go to a green microphone and that each speaker should go to the appropriate microphone, either green in speaking in favor of the motion and red for speaking against the motion and start by stating whether you're in favor or against the motion, state your name and affiliation.

MR. FARR: Good afternoon, ladies and gentlemen. I am Ron Farr, and I have the distinct pleasure and privilege of being a member of your Standards Council. I now declare a quorum exists and convene the 2011 Association Technical Meeting. To assist me is Linda Fuller who is serving as staff coordinator. I would like to introduce Amy Beasley Cronin, Secretary of the Standards Council, Jim Pauley, Chair of the Council, Maureen Brodoff, NFPA General Counsel.

The session will be recorded by Leavitt

Reporting, Inc., specifically Carol DiFazio and Elaine Buckley. First let me address our safety issues. Let's take a minute and note the exits from this particular room, identify the exit signs on both sides and the rear of room where you came in. Now that you have noted the closest exit to you, I would like to inform you the fire alarm signal in the Boston Convention Center is a long tone followed by four beep tones repeated over the public address system, and flashing strobe lights will then activate. Do not use the elevators. If you are a person with a disability who has not already made arrangements with NFPA for emergency evacuation procedures, please see someone at registration just to the outside of this ballroom.

As with any organization, we have certain rules and protocols. First, the use of video and/or audio recording devices of any type are not allowed during the Association Technical Meeting. I would like to call your attention to the guide for conduct for participants in the NFPA codes and standards development process. As a participant in the process, you should be familiar with this guide.

I would 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 Standards Directory which is posed on the NFPA website with copies also available at the NFPA registration desk.

The Certified Amending Motions that comprise the agenda for today's session will be taken in the order as printed in the goldenrod colored handout entitled, "Annual 2011 NFPA Association Technical Meeting Certified Amending Motions." The primary regulations governing the NFPA codes and standards development process including processing of amending motions at the association technical meeting are the regulations governing committee projects. The regs are also posted on the NFPA website and published in the NFPA Standards Directory.

I would like to say a few words about the actions that can be taken today and the voting procedures. At this session you're being asked to act on certain motions pertaining to the technical committee reports. The technical committee reports on two of these documents, NFPA 79 and 2001, are

contained in the 2010 NFPA Fall Revision Report on Proposals and Report on Comments, the white book. Fifteen documents, NFPA 3, 15, 54, 70 E, 90 A, 99, 101, 204, 232, 664, 703, 704, 720, 2112 and 5000 can be found in the 2011 NFPA Annual Revision Cycle Report on Proposals and the Report on Comments, the blue books.

Under convention rules before a motion can be considered for action at this Association Technical Meeting the attendant maker of the motion must have filed a notice of intent to make a motion or a NITMAM prior to the publishing deadline of April 8, 2011. These NITMAMs were reviewed by the motions committee appointed by the Standards Council chair. The motions committee certified the NITMAMs in compliance with NFPA rules as Certified Amending Motion and published a consolidated motions committee report on May 6, 2011. Table A of this report, goldenrod colored handout, identified 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

successful Certified Amending Motions will be allowed at this meeting.

There is a further requirement that a person must sign in to indicate they are, in fact, here to pursue their motion. As part of this procedure 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 4.6.10 of the regs, if a quorum is challenged and found to no longer be present, which is a hundred members, the session will be terminated without action on the reports. Any reports 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 quorum is lost during the consideration of a report, any motions to amend or return the report that have passed prior to loss of a quorum will be processed and forwarded to the Council in accordance with 4.6 and 4.7 of the regs.

Any appeal based on action by the

association at this meeting must be filed with the Standards Council within 20 days of this meeting. That date would then be July 6, 2011. Any amendment accepted at this meeting that fails to pass the subsequent committee ballot will automatically be docketed as an appeal on the Standards Council agenda in accordance with Section 1.6.2 (B) of the regs. Note, however, that if an automatically docketed appeal is not pursued by a party the Council need not consider it.

The votes cast in this association Technical Meeting today and the discussions that lead to the voting are an integral and important part of the NFPA consensus process. The association's Technical Meeting is the forum where the membership considers changes to the report prepared by NFPA Technical Committees concerning proposed or revised NFPA codes and standards where such changes are pursued by Certified Amending Motions.

Through the motions, debate and votes at this meeting the membership makes recommendations to the Standards Council. The Standards Council under NFPA rules is the official issuer of all NFPA

1 codes and standards. The majority vote of the
2 persons present here today is for the sole purpose of
3 making a recommendation to the Standards Council on
4 the disposition of the report. The Standards Council
5 will meet August 9 through 11, 2011, to make a
6 judgment on whether or not to issue a document.
7 The Council's decision on document
8 issuance is based on the entire record before it
9 including discussion and vote taken at this NFPA
10 meeting. Limited review following actions by the
11 Standards Council may also be available through a
12 petition to the Board of Directors. Any such
13 petition must be filed within 15 days of the Council
14 action in accordance with the regulations governing
15 petitions to the Board of Directors from the
16 decisions of the Standards Council. The deadline for
17 notice of such petition is August 26, 2011.
18 With respect to voting procedures, the
19 regs state that voting at NFPA meetings shall be
20 limited to the following: One, those present who are
21 voting members of the association, that is, those
22 with red badges with voting member on the top. If
23 you're 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 an 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 the hands. If that is not conclusive we will proceed with a count using the electronic voting devices for regular voting members. I want to say at the onset that I will cast no vote. Therefore, in the event of a tie the issue automatically fails.

Once a report and Certified Amending Motion is presented, it is open for discussion and anyone in the room has the privilege of participating. The chair asks that you preface your remarks with your name and company or organization affiliation. Make sure that when you state your name you state it clearly for the stenographer so it can be recorded with your company, organization and affiliation. Your remarks, even if you have been to

the microphone many times, need to be prefaced with that since we are having the meeting transcribed for the record.

As you can see, we have red and green signs on the mikes in the room. Red signs indicate opposition to a motion on the floor, and green signs indicate support of a motion on the floor. I would ask that you stand at the appropriate mike and state at the beginning of your remarks whether you are in support or opposition to 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 floor motions and debate at this meeting is authorized to act as agent of or speak on behalf of NFPA and views expressed during motions and debate will include those expressed on behalf of the NFPA Technical Committee but others operating within the NFPA system do not necessarily reflect the views of NFPA.

Second, a note about NFPA sections. From time to time the chair or other representatives of an NFPA section may rise during a debate to state the position of an NFPA section on a particular

motion that is under consideration. NFPA sections are groups of NFPA members organized around particular subjects such as the electrical sections, the fire service section or healthcare sections.

Under the regulations governing NFPA sections a section may take the position on an issue on the floor of an association Technical Meeting. The position of a section does not necessarily reflect the views of all section members, rather a section may state a position on 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 in accordance with no special status, is accorded no special status in the NFPA codes and standards development process. Just as you would with any other position expressed during the debate today, you as voting members of the association may weigh and assess such positions as you deem appropriate.

Given the size of the agenda and the amount of material we have to get through, we will start out with five minutes per speaker, but it's my

plan to limit time as appropriate in the event it becomes necessary and adjustments will be made.

There will be a timer that will appear on the middle screen to indicate that you have one minute remaining in 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 goldenrod colored handout entitled Annual 2011 NFPA Association Technical Meeting Certified Amending Motion which are available at the registration desk and at the back of the room today. The motions pertaining to the documents is contained on Page 76 of the annual meeting program. As previously stated, this meeting is conducted in accordance with NFPA convention rules that are available on the NFPA website, and there are copies at the NFPA registration desk.

I would like to point out that the makers of Certified Amending Motions for NFPA 484 and NFPA 51 A have notified NFPA that they will not be pursuing these motions. Therefore, in accordance

with the NFPA rules, the convention rules at 2.6, the motions may not be considered by the assembly and are removed from the agenda. The documents will not be considered at this meeting. Instead they will become consensus documents that will be forwarded directly to the Standards Council for issuance or other action.

We also want to note we have an errata to the goldenrod Certified Amending Motion report. In motion 99-40, that is 99-40. The reference has been changed from 9.5.3.3 (2) to Chapter 11, Gas Equipment, Section 11.4.3.3 (2). I will repeat that. The reference has been changed from 9.5.3.3 (2) to Chapter 11, Gas Equipment, Section 11.4.3.3 (2).

Upon completion of actions on all Certified Amending Motions related to an NFPA document, the presiding officer shall entertain any follow-up motions. A follow-up motion is a motion that becomes necessary as the result of previous successful amending motions. A motion to return a document or to return a portion of a document affected by a previous successful amending motion is always in 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 its a proper follow-up motion. A follow-up motion shall require two seconders.

Before we begin today I would like to address the electronic voting devices that we will be using today to help us obtain the vote when the first vote by a raising of hands is not conclusive. The device will record your support or lack of the motion on the floor. Abstentions will not be included in the tabulation for the vote shown on the middle screen.

There are a few rules I need to make you aware of as we do this. No. 1, all voting members that were issued an electronic voting device are responsible for that device. Each device has been linked to the voting member's name; and if the device is lost or broken, they will be held responsible for the replacement of the advice. No. 2, at no time can you hand off your device to anyone to input your vote. Anyone found with

multiple units will be asked to leave the association Technical Session. No. 3, you must return your device to the registration desk as you leave the association Technical Session at the end of today.

We are going to give this system a test. I am going to ask for a vote on a motion and I want everyone to press either one indicating you're in favor of the motion, you're accepting or, two, if you oppose the motion or you're rejecting or, three, if you abstain on your electronic voting device. Again, that is one if you're in favor, two if you're opposed to the motion and three if you're going to abstain.

We are ready to test the system. Sample motion. Watch the screen, and I think things will show up there behind me. The motion on the floor is to accept comment 101-20. Please record your vote. The results will be displayed on the middle screen for everyone to see. Just as a note, the last button that you push is the one that will be in fact recorded. Looking at the timeline making sure we have everything squared away, we will also be giving -- we will be giving a warning approximately

five seconds before voting will be cut off. At this point the voting is closed, and you can see the results on the screen.

Finally I would like to stress that the rules that we are operating under today are designed to improve the efficiency and quality of the association Technical Meeting by eliminating the need to present uncontested documents by giving you, the NFPA membership, advance notice of the amending motions that are to be presented and by giving me, the presiding officer, greater discretion in managing debate to ensure 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 for your cooperation and your 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 with the documents I would like to introduce Jim Pauley, Chair of the Standards Council, and Amy Cronin who will present special achievement awards and committee

service awards.

THE FLOOR: Mr. Chairman, I pressed abstain on three separate occasions. The light blinked on my device. It did not register on the screen.

MR. FARR: We will not be recording abstentions on the screen. That was identified. We are going to record motions against, motions in favor of but there will not be a recording of abstentions on the screen.

THE FLOOR: Then why do we need button three?

MS. CRONIN: We were testing it out. As you know, this is a new system. I heard someone say, "But I changed my vote and it didn't change on the screen." What we will do in the future is you will be given a five-second notice. At that time you will have five seconds to get your vote locked in, and then the deadline will be over and the results will be displayed. There will be no changing of the vote. It will only be the final count. So when you changed your vote after the count was up there, the count was closed. So I hope that answers that

question. Thank you.

MR. PAULEY: Microphone No. 1 please.

THE FLOOR: I don't trust the system in the room with a thousand people and you only have 128 votes up there.

MR. PAULEY: Let me clarify two things. One is I think the presiding officer clarified that he will make it clear when the vote has five seconds left to close. What you had happen on the test vote was the gentleman up front saw the voting slow down on the screen, he closed the vote out, and then the presiding officer let you know after the fact. You will know when the vote is going to close five seconds prior to it being closed so you have that final five seconds to do it.

That is one issue. The other is, as is noted, you had a number of people press abstention. We are not recording those. If you feel you're confused by button No. 3, don't push anything because an abstention and a not vote the same. For purposes as we have done in all tech sessions is we record the yes and no vote of the body. If you decide that you're going to abstain and do not vote, that is

fine; but as usual we will note that yes and no votes which is how we've always operated the tech sessions.

THE FLOOR: Mr. Chairman, a point of order on abstentions. If it's late in the evening and yes and no votes do not add up to a hundred, shouldn't we record the abstentions to make sure we have a quorum?

MR. PAULEY: That is presumed unless it's challenged. Before we used the electronic devices it was exactly the same as it was before where you had yes and no. We did not ask people to raise their hands who were abstaining. It operates as other tech sessions have in the past. Very good.

I am here to present on behalf of the Standards Council some awards and special achievement awards. What we are going to do first is present to recognize the significant contribution of a committee member to a single project that has enhanced the NFPA codes and standards making process. We have two special achievement awards that will be presented today. The first one goes to William Jackson. I would like to ask William to please come to the podium.

MS. CRONIN: William Jackson of Lanark, Scotland, and formerly of the National Library of Scotland in Edinburgh has served on the technical cultural resources since 1992. Since then Bill has been actively involved in numerous committee projects serving on task groups to research key topics, supporting various initiatives and drafting new material for NFPA 909 and 914.

In 1994 Bill accepted the position of committee secretary and has faithfully served in this position for the last seventeen years, attending almost every meeting despite the long travel distance from Scotland. He has also been a featured speaker at many seminars held to educate the cultural community on fire protection as an important part of preservation both in the U.S. and in Europe.

Bill has played a key role in many of the committee's projects, securing funding from the National Library of Scotland for initial efforts in testing the effect of portable distinguishing agents on artwork and collections. He has shared detailed reports on corrosion and installation issues with different types of sprinkler piping and provided

inside knowledge of the risks associated with cultural properties and provided information on procedures from managing retrofits in historic buildings.

Bill has hosted several meetings in Scotland, recruited additional top-level talent and expertise to the committee and task groups and has arranged speakers on critical topics. He has been dedicated and committed to the committee goals and worked hard for the benefit of the committee. Bill's knowledge and expertise in this area has played a key role in the success of this committee.

MR. PAULEY: This award recognizes not only Bill's leadership and personal contributions but also the efforts of all involved with the NFPA 909 and 914 cultural resources project. Please join me in congratulating Bill on this special achievement award.

(Applause.)

MR. PAULEY: The next special achievement award is presented today to James Lathrop. I would like to ask Jim to join me.

MS. CRONIN: Jim Lathrop of Koffel

1 Associates in Niantic, Connecticut, has served on
2 many NFPA Technical Committees including the building
3 code correlating committee since 2005, life safety
4 code correlating committee since 2000 and their
5 corresponding Technical Committee since 1991 and
6 served as chair in 2000, 2001, residential occupancy
7 since 1992 and chair since 2001 to 2005, means of
8 egress since 1992 and chair since 2005, fundamentals
9 since 1995 and furnishing and contents since 2002,
10 the fire test committee since 1999, the fire code
11 committee since 2000, the health care facilities
12 Technical Committee on fundamentals since 2009 and
13 the pyrotechnics committee chair 2003 to 2011.
14 As chair of the pyrotechnics committee
15 Jim oversaw the expansion of the committee's scope
16 and the related development of new fire and life
17 safety requirements for NFPA 1124 applicable to
18 consumer fireworks retail sales facilities. With the
19 introduction of these new provisions he organized a
20 committee and established task groups to address key
21 technical issues related to consumer the fireworks
22 provisions within the code.
23 For the past several years Jim has

guided the pyrotechnics committee in its work with five other committees to coordinate, develop and review new requirements and technical justification for changes as a part of the 2012 revision process.

MR. PAULEY: This award recognizes not only Jim's leadership and personal contributions to the pyrotechnics documents but also the efforts of all involved in the committee projects that Jim has participated in. Please join me in congregating Jim on this special achievement award.

(Applause.)

MR. PAULEY: On behalf of the Standards Council I would like to thank you both for your continued dedication to the NFPA's codes and standards making process. That concludes the special achievement award and now we will move to committee service awards.

The committee service award is given to a Technical Committee member for continuous and exemplary service on one or more committees over a substantial period of time, and in recognition and appreciation of the 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.

The first recipient of the committee service award is Robert Barraclough. Robert is receiving this award posthumously, and Larry Stewart will be accepting it on his behalf. Larry is the staff liaison for the fire department apparatus project. Larry, could you please join me here at the podium.

MS. CRONIN: Robert Barraclough served on the Technical Committee on fire department apparatus for 24 years from 1987 to 2011.

MR. PAULEY: Please join me in congregating Robert posthumously on 24 years of service to the NFPA and the codes and standards making process.

MS. CRONIN: The other NFPA Technical Committee members who are recipients of the 2011 committee service awards who could not be with us today are also Bernie Bischoff from UTC/Chemetron Fire Systems of Matteson, Illinois; Walter Damon of

Buffalo Grove, Illinois; Arthur Krawetz of Phoenix Chemical Laboratory, Inc., out of Chicago; Gary Robinson of Liberty Mutual Group; and Jeff Shapiro from International Code Consultants.

MR. PAULEY: On behalf of the NFPA Standards Council I would like to say thank you to all of these individuals. This concludes the awards ceremony for this afternoon. We will now begin the Association Technical Meeting.

MR. FARR: Thank you, Jim. Thank you, Amy.

The first document on the agenda is NFPA 51 A, Standard for Acetylene Cylinder Charging Plants. However, the authorized maker of the motion has notified NFPA that he no longer wishes to present his motion. Therefore, in accordance with NFPA rules, convention rules at 2.6, the motion may not be considered by the assembly and it is removed from the agenda. The document will not be considered at this meeting and instead become a consensus document that will be forwarded directly to the Standards Council for issuance or other action.

We would like to thank the committee

for the work on this document, we will now move on to the next document.

The next document on the agenda is for NFPA 484, Standard for Combustible Metals. However, the authorized maker of the motion has notified NFPA that he no longer wishes to present this motion. Therefore, in accordance with NFPA rules, convention rules at 2.6, the motions may not be considered by the assembly and it is removed from the agenda. The document will not be considered at this meeting and instead becomes a consensus document that will be forwarded directly to the Standards Council for issuance or other action.

We would like to thank the committee for the work on the document. We will now move to the next document. The first report under consideration this afternoon is that of the Technical Committee on Wood and Cellulose Materials Processing. Here to present the committee report is committee chair, Arthur Mattos, Junior, of XL Global Asset Protection Services, Matthews, North Carolina.

The committee report can be found in the blue book, 2011 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 number presented. Mr. Mattos.

MR. MATTOS: Mr. Chair, ladies and gentlemen, the report of the Technical Committee on Wood and Cellulose Materials Processing is presented for adoption and can be found in the Report on Proposals and Report on Comments for the 2011 Annual Revision Cycle.

The Technical Committee has published a report consisting of a partial revision of the NFPA 664, the standard for the prevention of fires and explosives in wood processing and woodworking facilities. The report was submitted to letter ballot at the Technical Committee that consisted of 24 voting members. The ballot results can be found on Pages 664-1 to 664-18 of the Report on Proposals and Pages 664-1 to 664-18 of the Report on Comments. The presiding officer will now proceed with Certified Amending Motions.

MR. FARR: Thank you, Mr. Mattos. I will proceed with discussions on Certified Amending

Motion on NFPA 664.

MR. URAL: May I speak from here?

MR. FARR: Yes.

MR. URAL: Good afternoon, Standards Council members, NFPA staff, voting members and Mr. Mattos.

MR. FARR: Please state your name.

MR. URAL: My name is Erdem Ural, U-R-A-L. I work for Loss Prevention Science & Technology, an independent consulting company. I must also say I am a proud member of the NFPA 664 Committee.

In the last portions of the revision certain things were overlooked, and that is what I'm trying to fix in here. I will not be pursuing Motion 664-1 unless we could schedule it to be after the first two. I will pursue 664-2.

MR. FARR: We will be taking them in the order presented.

MR. URAL: Let me skip 664-1. I move to reject comment 664-5 and adopt the 664-8, ROP proposals, which is committee proposal No. 18.

THE FLOOR: Point of order.

MR. FARR: Point of order on that. We need to go back. We are taking one motion at a time and we are taking them in the order as printed. Which motion are you --

MR. URAL: I just withdrew the first one which is 664-1. Now we are doing 664-2.

MR. FARR: You did withdraw then the first one?

MR. URAL: Yes.

MR. FARR: We will move ahead with 664-2.

MR. URAL: Yes, and the motion is to accept comment 664-5, I mean reject comment 664-5. There is a mistake on the screen.

MR. FARR: Stop right there until we get this clarified. Clarification has been made. If you look in the goldenrod, what is printed in the goldenrod under motion sequence 664-2, motion to reject 664-5 is correct. It's not correct on the screen. Your motion was to reject. Is there a second for that?

FROM THE FLOOR: Second.

MR. FARR: I do hear a second. Will

you proceed.

MR. URAL: We are looking at the ROC, for the audience Page 664-3 and it's 664-5. There are several things wrong with this comment. If you look at the ROC document, it has two definitions. One is for deflagrable wood dust and the other one is dried non-deflagrable wood dust.

The first definition has a couple of problems. One is -- I will read it to you. "Wood particulate that will propagate a flame front, thus presenting a fire or explosion hazard when suspended in air or the process-specific oxidizing medium over a range of concentrations regardless of particle size or shape. Wood particulate with a mass median particle size of 500 microns or smaller, i.e., the material that will pass through U.S. No. 35 standard sieve having a moisture content of less than 25 percent."

First of all this definition, the new definition has two sentences, and the two sentences contradict each other. So one says regardless of particle size and shape, and the other one says mass median particle size of 500. The second one says

1 non-deflagrable wood dust that combusts, wood dust
2 that would not pose an explosion hazard, wood
3 particulate with mass median particle size greater
4 than 500 microns, i.e., material will not pass
5 through a U.S. No. 35 standard sieve having a
6 moisture content of less than 25 percent wet basis.
7 The problem with this is it creates
8 serious and potentially deadly confusion about this
9 key definition. What the motion is trying to do is
10 under deflagrable wood dust eliminate the second
11 sentence which otherwise is contradictory information
12 and then the non-deflagrable wood dust, return it to
13 the original committee proposal as published in the
14 ROP.
15 So the problem -- the dangerous part of
16 this is the definition of dried non-deflagrable wood
17 dust which says if the material is greater than 500
18 micron, mass median size, then the dust is not
19 explosible. That ignores -- you may have 50 percent
20 of the particles less than 35 microns and then you
21 may have some very large dust particles, you may have
22 a severe explosion hazard, and this standard would
23 lose all these applications which ignored the dust

explosion hazard in those applications.

The science is violated by this change. Our knowledge is violated. In fact Global has published some test data that was mass median particle size was greater than 500 microns and the dust had a K value of 80. If Henry is here, he is the one who published in both the dust symposium and also in the AIC loss prevention symposium.

So I hope -- I have a demo. This is really less than 35 micron size particles. So that is very explosible. Now, if I add these wood blocks to it, this standard claims that it's not explosible dust. So that is not right. Or if I add these large particles to it, these are also wood particle shavings, the standard claims this is not explosible, but we know by science and logic and common sense this is false. Thank you.

MR. FARR: Thank you, sir. Mr. Mattos, would you like offer the committee's position?

MR. MATTOS: The committee originally in the ROP took out all size criteria and in the comment phase we added the size criteria back in, and

the committee went with the 500 microns rather than 420 based on information that they had available to them.

MR. FARR: Thank you. With that we will open up debate on the motion. Remember, please provide your name and affiliation and whether you're speaking in support or against the motion. We'll start off with my left, microphone No. 3.

MR. HIRSCHLER: Marcelo Hirschler GBH International speaking in favor of the motion. My principal concern -- and I am the chairman of the technical, the advisory committee on glossary terminology. I do not speak on behalf of the committee. I speak on my own behalf.

They NFPA definitions should not contain two sentences. The NFPA definitions should not contain requirements. The second sentence of the definition of wood dust contains both. No. 1, it's the second sentence so it contravenes the manual's style. No. 2, it contains a requirement which also contravenes the manual's style.

Third, from the technical point of view it makes no sense to have talk about dust that is in

mass median particle size of 500 micron or smaller because that could, as demonstrated by the previous speaker, could represent some particles are much larger, a few particles are much larger, most are smaller so that is incorrect. So I urge you to support the motion. Thank you.

MR. FARR: Microphone No. 4 at the rear of the room.

MR. CHOLIN: John Cholin from J.M. Cholin Consultants. I'm a member of the Technical Committee and I have been for a little over 20 years and I am urging the membership to vote against the motion.

The Technical Committee when it removed the size criteria was confronted with the reality that it was then forcing users of the document to submit a stack of 2 by 4s to a laboratory to have it tested to determine whether or not it constituted a combustible dust. That was patently ridiculous.

There is a practical need to have a size criterion in it. When you do a sieve analysis, you generate mass median data. You generate the mass of the dust at each of a number of size categories.

Mass median diameter is the diameter at which half of the mass of the dust is greater than that size criterion. It is well known when you add large particulate to find that the large particulate serves as a quenching nucleus and prevents the propagation of a deflagration. If you allow the size to separate, now you have an different sample.

The Technical Committee recognized the impracticality of not having a size criterion and it made the best compromise it could to produce a document that was both usable and a key to life safety objectives of the public. Thank you. So I urge you to vote against the motion and support the committee.

MR. FARR: We will now go to microphone No. 1.

MR. ROGERS: My name is Sam Rogers. I am with Honeywell. I am a member of the 654 committee, and I am chair of the explosion protection systems committee. I am speaking on my own behalf, not on behalf of either committee.

I am in favor of this motion. I am in favor of it for a number of reasons. The first is

that when we attempt to assign a surrogate parameter to a property that we can physically test, we are putting ourselves in a very dangerous position. I do applaud the committee for trying to come up with practical guidance, but that is best applied in an annex, not in the mandatory statements.

What we have now is a situation where when material is tested according to standard tests, which would be 1226, it was found to be a combustible dust as Mr. Ural mentioned and then is deemed to be not a hazard by the second part of that definition. It falls in the crack.

I think this two-sentence definition creates a very dangerous crack where materials like this can fall. There is no place else for them to go because they are wood material. The users will come to this document. They will do a simple test and determine that because it is said to be so it cannot be a combustible dust even in the face of test data.

I think that is a very dangerous position for anyone to take, and I would urge the membership to vote in favor of this motion.

MR. FARR: Thank you. We will now go

to microphone No. 4.

MR. FRANCIS: Sam Francis of the American Wood Council speaking in opposition to the motion on the floor. The criteria, the particulate size criteria that is receiving a lot of attention here is not new to this standard. It's been in the standard before my 15 years on the committee. It goes way back.

By the way, it's interesting. The size criteria first appeared in 664 based upon some work from FM. Mr. Cholin discussed a moment ago the quenching effects and so forth which are confounding to the problem. If you're thinking of it simply in terms of a uniform material, it's not. It's not uniformly distributed.

By the way, this is in wood dust and cellulosic materials processing. So the example that you all saw earlier by a previous speaker of adding wood blocks to change the median size just doesn't occur. You cannot move that, for example, through some of the dust collections systems. There is not that kind of distribution of these particles.

The focus here is that particle size

has existed for decades. Enforcers, when they go out and look at one of these facilities, can determine that quickly along with the distribution of dust and thickness. That can be determined; and as a result you heard -- anyone who attended last year's annual conference and heard the 654 report heard testimony that in these facilities there have been no catastrophic failures in facilities that comply with the then existing code, and this size, this particulate size existed then.

There is no failure record to support the change away from what is a useable dimension for enforcers.

MR. FARR: Thank you, sir. Microphone No. 3.

MR. HIRSCHLER: Marcelo Hirschler speaking in support of the motion. I want to point a couple of things that were pointed out by opponents. No. 1, talk about you have to classify 2 by 4s. No one would believe that 2 by 4 is dust. So that is a ridiculous statement. The other one -- we are talking about the section, the process of manufacturing and processing of wood dust. So issues

like blocks and so on don't come into effect.

What does come into effect is the fact that definitions are not where you should put requirements. Requirements should go into the body of the document. They should not go in the definitions. They should go where they belong. If it's a requirement, as Sam Francis just noted, that has been there forever, why do we need to add it because it wasn't there at the ROP. Please support the motion. Thank you.

MR. FARR: Microphone No. 1.

MR. URAL: Erdem Ural again speaking for the motion. I want to address a few comments that happened after I spoke. The fact remains in the deflagrable wood dust definition we have, if the NITMAM -- if the motion is not approved, there are two sentences that are contradictory. The first sentence says it's deflagrable regardless of the particle size and shape. The second sentence says if the mass median is larger than, if the mass median is smaller than 500 microns. So this standard cannot be published with this definition. It cannot be published as that, as it is written in the ROC.

The second part, what the motion is trying to do is to make the 664 consistent with the other NFPA dust occupancy standards, namely, NFPA 654, NFPA 484, NFPA 655. All these standards are moving into this type of definition. And they are accepting, regardless of particle size and shape put the burden -- now we come in with this standard that has two contradictory statements. One of them is in line with 654 and one is not.

Mr. Francis mentioned 2 by 4s will not pass through the dust collection system. The dust collection system -- I just brought up those toys for my boys, adjusted them. Anybody who wants to abuse the standard could very well put large chunks of wood in there and say, okay, 50 percent is larger than 500 microns but 50 percent by weight so we are exempt from applying the standard.

I also showed you big pieces of wood shavings. They will certainly go through a dust collection system, and you will see that in the dust collectors. The standard does not only apply to dust collection systems. It applies to rooms, enclosures, other parts of the building. This is a very serious

flaw in the ROC document, and I hope you will vote for the motion.

MR. FARR: Microphone No. 4. Do I see somebody up there for it?

MR. CHASTAIN: My name is Brice Chastain. I am against the motion on the floor. I work for Georgia Pacific, a leader in the United States paper and forest products industries which has over 300 facilities. I am a certified industrial hygienist and a member of both the 664 and 654 Technical Committee. I am leading Georgia Pacific's global combustible dust initiative.

We at Georgia Pacific believe that the current definition of deflagrable wood dust crafted and accepted by the NFPA 664 Technical Committee provides the user with a means to assess risk without necessitating the expense of indiscriminate laboratory testing for every wood product stream.

For example, what benefit does you testing the explosibility of large green wood chips containing greater than 40 percent moisture in a sawmill or on the green end of the wood process stream where large wood chips are handled as would be

the case with the proposed definition change -- there is no loss history to substantiate the need to test large green wood material.

Testing large green chips will result in an unwarranted financial burden on the wood products industry, most of which are struggling today financially to stay afloat. We believe that the standard will have the greatest net benefit if it's made to be reasonably usable by all of industry without the unnecessary use and cost of laboratory testing and where loss history does not substantiate a need for testing large green wood chips.

It is worthwhile to note that no incident in the forest products industry is known by the members of the NFPA 654 Technical Committee that indicates that ignition of large green wood particulate has occurred in the context of a dust conveyance system.

Finally, Section 4.1 of NFPA 664 standards state the goal of this standard shall be to provide for a woodworking and wood processing facility that is reasonably protected from fire or deflagration in a cost-effective manner. Georgia

Pacific does not believe testing large green wood chips is reasonable or cost effective use of resources and would result in no benefit to risk reduction. Therefore, Georgia Pacific urges you to vote against this motion and accept the Technical Committee's crafted definition for deflagrable wood dust. Thank you.

MR. FARR: Microphone No. 4.

MR. FRANCIS: Sam Francis, American Wood Council speaking in opposition to the motion and to rebut a couple of items brought up.

Firstly, I support the concept that there shouldn't be requirements in a definition. That is fundamentally correct. I submit to you, however, that to put in a limit of 500 microns or any such thing is not to put a requirement. It's not requiring dust in a woodworking facility to be 500 microns. It is simply defining the term how big of a particle is a deflagrable particle.

Secondly, the second sentence is not in conflict with the first sentence. That has been mentioned several times. The kernel of information in the first sentence is in this definition that

these particles regardless of size or shape. The second sentence talks about moisture content. It's a different concept. So they are not conflicting with one another. They are supplementing one another.

I confess that is two sentences. So the terminology police don't like two sentences. It's been that way for a while. I said I wanted to rebut two. I actually mean three because that reminds me the size requirement existed, and in the ROP phase it was removed. That is why this comment is reinstating it. Don't be fooled by the notion that it didn't exist. It did. It's been in there for decades.

MR. FARR: Microphone No. 2.

MR. WEBB: My name is Bill Webb, Web Fire Protection Consulting. I call the question.

MR. BLACK: Second.

MR. FARR: The question has been called with a second. All those in favor signify by raising your hand. Those opposed please raise your hand. The question has been called on that. That passes.

Back to the original motion then. The

motion on the floor is to reject comment 664-5. Those in favor of the motion to reject comment 664-5, please raise your hand. Those opposed to the motion, please raise your hand. The motion fails.

MR. FARR: We will move on to motion 664-3. Mr. Ural.

MR. URAL: Erdem Ural again. This is --

MR. FARR: I need your agency, affiliation.

MR. URAL: Erdem Ural, Loss Prevention Science & Technology. This one -- I am disappointed the first one failed because that was --

MR. FARR: Your motion is?

MR. URAL: My motion is to accept comment 664-6.

MR. FARR: Is there a second?

FROM THE FLOOR: Second.

MR. FARR: Proceed.

MR. URAL: The motion tries to unify the terminology used for dust that produces deflagrable and flash fire hazards. The standard -- I looked at the history of the standard. The 1993

1 edition does not have, did not have a definition but
2 used the term combustible dust. The 1998 edition of
3 the standard defined and used the term combustible
4 wood dust.
5 In the 2002 edition the committee
6 invented the term deflagrable and non-deflagrable
7 wood dust. I don't like those names for several
8 reasons. One is it doesn't convey the danger to the
9 workers and employees, firefighters. Most people
10 don't know what the word deflagrable is.
11 The other thing is the standard uses
12 combustible dust, deflagrable dust interchangeably.
13 So I counted. In the 2007 edition there were 26
14 occurrences of the word combustible dust or
15 combustible particulate solid. There were 14
16 occurrences of the word deflagrable or
17 non-deflagrable and 11 occurrences of the word
18 explosible.
19 What I would like to do is -- we have
20 four different, actually five different dust
21 occupancy standards. One is 654 which is the general
22 dust occupancy standard which uses the term
23 combustible dust. There is NFPA 61 which is the food

that doesn't use the deflagrable term. There is 484 metal dust which doesn't use deflagrable dust, and 655 sulphur doesn't use that.

The deflagrable term is specific to only the standard, and my wish is to unify it. I recognize my motion is to -- because the committee is using it in the sense of explosibility which means produces a deflagration so that is why I propose to replace all occurrences of deflagrable with explosible. Thank you.

MR. FARR: Thank you, sir.

MR. MATTOS: Although it's difficult to pronounce, deflagrable is a word. It's in the dictionary. A Google search will give you approximately 27,000 hits. We have been using the term for quite some time. If you pass this motion and change deflagrable to explosible, you will still have the word deflagration used throughout the standard.

MR. FARR: Thank you, Mr. Mattos. With that we will open up debate on motions. Please provide your name and affiliation and whether you're speaking in support or against the motion.

Microphone No. 3, please.

MR. HIRSCHLER: Marcelo Hirschler, GBH International, speaking for the motion. The word deflagrable is not as commonly used and it's certainly not in the common terminology of the using public as the word explosible. So replacing deflagrable by explosible will make the terminology used in this document more user friendly to the public. Thank you.

MR. FARR: Microphone 4.

Mr. CHOLIN: My name is John Cholin from J.M. Cholin Consultants. I'm a member of the Technical Committee which I've chaired for ten years, and I am speaking against the motion.

An explosion is defined as a rupture of an enclosure. Therefore, explosible means something is capable of being ruptured by an excessive internal pressure from a deflagration. A deflagration is defined as the propagation of a flame front through fuel-air mixture. Therefore, something that is deflagrable is capable of propagating a flame front through the fuel-air mixture. The term deflagrable is actually far more descriptive and far more,

correlates far better with the hazards that we are trying to manage.

Inherently they are more consistent with NFPA 68 than NFPA 69. The user community and the forest products community is accustomed to seeing this term now. They have been seeing it for almost a decade. They understand what a deflagration is, and consequently it makes the document more usable to the user community.

Since the overwhelming majority of the personnel injury and property damage comes from the propagating deflagration that moves through the building, the term deflagrable correlates the terminology that we seek to define better with the hazard that we seek to manage.

Consequently, I urge the membership to support the actions of the Technical Committee and vote against the motion. Thank you.

MR. FARR: Microphone No. 1.

MR. URAL: Erdem Ural, Loss Prevention Science & Technologies, Inc. Mr. Cholin is incorrect in saying that 68, 69 uses the term deflagrable. 68 and 69 use the term explosible because the term

explosible is used in the European Union Standards, ASTM standards and all the standards I know. The term deflagrable is used only by NFPA 64 which makes sort of the analogy unavailable.

We are trying to get these standards to be unified or at least coherent with each other. So I think it's a disservice to leave the standard the way it is. Deflagration is a good word. It's a scientific word used in the test standards. It's used in NFPA 68. The term explosible is defined in the combustion science literature, in ASTM test methods and other NFPA standards to indicate that it provides, it supports deflagration.

NFPA 664, the wood dust standard, talks about ASTM E1226, explosibility of testing. That determines whether the material will propagate deflagration or not. NFPA 664, the wood dust standard, talks about ASTM E1515 which is minimum explosible concentration. It's not minimum deflagrable concentration. Or ASTM E1226 is not deflagrable in the index or deflagration in the screening test method. Let's be consistent and please vote for the motion.

MR. FARR: Microphone No. 4.

MR. FRANCIS: Sam Francis, the American Wood Council, speaking in opposition to the motion.

I had intended simply to rise and express my dismay at basing our actions upon the data gathered in a Google search. That troubles the heck out of me. There should be other data to demonstrate a need for a regulation before we go acting upon it.

I reiterate the committee has not uncovered -- we are unaware of a single event in facilities covered by the existing 664 where the facility conformed. So what problem are we trying to solve? Oh, I did hear we are trying to make it like something else which is not wood dust. I am not compelled by that argument.

By the way, Bing is another search engine, Ask yet another and there are lots of hits that turn up; but that really troubles me. Relying on internet searches troubles me as a method of providing data to this forum.

I also heard Mr. Cholin's testimony and I didn't hear him say that the terms were used in 68, for example, but rather if we maintain this language

that it will be more in conformance with those standards, not that it was used or replicated in some way. I urge you to vote against the motion.

MR. FARR: Any further comments? Microphone No. 1.

MR. ROGERS: Sam Rogers with Honeywell. This term deflagrable seems to me is a pretty obvious --

MR. FARR: Can you say whether you're for or --

MR. ROGERS: I am for the motion. The term deflagrable seems to me is a pretty obvious way to me to get away from combustible, and the whole identification of wood dust is a problem. That really concerns me, that what we are doing is making up a new word which is not familiar to the public.

Anybody that has been on the news can see that CSB is talking about combustible dust, explosible dust, the same terms Mr. Ural was using; and now the wood dust committee wants to use deflagrable dust because it's not in the news.

Maybe that is a little inflammatory, but I am a little concerned that this reason that

this choice of terms and the discussion that we have not had an issue is an attempt to play down the hazard in this particular industry and by defining a different term seems to me to be a very underhanded way of doing it.

MR. FARR: Any further comments? Microphone No. 4.

MR. CHASTAIN: Brice Chastain with Georgia Pacific. I would like to indicate that Georgia Pacific --

MR. FARR: Do you speak in favor of or against?

MR. CHASTAIN: I speak against the motion. Georgia Pacific has been using this document for over 15 years. The term deflagration has been pervasively use in the document. We have trained our workers on the difference between the definition after a deflagration and that of an explosion as outlined in many of the NFPA combustible dust standards.

I think the term is well known in the wood industry. We have no problem with it. In fact we understand the nuances of the difference between a

deflagration and explosion, and we aren't trying to cover up anything by using a word that we already understand what the definition is. Thank you.

MR. FARR: Further comments? Seeing none we will move to the vote. Before we vote I'll restate the motion. The motion on the floor is to accept comment 664-6.

All those in favor of the motion, please indicate by raising your hand. Thank you. Those opposed please indicate by raising your hand. The motion fails. Anything further on this document, sir?

MR. MATTOS: No, sir.

MR. FARR: Hearing none we will move to NFPA 704. Thank you, Mr. Mattos. The next report under consideration this afternoon is that of the Technical Committee on the classification and properties of hazardous chemical data. Here to present the committee report is committee member James Vigerust of Shaw Group, Inc., Albuquerque, New Mexico.

The committee report can be found in the blue 2011 Annual Revised Revision Cycle ROP, 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. VIGERUST: Mr. Chair, ladies and gentlemen, the report of the Technical Committee on the classification of properties of hazardous chemical data is presented for adoption and can be found in the Report on Proposals and the Report on Comments for the 2011 Annual Revision Cycle.

The Technical Committee has published the report consisting of a partial revision of NFPA 704 standard system for identification of hazardous materials for emergency response. The report was submitted to letter ballot of the Technical Committee that consists of 13 voting members. The ballot results can be found on Page 704-1 to 704-5 of the Report on Proposals and Pages 704-1 to 704-2 of the Report on Comments. The presiding officer will now proceed with the Certified Amending Motions.

MR. FARR: Thank you, sir. We will now proceed with discussion of the Certified Amending Motion on 704. Mr. Ural.

MR. URAL: Erdem Ural, Loss Prevention Science & Technologies.

MR. FARR: Your motion is --

MR. URAL: My motion is either one. They are both the same effect. Let's go with the dash 2, accept comment 704-4.

MR. FARR: Proceed.

MR. URAL: This motion --

MR. FARR: You're moving then to accept comment 704-4?

MR. URAL: 704-4.

MR. FARR: I need a second on that.

THE FLOOR: Second.

MR. FARR: Proceed.

MR. URAL: This motion pertains to NFPA 704 which governs hazmat identification placards. Those who have not seen these, they are the infamous NFPA diamond. Most combustible dust -- if the motion fails, most combustible dust will continue to be identified as flammability hazard rating of two. The NITMAM seeks to change the flammability hazard rating of combustible dust to three.

Historically I looked at the previous

editions of this document. The 2001 and 1990 editions classified combustible dust as a flammability hazard rating of three while the earlier editions classified combustible dust at a flammability hazard rating of four.

This is a blow-up I just blew up. This is a piece of postcard I bought from the NFPA store. It was the size of a postcard. We are looking at this flammability diamond. Four is flammable gases and volatile liquids pyrophoric materials. That is obviously not the case for combustible dust. Three is ignites at ambient temperature. Two is ignites when moderately heated. One, must be preheated to burn. Zero, will not burn.

So the current edition and the future edition will, unless this NITMAM is successful, have the combustible dust as two, ignites when moderately heated; and some combustible dust such as carbon black must be preheated to burn but we all know for dust explosion hazards, especially dust clouds, it can be ignited at room temperature. So it's more proper to classify it as hazard ranking of three.

According to the document itself, this

system is important because the objectives provide a simple, readily recognized and easily understood system of markings that provides a general idea of the hazards of material and the severity of the hazards as they relate to emergency response.

The objective of the systems are as follows: To provide an appropriate signal or alert, on-the-spot information to safeguard the lives of both public and private emergency response personnel, to assist in planning for effective fire and emergency control operations including clean-up and to assist all designated personnel, engineers and plant and safety personnel in evaluating the hazards.

This system provides basic information to firefighting, emergency and other personnel enabling them to easily decide whether to evacuate the area or to commence emergency control procedures. This system also provides those personnel with information to assist in selecting firefighting tactics and emergency procedures.

I have seen cases where the firefighters have seen a combustible dust fire, I'm talking about a flaming or smoldering fire, and put

sprinklers on it and had caused a dust explosion. Proper handling of this will prevent that.

The proposed changes will eliminate radical inconsistencies which exist between the objective stated in the degree of hazard column and the criterion in the second column of the table. The proposed changes also eliminate inconsistencies between how the document treats flammability hazard produced by liquid versus dust. The proposed changes eliminate unsubstantiated and unjustifiable loopholes, and I sincerely hope you will vote for the motion.

MR. FARR: Thank you, sir.

MR. VIGERUST: The Technical Committee action on this further emphasizes the need for evaluating combustible dust in accordance with Appendix D, Appendix D extracted from NFPA 654 206. The committee believes that all factors shown in Appendix D should be considered in establishing the flammability rating for a combustible dust.

Furthermore, the committee reiterates that the 75 and the 420 micron particle sizes are guidelines. They are useful in the discrimination of

the degree of hazards. The committee will monitor the process of applicable NFPA standards and OSHA regulations to evaluate opportunities to determine more specific hazard ratings for combustible dust. Thank you.

MR. FARR: Thank you. With that we will open up debate on the motion. Please provide your name and affiliation and whether you're speaking in support or against the motion. Microphone No. 1.

MR. URAL: My name is Erdem Ural, Loss Prevention Science & Technologies. One thing I --

MR. FARR: Are you speaking for or against?

MR. URAL: I am speaking for the motion, thank you. The committee chair mentioned that Appendix B provides some information. That is true, but the Appendix B as in any annex material is non-mandatory information and the part, the dangerous part is in the main body of the standard and it is the mandatory explanation. So when you have a conflict between the mandatory part and non-mandatory part, most people would rightly use the main body of the text which is the mandatory part.

MR. FARR: Microphone No. 4.

MR. FISK: Mr. Chairman, I'm Bill Fisk of Intertech, and I am speaking in opposition to the motion. Now, the maker of the motion indicated that combustible wood dust should be Class 2 flammability meaning that it's ignitable at air temperature basically, but let's think about what the National Electrical Codes and also NFPA 499, which is extracted test, says about combustible dust.

A Class 2 Division 1 is the location. Two, where mechanical failure or abnormal operation of machinery or equipment might cause such explosive or ignitable mixtures to be produced and might also provide a source of ignition through simultaneous failure of electric equipment through operation or protective devices or other causes. Now, I think it's clear from this that it's not necessary to preheat a dust cloud in order to get a deflagration from a dust cloud.

MR. FARR: Further discussion? Seeing none we will move to the vote. Remember, you're voting to accept Comment 704-4. All those in favor of the motion, please indicate by raising your hand.

Those opposed. Thank you. The motion fails.

MR. FARR: We will move to NFPA 2112. The next report under consideration this afternoon is that of the Technical Committee on Flash Fire Protective Garments. Here to present the committee report as committee chair is Steven Corrado of Underwriters Laboratories, Incorporated, Research Triangle Park, North Carolina.

The committee report can be found in the blue 2011 Annual Revision Cycle ROP and ROC. The Certified Amending Motions are contained in the motions to committee report and behind me on screen. We will proceed in the order of the motion numbers presented. Mr. Corrado.

MR. CORRADO: Good afternoon, Mr. Chair, ladies and gentlemen. The report of the Technical Committee on Flash Fire Protective Garments is presented for adoption and can be found in the Report on Proposals and the Report on Comments for the 2011 Annual Meeting Revision cycle.

The Technical Committee has published a report consisting of a partial revision of NFPA 2112, the standard on flame-resistant garments for the

protection of industrial personnel against flash fires. The report was submitted to letter ballot of the Technical Committee that consisted of 19 voting members. The ballot results can be found on Pages 2112-1, 2112-16 of the Report on Proposals and Pages 2112-1 and 2112-9 of the Report on Comments. The presiding officer will now proceed with the Certified Amending Motion.

MR. FARR: Thank you. We will now proceed with discussion on the Certified Amending Motion on NFPA 2112. Microphone No. 5.

MR. JAMES: Good afternoon. My name is Bob James. I am with Underwriters Laboratories, and I rise to make a certified motion on 2112-1 to return a portion of the report in the form of a proposal, on the proposal 2112-7 and on comment 2112-17.

MR. FARR: Is there a second?

FROM THE FLOOR: Second.

MR. FARR: There is a motion on the floor to return a portion of the report in the form of the proposal 2112-7 and related comment 2112-17. Mr. James.

MR. JAMES: The report, what it

ultimately does is -- what we are doing is there is a new section. The number is Section 3.3.X, 4.3.X, 4.3.Y and 4.3.Z. It can be found in the ROP on Page 4 of 2112 and on Page 4 of the ROC.

If successful what this proposal does is it seeks to eliminate a new definition for component recognition and there is some associated sections to that. I will give an example of some language that is associated to that. That can be found in 4.3.X. Basically it requires -- if required by the manufacturer submitting for certification, the certification organization shall accept components recognized for those materials, components or products, subassemblies and have been recognized by different certification organizations.

Ultimately what that means is we as an organization that certifies products, we would have to accept -- the standard would require us to accept those products that might have been tested by someone else or looked at by someone else for certification without any control over that other certification organization.

In other words we would not have access

to the information. We may not -- there is no guidance language to get us whether they are having follow-up services and the number of follow-up services they might be engaged in for that. So again it limits us in what we normally do and proceed in practice.

It also in our opinion possibly would violate the ANSI essential requirements as outlined in the due process requirements in Section 3.2 for commercial terms and conditions which again has the weight that the standard would mandate a contract between two companies, and we feel again that's outside the scope of a standard document.

Finally, certified organizations are, like I said, not always equal. So at the end of the day if we had to put our name on a product that was certified maybe partially or a component was partially looked at by someone else and we would be required to accept that, again, we feel that would lessen the intent behind what the organizations do by serving as a certifying organization. With that my plan, if this is successful, is to withdraw No. 2.

MR. FARR: Thank you sir.

MR. CORRADO: These two motions were submitted by Underwriters Laboratories. Therefore, to avoid any potential conflict of interest, at this time I am going to step down and Mr. J.C. Harrington, a member of the Standards Council, will address the issues on behalf of the Technical Committee.

MR. HARRINGTON: I'm J.C. Harrington, member of the Standards Council. For the position of the Technical Committee refer to Proposal 2112.7 and associated ballot comments on Page 2112-3 of the Annual 2011 Report on Proposals and on Comment 2112.17 and associated ballot comments on Page 2112-4 of the Annual 2011 Report on Comments to see the record of the Technical Committee. I will have no further comments during the debate and will have no closing comments. Thank you.

MR. FARR: Thank you, gentlemen. With that we will open up debate on the motion. Please provide your name and affiliation and whether you're speaking in support of or against the motion. Microphone No. 3.

MR. HIRSCHLER: Marcelo Hirschler, GBH International, speaking in support of the motion.

It makes no sense to require that a certifying organization accept a report on a part of a complete system that has been made by a different certifying organization without access to the records and then certify the entire system because if that component fails to perform the required duty, the required function that it has to perform, the onus gets back to the organization that certified the entire system.

If one organization certifies the entire system, they are permitted, if they wish, to accept certified parts from other organizations; but if they don't wish, they should not be required. What this does is requires them to accept a part that has been certified as a component by someone else. Please support the motion.

MR. FARR: Microphone No. 6.

MR. ST. PIERRE: My name is Isaac St. Pierre. I am here to speak against the motion. I work for Honeywell International, and I am vice president of Honeywell Life Safety.

I would like to call attention to the members that are here today from the standpoint of

1 the free and open enterprise system that is in the
2 United States. Regulatory bodies that govern tests
3 and certification are done by the NIST, the National
4 Institute of Standards and Technologies, and in
5 particular OSHA.
6 The OSHA regulations for nationally
7 recognized test laboratories includes an in-depth
8 assessment of their testing, inspection,
9 certification and control of their labeling system.
10 OSHA has declared that NRTLs are equal and as such if
11 they are using the same standards they have the same
12 accreditation. It would make a lot of sense to have
13 multiple choices for industry to seek accreditation
14 and certification to an ANSI published standard. It
15 makes absolutely no sense to utilize the NFPA body to
16 restrict competition in the certification market.
17 With regard to the concept that if a
18 test laboratory only looked at a portion of the
19 product that their liability is eliminated, that is
20 totally untrue. Discovery in litigation would
21 clearly identify who certified the components. The
22 key is conditions of acceptability. If conditions of
23 acceptability are determined exactly the same way by

multiple tests and certification agencies, it makes absolutely no difference which qualified test and certification house performed the investigation and accredited the product as meeting the intent and word of the standard.

MR. FARR: Microphone No. 1.

MR. KRAUSS: Dick Krauss representing the American Petroleum Institute speaking in favor of the motion.

Going to the Report on Comments, Page 2112-4, in the right-hand column approximately a third of they way down they speak of end-users and the impact this would have on end-users. I am going to talk a bit as our industry is probably one of the most prolific and widely used users of flammable garments, flame-resistant garments probably second to the fire department and as we were some of the first people to use this, we ran into a number of difficult problems that evolved because of this.

No. 1, the first flammable garments we bought were guaranteed to be flame resistant except that the pockets were cotton. So that if you got caught in flash and the flame happened to go, the

vapor happened to go through your pocket and it burned inside there, then you were burnt inside there because the pocket was a different material yet the garment was certified to be flame resistant.

Zippers, we had zippers that didn't have an inside lining. So when the person was caught in a flash fire, he ended up with a tremendous zipper burn from here all the way down to the crotch, and I won't tell you how painful that can be. You have to have material behind the zipper to protect yourself. The same thing applies if you have brass fittings on the garment. People said, oh, we want a garment that looks like jeans and you have little brass fittings. Everywhere you have little brass fittings, if the person was caught in a flash fire they'd have a little burn there, a serious burn.

One other item on these garments, seams. We found that, oh, the garment was flame resistant but then they would use a different material for sewing the seams. So you're caught in a flash and the material that holds the seams together disappears, the seams open up and the people are subject to these burns.

So we ended up having to write our own standards and then go to an independent laboratory that tested the garment as a whole. The Air Force adopted our standard by the way. Our standard was adopted by race track drivers and eventually became a national standard for how you make these garments. I want to call attention to the fact that when you allow these things to be done piecemeal, it's the end-user who suffers. Thank you.

MR. FARR: Thank you, sir. Microphone No. 4.

MR. STULL: My name is Jeff Stull from International Personnel Protection. I am here representing a company called Tincati, and I'm speaking against the motion.

I have to state before I go into my main argument that I have to contest recent statements by the gentleman from the American Petroleum Institute. Garments that meet this standard are safe. All components are tested and evaluated for flame, heat resistance and other properties including a full-scale mannequin test. So I don't understand what that has to do with this

1 particular motion.

2 Let's get past the rhetoric that you

3 have been listing to so far. The NFPA standard on

4 personnel protective equipment including NFPA 2112

5 are by far the most expansive, rigorous standards

6 applied to certification criteria to any clothing or

7 equipment that are worn by first responders and other

8 end-users of protective clothing. I applaud the NFPA

9 for being specific to putting these types of

10 requirements to the level of detail they have. In

11 fact the certification requirements that we have in

12 these NFPA standards are far more extensive than any

13 other processes that I have monitored whether it be

14 internationally, in Europe or wherever.

15 More important and to the point here,

16 let me have an expression of what component

17 recognition is. Component recognition is a program

18 by which data is shared among component and material

19 suppliers with manufacturers. If some materials

20 supplier is providing material to a number of

21 different manufacturers, that data can be shared and

22 obviously that cuts down on the cost.

23 That program unfortunately is not

1 covered in our certification provision. So we have
2 intended to write specific rules, and contrary to
3 statements that you have heard so far, these rules
4 are quite rigorous. It's not just some fly-by-night
5 organization that can provide material data. The
6 same rules that apply to the certification
7 organization also apply to any component recognition
8 organization that provides the data to the
9 certification organization and so they are rigorous.
10 So I want to point out that by these
11 mentions of being forced to accept data, that is not
12 the case at all here. The acceptance is contingent
13 based on the certification organizations, the
14 accepting organization's own rules and requirements.
15 Those are imposed on whatever organization they are
16 taking data from. The speakers before me failed to
17 tell you that, and we endeavored to try to come up
18 with a compromised position which was fair and would
19 serve the industry well. I urge you to vote against
20 this motion.
21 MR. FARR: Microphone No. 1.
22 Mr. HOPPER: Howard Hopper,
23 Underwriters Laboratories, speaking in favor of the

motion on the floor to return a portion of 2112-7 to committee.

As you're aware, the new wording in question requires certification organization. There is a shall in there. We have to accept component recognition which includes test data from another organization. It doesn't say you have the option to do it, and right now Underwriters Laboratories and other organizations have programs in place how they can accept test data that is generated outside of our own laboratories, those are programs that are covered by our quality control practices, by some of our accreditations and that is in place right now.

This is a shall. It says we shall accept it. You know, if you look at this, to the best of my knowledge this is an unprecedented requirement in the NFPA family of standards. I am not aware of another standard, maybe there is one, that says we have to take another organization's test data.

The other thing I am looking at is some comments came up about 2112. We think 2112 is a great standard. If you look at the scope of it, it

1 says these are the minimum performance requirements
2 and test methods for flame resistant fabrics and
3 components. This is performance and it's
4 construction design requirements.
5 These are not requirements that dictate
6 how one certification organization has to accept data
7 from another organization. That seems to be out of
8 scope with what requirements are in the standard. It
9 does include some good requirements for calibration
10 in things like laboratory practices. Again, I don't
11 think that is really germane here.
12 I understand that a similar proposal
13 was submitted to the NFPA 1971 Technical Committee
14 and was then rejected by the TCC and when it came
15 back as a comment the TCC put it on hold. So they
16 did not adopt this requirement, and I don't think it
17 should be included in NFPA 2112 either.
18 Another comment came up that OSHA has
19 requirements in place that all test labs need equal
20 requirements. Certainly they do have accreditation
21 requirements for certification laboratories. There's
22 a minimum set of requirements that they all have to
23 meet. However, individual organizations such as

Underwriters, such as some of the other organizations, certification organizations, we have our own requirements and these may be higher than the minimum requirements that are to be met.

So to indicate to us that we shall accept test data from some other organization, you're dictating a practice to us that doesn't belong in a product certification standard such as 2112. I urge you to support the motion on the floor.

MR. FARR: Microphone No. 4.

MS. STULL: Hello, my name is Grace Stull. I am also with International Personnel Protection representing Tincati. Tincati is a leading supplier of fabrics for the thermal protective clothing industry and one of UL primary customers in this industry. I am on the Technical Committee and I am speaking against the motion.

Underwriters Laboratories is not the only certification organization that has employed a component recognition program. There are competitors such as Safety Equipment Institute or SEI who have also implemented their own programs for component recognition. However, whereas SEI will accept the

1 component recognition of data of UL for its product
2 certification and has done so repeatedly, the
3 opposite is not true. UL will not accept component
4 recognition from any other organization other than UL
5 itself.
6 The situation described above has
7 afforded UL a monopoly over many aspects of the
8 garment certification industry. Large material and
9 component suppliers have to maintain their component
10 recognition business with UL because as long as there
11 are manufacturers certifying their products with UL,
12 the suppliers have no choice but to undertake their
13 component recognition through UL to be able to
14 provide their materials or components to the
15 respective manufacturers making that choice.
16 This prevents the material or component
17 suppliers from seeking competitive pricing and
18 component recognition features. For example, UL
19 mandates that all of its program participants be
20 subject to four annual quality assurance audits
21 whereas the minimum requirement in most NFPA
22 standards is two audits per year, and NFPA 2112 only
23 requires one audit per year.

The only other choice for material and component suppliers is to enroll in a component recognition program for each certification organization which is undertaken at great expense with cost passed on to the purchaser and ultimately borne by the end-users. We find this approach unacceptable, particularly given the dwindling budgets of first responder organizations and other end-users which are affected by these practices.

I, therefore, urge you to vote against the UL motion to ensure an even playing field for all qualified organizations involved in the certification practice. Thank you.

MR. FARR: Microphone 3, please.

MR. NASBY: James Nasby representing myself. I am standing with UL in favor of the motion. There have been a number of comments with regard to certified programs for UL to accept test data from other organizations. They can and do, but that is up to their purview.

This sounds like it's attempting to force UL to accept things that they may or may not find acceptable in other areas, No. 1. No. 2, it's

clear that with regard to this category and many others, collection of individual components may or may not be suitable as a total entity due to interactions that may or may not be anticipated ahead of time.

No. 3, it appears to me that this would create such a product liability issue firestorm that this could force UL to decline further submittals in this area. No. 4, it's already been stated that there are other NRTLs that are cable of doing this so I don't see how UL has a monopoly in the category. No. 5, there are differences between laboratories which attempt to enforce the exact same standard, NFPA standard or even different testing organizations that enforce UL standards.

So I think it's up to the marketplace to determine whose organization they want to do this as long as, in fact, there are other NRTLs and that UL does not have a monopoly. Again, I am speaking in favor of the motion. Thank you.

MR. FARR: Microphone No. 4.

MR. FISK: William Fisk, Intertech, speaking in opposition to the motion. I want to

broaden this a bit to the greater question beyond the immediate issue that's covered in 2112. If the certification organization seeks exclusive control of all aspects of testing, certifications, follow-up of an end-product and of all of its components, whose interest does that serve, the public interest, the end-product manufacturer's interest, the component manufacturer's interest or the certification body's interest?

MR. FARR: Thank you. Microphone 3, please.

MR. DUCRANE: Sean Ducrane, Cleveland Fire Department, representing the International Association of Firefighters. I stand in support of the motion. We represent members, not mannequins, and we have to rely on our gear in very hostile territory. My concern is this has a domino effect and affects all of our turn-out gear and how it's tested.

That testing laboratory, certifying laboratory has to have confidence in the test results and reliability of the test result as they take them in. I am from Cleveland, Ohio, and no one has to

tell me about dwindling budgets because we laid off 51 firefighters two weeks ago, but safety does have a cost. I can tell you that safety cost is a lot cheaper than the burn treatment our members could potentially receive.

MR. FARR: Thank you. Microphone No. 5.

MR. HOPPER: Howard Hopper, Underwriters Laboratories. I have one quick comment in rebuttal. I've heard a couple of times there was discussion here that there's a monopoly involved. There isn't. Like all products have standards and all NFPA standards, anyone can certify to these as long as they meet the requirements in the standards. Nothing says it has to be UL or any other organization. That is just not a valid comment. Thank you.

MR. FARR: Microphone No. 2.

MR. BLACK: Mr. Chair, Art Black, I call the question.

FROM THE FLOOR: Second.

MR. FARR: There is a second. Will all those in favor of calling for the question raise

your hand. Those opposed, the same sign. The motion carries.

The motion on the floor is to return a portion of the report in the form of proposal 2112-7 which is related to comment 2112-17. All those in favor of the motion, please indicate by raising your hand. Those opposed, the same sign. The motion carries. We will move on to motion 2112-2. Mr. James.

MR. JAMES: Robert James, Underwriters Laboratories. As promised, I withdraw.

MR. FARR: Motion 2112-2 which references comment 2112-17 has been withdrawn by the maker of the motion.

MR. FARR: Mr. Chairman, thank you very much for your time. Kerry Bell, a member of the Standards Council will be the presiding officer for the remainder of the documents today. However, prior to starting we will take a ten-minute break. Thank you.

(Break taken at this time.)

1 C E R T I F I C A T E

COMMONWEALTH OF MASSACHUSETTS:

2 PLYMOUTH, SS.:

3 I, ELAINE M. BUCKLEY, a Notary Public in and for the Commonwealth Massachusetts, do hereby certify:

4

5 That the said proceeding was taken before me as a Notary Public at the said time and place and was

6 taken down in shorthand writing by me;

7 That I am a Registered Professional Reporter, that the said proceeding was thereafter under my direction

8 transcribed into computer-assisted transcription, and that the foregoing transcript constitutes a full,

9 true, and correct report of the proceedings to the best of my skill and ability which then and there

10 took place;

11 IN WITNESS WHEREOF, I have hereunto subscribed my hand and affixed my official seal this 25th day of

12 June 2011.

13

_____

14 ELAINE M. BUCKLEY

15

My commission expires:

16 November 19, 2015 |

17

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23

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