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2	NFPA 2005 JUNE ASSOCIATION TECHNICAL MEETING
3	TECHNICAL COMMITTEE REPORT SESSIONS
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10	REPORTER'S TRANSCRIPT OF PROCEEDINGS
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15	Taken at Mandalay Bay Resort & Convention Center
16	3950 South Las Vegas Boulevard Las Vegas, Nevada  On Thursday, June 9, 2005 8:00 a.m.
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24	Reported by: Jane V. Efaw, CCR #601, RPR
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1	Thursday, June 9, 2005; Las Vegas, Nevada
2	PROCEEDINGS
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5	CHAIRMAN PAULEY: Good morning, ladies and
6	gentlemen. My name is Jim Pauley, and I have the
7	distinct pleasure and privilege of being a member of
8	your Standards Committee. I now declare that a
9	quorum exists and reconvene the Technical Committee
10	Report Session of the 2005 Annual Association
11	Technical Meeting. To assist me is Leona Attenasio
12	Nisbet of the NFPA Staff who is serving as Staff
13	Coordinator. I'd also like to introduce Casey Grant,
14	Secretary of the Standards Council; Phil DiNenno,
15	Chair of the Council; and Maureen Brodoff, NFPA Vice
16	President and General Counsel. This session will be
17	recorded by Laurie Webb & Associates of Las Vegas,
18	Nevada.
19	First, let me address our safety issues.
20	Let's take a minute to note the exits from this room.
21	Now that you have noted the closest exit to you, I
22	would like to inform you the fire alarm signal for
23	the Mandalay Bay Resort and Convention Center is a
24	slow whoop along with flashing strobe lights followed
25	by a voice announcement.

As with any organization, we have certain

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rules and protocols. First of all, recording devices
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      are not allowed to be used during the Technical
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      Report Session. I'd like to call your attention to
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      the Guide for the Conduct of Participants in the NFPA
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      Codes and Standards Development Process. As a
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      participant in the process, you should review this
      Guide. I'd also like to call your attention to the
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 9
      NFPA Convention Rules. The Convention Rules set the
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      process to be followed today. Copies of both
      documents are contained in the NFPA Directory which
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      is available at the NFPA Registration Desk. The
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      Reports will be taken in the order printed in the
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      Program on pages 66 to 68.
               I'd like to say a few words about the
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      actions that can be taken and the voting procedures.
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      At this session you are being asked to adopt certain
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      actions proposed by NFPA Technical Committees. These
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24 The primary regulations governing the NFPA 25 codes and standards development process, including

review and comment prior to October 1st, 2004.

actions are contained in the 2005 NFPA Report on

Proposals and the NFPA 101 and NFPA 5000 Report on

Proposals and in the 2005 NFPA Report on Comments.

The documents in the ROP's were subjected to public

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1 processing of Reports at Association Meetings, are
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- 2 the Regulations Governing Committee Projects. These
- 3 regulations are published in the NFPA Directory.
- 4 All proposed amendments must be brought here
- 5 to the Association meeting. Any motion ruled out of
- 6 order by the Chair, in accordance with the
- 7 Regulations and Convention Rules, may be filed as an
- 8 appeal with the Standards Council.
- 9 In accordance with the change approved by
- the Board of Directors on November 10th, 2001 to
- 11 4-5.9 of the Regulations, if a quorum is challenged
- 12 and found to be no longer present -- and a quorum is
- 13 considered to be 100 members -- the session must be
- 14 terminated without further action on the Reports.
- 15 The remaining documents shall be forwarded directly
- to the Council without recommendation. Any motions
- 17 to amend or return the Report that have passed prior
- 18 to the loss of a quorum shall be processed and
- 19 forwarded to the Council.
- 20 Any appeal based on action by the
- 21 Association at this meeting must be filed with the
- 22 Standards Council within 20 days of today. That is,
- 23 by June 30th, 2005. Any amendment accepted at this
- 24 Meeting that fails to pass committee ballot will
- automatically be docketed as an appeal on the

1 Standards Council agenda in accordance with Section

- 2 1-6.1(b) of the Regulations.
- 3 The votes cast in this Technical Session
- 4 today and the discussions that lead to that voting
- 5 are an integral and important part of the NFPA
- 6 consensus process. The Technical Session is the
- 7 forum where the membership considers the Reports
- 8 prepared by the NFPA Technical Committees concerning
- 9 proposed new or revised NFPA codes and standards.
- 10 Through the motions, debate and voting at these
- 11 sessions, the membership makes recommendations to the
- 12 Standards Council. The Standards Council, under NFPA
- 13 rules, is the official issuer of all NFPA codes and
- 14 standards.
- 15 The majority vote of the persons here today
- 16 is for the sole purpose of making a recommendation to
- 17 the Standards Council on the disposition of the
- 18 Report.
- 19 The Standards Council will meet on July 25th
- 20 to the 28th, 2005 to make a judgment on whether or
- 21 not to issue a document based on the entire record
- 22 before the Council including the valuable discussion
- 23 and vote taken at this NFPA meeting.
- 24 Under limited circumstances, following
- 25 action by the Standards Council, a petition may be

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1 filed with the Board of Directors. Any such petition
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- 2 must be filed within 15 days of the Council action in
- 3 accordance with the Regulations Governing Petitions
- 4 to the Board of Directors from Decisions of the
- 5 Standards Council. That is, by August 13th, 2005.
- 6 With respect to voting procedures, the
- 7 Regulations state that voting at NFPA meetings shall
- 8 be limited to the following:
- 9 (1) Those present who are designated
- 10 representatives of Organization Members. That is,
- 11 those with yellow ribbons attached to their badges,
- and (2) Those present who are Voting Members of the
- 13 Association. That is, those badges with a black dot.
- 14 If you are not a member of either of these
- groups, the Chair asks that you refrain from voting.
- 16 You need not be a member of an NFPA Section in order
- 17 to vote. You must, however, be a Voting Member of
- 18 record of the Association. Only Voting Members of
- 19 record should be seated in the front sections of the
- 20 room. Those seated in the back sections will not be
- 21 counted.
- 22 Voting will be undertaken in the following
- 23 manner:
- 24 There will be no voice votes. The first
- 25 vote will be by raising of hands. If that is not

- 1 conclusive, we will proceed to the written
- 2 organization ballot and the standing count of regular
- 3 voting members.
- I want to say at the outset that I will not
- 5 cast a vote. Therefore, in the event of a tie vote,
- 6 the issue automatically fails.
- 7 Once a report is open for discussion, anyone
- 8 in the room has the privilege of participating. The
- 9 Chair asks -- and I want to emphasize -- that you
- 10 preface your remarks with your name and company or
- 11 organization affiliation. Please, again, this is
- 12 very important that the first thing when you come to
- the mike is you state your name and your company or
- 14 organization affiliation. I would also ask that you
- 15 state at the beginning of your remarks whether you
- 16 are in support of or in opposition to the motion
- 17 being debated. Please be aware that no one
- 18 participating in the floor motions and debate at this
- 19 meeting is authorized to act as an agent of or speak
- 20 on behalf of the NFPA, and views expressed during
- 21 motions and debate, including those expressed on
- 22 behalf of NFPA Technical Committees or other entities
- 23 operating within the NFPA system, do not necessarily
- 24 reflect the views of the NFPA.
- 25 I must insist that each speaker limit their

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1 remarks to not more than five minutes on any given
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- 2 subject before the assembly and that you avoid
- 3 duplicate presentations of technical material. Given
- 4 the size of the agenda and the amount of material we
- 5 have to get through, we will start out with five
- 6 minutes per speaker, but it is my plan to limit the
- 7 time as appropriate should it become necessary.
- 8 The Chair reserves the right to hear any new
- 9 speaker before yielding the floor to anyone wishing
- 10 to address the same issue a second time.
- If you intend to speak to a motion, please
- go to a mike with a green card if you are going to
- 13 support it and go to a mike with a red card if you
- 14 are not. This will assist the Chair in managing the
- 15 session. Also, I want to ask this of the assembly.
- 16 If you are not speaking at a microphone or you do not
- intend to speak, please refrain from standing or
- 18 huddling around the microphones. It will make it
- 19 much easier on the Chair to find those speakers who
- 20 are wishing to speak to an issue.
- 21 If you intend to make a motion to amend a
- 22 Report, please state your name and affiliation, the
- 23 Proposal or Comment Number, and the page in the ROP
- or ROC where the Proposal or Comment is published.
- 25 Motions that are in order at this meeting

1 are described in the NFPA Convention Rules that are

- 2 available at the NFPA Registration Desk. I do need
- 3 to clarify the matter of a motion of "Return a
- 4 Proposal and Related Comment." This motion is in
- 5 order only when the given proposal has been modified
- 6 by action taken by the Technical Committee to
- 7 "Accept," "Accept in Principle," or "Accept in Part"
- 8 a comment. That is, a change that has been made
- 9 between the ROP and ROC. In this case, I would ask
- 10 that the person making the motion identify the
- 11 comment or comments that modified the proposal in
- 12 question.
- 13 Each of you has been asked to fill out and
- 14 return to us a white card for each report on which
- 15 you intend to make a motion. The purpose of this
- 16 request is that in the event of a cloture motion on a
- 17 particular Committee Report, the Chair will make an
- announcement, as a point of information, of the
- 19 number of motions that are outstanding prior to
- 20 voting on the cloture motion. If a cloture motion
- 21 passes, no one, including the Chair, will be allowed
- 22 any further discussion.
- Now that we have summarized the rules, let's
- 24 proceed.
- 25 The first report this morning is that of the

- 1 Committee on Air Conditioning. Here to present the
- 2 two parts of the Committee's report is the Committee
- 3 Chair Jeff Mattern of FM Global of Newport,
- 4 Pennsylvania. Mr. Mattern.
- 5 MR. MATTERN: Thank you, Mr. Chair. It's a
- 6 pleasure to be here.
- 7 Mr. Chair, ladies and gentlemen, the
- 8 Technical Committee on Air Conditioning is presenting
- 9 two documents for adoption.
- 10 The first document is NFPA 90A and can be
- found on pages 90A-2 through 90A-121 of the 2005 June
- 12 Association Technical Meeting Report on Proposals and
- on pages 90A-2 through 90A-338 of the Report on
- 14 Comments. The Committee proposes for official
- 15 adoption a partial revision to NFPA 90A, Standard for
- 16 the Installation of Air Conditioning and Ventilating
- 17 Systems.
- 18 The ballot statements can be found on pages
- 19 90A-1 of the ROP and on page 90A-1 of the ROC.
- 20 Mr. Chair, I move adoption of the
- 21 Committee's report on NFPA 90A. Thank you.
- 22 CHAIRMAN PAULEY: Thank you, Mr. Mattern.
- 23 You have heard the motion. Is there any discussion?
- 24 Microphone Number 7.
- 25 MR. HIRSCHLER: Marcelo Hirschler. I yield

1 the floor to my Brother Jim Dollard of the National

- 2 Brotherhood of Electrical Workers.
- 3 MR. DOLLARD: Thank you, Mr. Chairman. My
- 4 name is Jim Dollard representing the National
- 5 Brotherhood of Electrical Workers. I would like to
- 6 make a motion for the full body. I would like to let
- 7 everyone know and flip over to the next page that the
- 8 motion is written there. I will now make the motion.
- 9 I move to return to Committee Proposal 90A-46 and
- 10 associated Comments 23A-142, 149, 150, 157, 159, 162,
- 11 163, 167, 456, 550, 565, 578, 579, 602 and 611.
- 12 CHAIRMAN PAULEY: There is a motion to
- 13 return Proposal 90A-46 and a series of comments that
- 14 was mentioned. I want to emphasize at this point
- 15 because of the list of comments, there is a handout
- 16 up on this table. If you do not have that, you can
- get a copy on this table that lists I believe the
- 18 series of comments that was just made. That is the
- 19 motion on the floor. Is there a second? There is a
- 20 second. Mr. Dollard, please proceed.
- 21 MR. DOLLARD: Thank you, Mr. Chairman. And
- 22 good morning everybody and thanks for attending.
- I would first like to point out to you in
- 24 the discussion that acceptance of this motion by the
- 25 body present here today will essentially return

- 1 Chapter 4 of NFPA 90A to previous edition text. In
- 2 this handout that is provided to you by NFPA
- 3 additional motions are listed. If this proposal is
- 4 accepted, then there's holes left in the 90A
- 5 document. And to provide suitability for this
- document, we would then move the comments, and they
- 7 are listed there for the benefit of this body.
- 8 Proposal 90A-46 is based solely on the
- 9 elimination of NFPA 262 cable. In essence, this
- 10 Committee acted with zero technical substantiation.
- 11 There is no technical substantiation to support this
- 12 change. As a representative of labor, I am here in
- 13 the code-making process for safety in the workplace.
- 14 If this were a safety issue, we would support it
- 15 unanimously. Dozens of public comments were
- 16 completely ignored. The ANSI rights were guaranteed
- to the submitter of proposals, and comments were
- 18 completely ignored.
- 19 It is significant to note that in the ROC
- stage, in the comment stage, both representatives of
- 21 research and testing did not support this issue.
- 22 Both ETO and UL did not support this issue. There
- 23 consists a Standards Council directive for this
- 24 Committee, the 90A Committee, to establish a single
- 25 minimum for cable. What this Committee did is they

- 1 did not achieve what the Standards Council wanted.
- 2 The Standards Council wanted harmonization. The
- 3 result of the 90A meeting is elimination without
- 4 substantiation the Standards Council directive if
- 5 this motion is successful and subsequent actions can
- 6 be easily met with a TIA.
- 7 And just to give you a road map, that TIA
- 8 would look similar to Comments 565 and 571 in your
- 9 ROC. Once again, I would like to point out to this
- 10 membership that NFPA consensus standards must be
- 11 built on solid technical substantiation. There is no
- 12 technical substantiation. Some arguments that you
- 13 will hear from the proponents of this issue is going
- 14 to surround NFPA 13. While the proponents of this
- issue would just love to own part of the purview of
- 16 NFPA 13, they give an example of a fine print note
- 17 which was added to the 2005 National Electrical Code
- in Chapter 8. A fine print note is informational
- 19 only.
- 20 As Chairman of the code making panel of the
- 21 National Electrical Code, I'm intimately familiar
- 22 with the NEC style manual. They will tell you the
- 23 fact that NFPA 13 is mentioned in a fine print note
- that we have finally achieved correlation between the
- 25 two documents. That's false. NFPA 13 is an

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1 installation document. It's referenced in a fine
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- 2 print note in the National Electrical Code along with
- dozens and dozens of other NFPA standards.
- 4 The one thing you won't here today is
- 5 substantiation. If we allow this to occur, I can go
- 6 to the National Electrical Code in this next cycle
- 7 and propose that we eliminate copper and aluminum
- 8 because silver and platinum has a lower specific
- 9 resistance. Wouldn't I first have to propose that
- 10 copper and aluminum is causing a problem. The net
- 11 result is going to be a loss of wiring methods of the
- 12 National Electrical Code. You will not wire
- 13 buildings five, six years from now the way you do
- 14 now. You want to use FC cable or AC cable. The cost
- 15 to the industry would be extreme and the net benefit
- 16 in safety is zero.
- 17 This is all about consensus standard
- 18 building on solid technical substantiation. There's
- 19 zero technical substantiation. I urge this body to
- 20 support the motion on the floor. Thank you,
- 21 Mr. Chairman.
- 22 CHAIRMAN PAULEY: Mr. Mattern, would you
- 23 like to comment?
- MR. MATTERN: I'll let Mike Dillon speak in
- opposition to the motion on the floor.

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1 MR. DILLON: This is a wee bit more than
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- 2 trying to do the whole thing at once. There's a
- 3 series of things, and I believe each should be
- 4 considered on its own merit.
- 5 CHAIRMAN PAULEY: You're asking to consider
- 6 the proposal and the associated comments that were
- 7 listed separately?
- 8 MR. DILLON: Yes.
- 9 CHAIRMAN PAULEY: I'm going to rule that
- 10 point out of order. Within our rules, the motion
- 11 that is acceptable is to return a proposal and
- 12 associated comments. The Chair does recognize that
- 13 it may be a complex motion, and I would encourage the
- 14 body to listen closely to the debate because of that
- 15 point out of it. But dividing the motion that was
- 16 made on a proper motion would not be in order.
- 17 MR. DILLON: Very well. I was hoping to try
- 18 to reduce the debate as opposed to extend it.
- 19 At any rate, to go to some of the points,
- 20 first off, as a member of the 90A Committee since
- 21 1980 I believe is when I first went on, we have been
- 22 debating this essential issue for materials
- 23 throughout that entire period of time. We started
- 24 out with a very simple requirement that either had to
- 25 be noncombustible or limited combustible. One by one

- 1 we visited with particular products or needs that
- 2 came before the committee, and each got an exception.
- 3 The exception became so long in the document that
- 4 they were almost a page by themselves. We've tried
- 5 to simplify that over time, and we were given other
- 6 standards to use and told that these were the
- 7 equivalent, for instance, in the use of cable. In
- 8 that instance we were told that 262 was the
- 9 equivalent of 255 and would get us where we were. In
- 10 later years we came to understand that that was not
- 11 all together accurate.
- 12 When we did that, then we went back and
- 13 that's where the debate started now. Some of the
- 14 stuff that was just mentioned is all together
- 15 incorrect or inaccurate. The NFPA 90A Committee or
- 16 the Air Conditioning Committee has no desire to step
- 17 into NFPA 13's business whatsoever. We were simply
- 18 pointing out the fact that if you allow that, you'd
- 19 be required to sprinkler.
- 20 So we simply said inside of 46, which is the
- one on the floor right at the moment, that if you had
- 22 sprinklers up there in that plenum, then you can use
- 23 any cable that you want. And you'll find that
- 24 particular one on that page. You can have any kind
- of material up there in cable if you've got that.

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1 We have not addressed the issue of EMT with
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- 2 set screw couplings. We have not taken on the issue
- 3 of MC cable or any of those other issues. This was
- 4 simply for plastic jacked-up inside plenums which is
- 5 continually growing.
- 6 For those who attended some of the issues,
- 7 the educational sessions, there were a number of
- 8 presentations made on 69 West Washington on the MGM
- 9 and others where others did modeling that showed what
- 10 happens up inside of plenums and how it contributes
- 11 not only to the spread of smoke and also concealed
- 12 from those that would take action.
- The fact that it's even occurring for some
- 14 time, it's a tremendous undivided volume. It's not
- 15 the same as anywhere else. If you go to NFPA 5000,
- 16 you'll see in 8.14 it requires that you divide the
- 17 spaces above the ceiling in spaces not greater than
- 18 3,000 square feet unless you have a protected plenum
- 19 area as we have inside of 90A.
- 20 If you take away all those protections, what
- 21 you end up is undivided areas in Type 1 buildings.
- You can have an acre up above the ceiling with no
- 23 protection, no division, nothing to keep anything
- 24 from spreading from one place to another.
- 25 Please, I beg the body to oppose this

- 1 motion. We spent almost 60 hours in Quincy in the
- 2 last one going over the comments. We did not run
- 3 roughshod over everybody. It cost us sleep. It cost
- 4 us time. We ate through the meetings. This has gone
- 5 on long enough.
- 6 CHAIRMAN PAULEY: Thank you. Microphone
- 7 Number 3, please.
- 8 MR. DANIEL: My name is Mike Daniel. I'm
- 9 Chair of the Healthcare Sessions Standards Review
- 10 Committee, and I'm representing the section on this
- 11 particular issue. At our Executive Board on
- 12 Wednesday morning, we voted to support the motion on
- 13 the floor to return this particular issue to
- 14 Committee. We feel that no convincing technical
- 15 substantiation has been provided either to limit the
- 16 use of certain types of cable or to justify the
- 17 additional expense of a newly proposed cable.
- 18 As such, I strongly urge you to support the
- 19 motion on the floor, thereby returning the proposal
- 20 and related comments to Committee. Thank you.
- 21 CHAIRMAN PAULEY: Microphone Number 7,
- 22 please.
- 23 MR. BILL: Robert Bill, FM Global.
- 24 Currently at FM Global we certify cables for use in
- 25 occupancies without sprinklers using our own small

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1 scale test methodology. However, as a result of our
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- 2 risk program, we have looked at many other types of
- 3 cables that are certified through other tests. In
- 4 particular, we have found that the plenum cables that
- 5 have been developed under NFPA 262 are quite
- 6 comparable to what we call our Group 1 cable, the
- 7 cables for use in occupancies without sprinklers.
- 8 In addition to this, we also have no
- 9 significant loss record that is attributable to the
- 10 current plenum cables. I hope that you will all
- 11 remember in our deliberations the other day the lack
- of loss history was in some instances considered
- decisive. So I hope you will be consistent.
- 14 Finally, as yesterday, we continue to
- 15 believe that NFPA 262 is a very good test for wiring
- 16 cable. The Fire Test Committee was given excellent
- international round-robin data, and as a result of
- 18 that, it revised 262. And we believe that it is very
- 19 repeatable and reproducible among testing labs. So
- 20 it is the appropriate standard for wire and cable.
- 21 So, once again, FM Global supports the motion on the
- 22 floor.
- 23 CHAIRMAN PAULEY: Thank you. Microphone
- Number 5, please.
- 25 MR. TABROWSKI: Good morning. I'm Paul

- 1 Tabrowski, Innovative Technology Services. In our
- forum Monday morning, we discussed this issue and
- 3 agreed to support the motion on the floor and the
- 4 subsequent comments.
- 5 UNIDENTIFIED SPEAKER: I'm in support of the
- 6 motion on the floor. With regard to comments on NFPA
- 7 90A being based on sound substantiation, there is
- 8 none, the need for this change based on law,
- 9 statistics, the increased costs associated with it.
- 10 And based on some of these concerns, we as the
- 11 membership support this proposal.
- 12 CHAIRMAN PAULEY: Back to microphone Number
- 13 5, please.
- 14 MR. MORITZ: Good morning. John Moritz
- 15 representing the American Fire Safety Council. I'm
- 16 also a member of Technical Committee 90A. And I was
- on the negative side of 90A-46, and I would like to
- 18 make some comments for the record with regard to the
- 19 statement that's already in the record.
- I have three key points contained in my
- 21 comments to the negative on Proposal 90A-46 and
- 22 Comment 90A-125 as well as others. One of the
- 23 statistics presented in my comment to the negative of
- 24 90A-46 were omitted in the ROP content. The
- 25 statistics were subsequently presented in the Comment

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1 90A-125 and indicate no fire risk or fire hazard
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- 2 presented in concealed spaces. Plenum spaces are a
- 3 subset of concealed spaces. And thus the statistics
- 4 presented indicate no fire risk or fire hazard
- 5 presented by wiring cable in concealed spaces.
- 6 The proponents of 90A-46 have consistently
- 7 berated the concealed space data provided by NFPA,
- 8 but since their preparation in 1999 those same
- 9 proponents have failed to provide any data count to
- 10 the NFPA statistics.
- 11 Secondly, as mentioned in my comment to the
- 12 negative, the cables that are being looked to be
- eliminated by 90A-46, the 262 cables require a one
- 14 megawatt fire or greater to cause fire spread. By
- 15 the time we have a one megawatt fire in a building in
- 16 a room, the contents of the room are gone. We're
- 17 talking about the space up top. We already know that
- data is showing the fire spread is limited.
- The proponents of 90A-46 also throw out
- 20 three significant high-rise fires. The Rockefeller
- 21 Center, the Alexis Nihon, and the First Interstate as
- 22 mentioned in my comment to the negative of Comment
- 90A-125. None of these fires have any relation to
- 24 wire and cable at all with regard to source
- 25 propagation. Thank you.

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1 CHAIRMAN PAULEY: Microphone 7, please.
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- 2 MR. STENARO: George Stenaro, AFC Cable
- 3 Systems representing the National Electrical
- 4 Manufacturers Association, and I'm speaking in
- 5 support of the motion on the floor. We believe
- 6 there's insufficient substantiation for severely
- 7 limiting the use of wiring performance. While people
- 8 that understand the Committee's concern over
- 9 abandoned cables, substantiation has not been
- 10 provided that would indicate that the change in
- 11 performance requirements will provide a corresponding
- 12 safer environment where cables and plenum spaces
- 13 become involved in a building fire.
- 14 In addition, sufficient questions have been
- 15 raised on the suitability of test method used to
- 16 establish the new requirements especially with
- 17 regards to the acceptability in testing wire and
- 18 cable products. NEMA supports the motion on the
- 19 floor.
- 20 CHAIRMAN PAULEY: Thank you. Microphone
- 21 Number 8, please.
- MR. KEY: My name is Hal Key. I'm with the
- 23 Mesa, Arizona Fire Department. I'm speaking in
- 24 opposition to the motion. One of the previous
- 25 speakers indicated it would take a one megawatt fire

- 1 to get these cables burning. We've got a very good
- 2 example. A year and a half ago in Chicago in the
- 3 Cook County Administration Building where there was
- 4 an excess of a one megawatt fire that propagated
- 5 through the ceiling space to the rest of that space
- 6 and ended up with several deaths.
- 7 Now with additional combustible materials in
- 8 that return plenum, that increased the load that was
- 9 there. And when the investigators came in, they saw
- 10 that everything in the room was burnt and completely
- 11 consumed along with what was in the ceiling space.
- So I urge your support in not supporting
- 13 this motion.
- 14 CHAIRMAN PAULEY: Microphone Number 5,
- 15 please.
- MR. CARSON: My name is Chip Carson. I'm a
- 17 consulting fire protection engineer, and I'm
- 18 representing the Vinyl Institute. I'm speaking in
- 19 favor, in support, of this motion. I first spoke
- 20 against this issue back in 1999 at the NFPA meeting
- 21 in Baltimore when this issue was proposed and changed
- 22 to 90A. Then I said it was bad code. I use that
- 23 term again today. This is simply bad code. We don't
- 24 change codes just because we can. We change codes
- 25 because there's technical reasons, a substantiation.

1 There's a fire history. There's some other reason to

- 2 change code. Not just because we can.
- 3 And there were several comments in the ROC
- 4 which were acted upon by the Committee which were
- 5 rather interesting, and I'm not sure what the
- 6 Committee meant. There were several comments --
- 7 there's about five or six of them -- where the
- 8 commenter said to continue rejecting the proposal.
- 9 And the committee voted to reject that comment. I'm
- 10 not sure what you're supposed to do with that.
- 11 So there's some really interesting questions
- 12 what the committee intended to do. But I'm in
- 13 support of this motion. Again, this is bad code.
- 14 And we don't change code just because we can. We
- change code because of some substantiation, either
- 16 technical or fire record, indicating there's a
- 17 problem.
- 18 CHAIRMAN PAULEY: I do want to ask the body.
- 19 The handouts are gone off the table. How many people
- 20 are looking for a copy of the handout that was up
- 21 here? Okay. Just a few. If anybody has any extras
- 22 that you picked up extras and can redistribute those
- 23 for us, that would be helpful to those people who
- 24 were looking for it.
- Microphone Number 4, please.

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1 MR. KOFFEL: Bill Koffel, Koffel Associates,
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- 2 consultants to Fire Research Association.
- 3 Ladies and gentlemen, if the motion before
- 4 you did what they're telling you it did, we voted
- 5 earlier in this week not to oppose it. They are
- 6 telling you that this is consistent with the 2002
- 7 language. It is not. They are telling you that they
- 8 want to return to the requirements of 2002. They do
- 9 not. All we need to do is look at the session
- 10 yesterday where there was an attempt to totally
- 11 eliminate limited combustible cable from the market
- in the discussion on 255, which this body did not
- 13 support the motion.
- 14 Up until yesterday and up until we were able
- to see the details, we were not going to oppose it.
- 16 We were going to say let it go, let the committee
- 17 deal with this again. But what is before you is not
- 18 what they are telling you is before you. What is
- 19 before you is not what they told the Electrical
- 20 Session before them. And they didn't give them the
- 21 details, nor did they give the Healthcare Session all
- the details. They said this is in consistency with
- the 2002 edition. I will offer it is not.
- 24 And due to time, I will give you a couple of
- 25 quick examples. There are definitions in Marcelo's

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1 printout 3309, 3314 and 3315. Those do not exist in
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- 2 the 2002 edition of the standard. They do not exist
- 3 in the NFPA preprint of this standard in the verbiage
- 4 that's there. So are we achieving compliance with
- 5 the 2002 edition? Or as Mike Dillon said, are we
- 6 trying to redo the Committee's work here?
- 7 Now, there's a difference between those no
- 8 substantiation and substantiation I don't agree with.
- 9 And that's what we really have here. There's pages
- 10 and pages of substantiation. I can't believe that
- 11 this Technical Committee would have achieved
- 12 consensus on an issue like this with all the public
- 13 comments with no substantiation.
- 14 So regrettably we are forced now to oppose
- 15 24 of the 26 actions that they are asking you to do.
- 16 Now think about that. One person has put together a
- 17 package to overturn 26 proposals and comments. Some
- 18 of which only have one negative vote on them. All of
- 19 which have achieved consensus. The consensus
- on 90A-46 were 15 in favor, 5 opposed.
- Now as Chip Carson said, there's confusion.
- 22 I'll offer there's confusion with this package
- 23 because they can't correct everything. There are
- 24 errors -- well, I won't say errors, but there are
- 25 references in this package that was handed out,

- 1 Marcelo's preprint, that reference sections that do
- 2 not exist if you do what he's asking you to do. And
- 3 I'll give you a specific example.
- 4 If I go to his preprint, if I go to 43313,
- 5 he's referring to Section 644. I challenge you to
- find Section 644 in the NFPA preprint. It doesn't
- 7 exist. So what we have is a whole bunch of appeals
- 8 that have to come to the council to try to refine us
- 9 even further.
- 10 Comment 90A-131 on page 68, which was my
- 11 comment to support the proposal, the Committee
- 12 accepted. Proposal 46, the Committee accepted that
- 13 with a successful ballot. Comment 138, which was a
- 14 comment submitted by the Technical Correlating
- 15 Committee, the National Electrical Code to support
- 16 Proposal 90A-46, the Committee accepted that proposal
- 17 or that comment.
- 18 And those aren't on this list. So now what
- 19 do we do with those comments? Those comments have
- 20 gone through the committee to accept the proposal.
- 21 No substantiation. Mike Dillon has already addressed
- 22 that to some degree. You can look at the Committee
- 23 comment to some degree. They talk about the issues
- 24 associated to cable.
- 25 Now let's address the comment to eliminate

1 262 cable. It's a false statement. What you have to

- 2 do is look at the preprint, and you will see
- 3 referencing to 262 cable. Is it trying to be
- 4 eliminated? No. Did they try to eliminate 262
- 5 combustible cable yesterday? Yes. The Committee
- 6 states that what they want to do is achieve
- 7 consistency with the National Electrical Code and
- 8 NFPA 1. So the NEC Technical Correlating Committee
- 9 is saying it doesn't if you accept our comment, or at
- 10 least they supported the proposal if you accept our
- 11 comment. And that comment was accepted, which
- 12 further revised 46.
- With regard to NFPA 13, no, the Committee
- 14 did not fully coordinate with NFPA 13. We have been
- 15 working with the sprinkler industry. We are
- 16 developing language to submit to the Council to
- 17 achieve the language stated in the ROC, which would
- 18 also mean it's consistent. There are some issues
- 19 with plenums and cable and plenums in NFPA through
- 20 the type print note. That language will be submitted
- 21 to the Council by an appeal, and it will, in fact,
- 22 maintain consistency with NFPA 13.
- Now, if the Council upholds our appeal,
- there is absolutely no impact in the market because
- 25 all we are doing is referring to the issue of

- 1 combustible loading in plenum, which is in NFPA 13.
- 2 And if you put combustible cable in plenum to achieve
- 3 combustible loading, you have to sprinkler the space.
- 4 And that's where we're going to take this issue. One
- 5 simple change to coordinate with 1 versus 26
- 6 different actions to try to supposedly take us back
- 7 to previous text even though we don't do it.
- 8 Now, you heard the maker of the motion say,
- 9 Well, what the committee did, they didn't establish a
- 10 single minimum. Well, let me think about this. The
- 11 Council says we need to revise 90A to achieve a
- 12 single minimum. The Committee thinks they did that.
- 13 The maker of the motion doesn't think they did that.
- 14 So they're going to tell you to go back to the
- 15 language.
- This membership has voted to say, yes, there
- 17 is a use for limited combustible cable. There is a
- use for 262 cable. The 90A Committee has defined
- 19 those uses, and they have done nothing. If our
- 20 appeal is accepted, they will have done nothing to
- 21 affect the marketplace because the restriction is
- 22 already in NFPA 13.
- Now you're going to hear I suspect because
- 24 they told the Healthcare Section that's not a true
- 25 statement. It's in 13. It's been there. It's in

- 1 the handbook on NFPA 13, the Sprinkler Committee.
- 2 And they balloted through the ROP to further clarify
- 3 this issue as taking the handbook language and put it
- 4 into the body of the document. So they may tell you
- 5 it's not in 13, but the Sprinkler Committee is
- 6 telling you it is. The editor of the handbook is
- 7 telling you it is. And many other people are telling
- 8 you that it is. So we will get consistency with
- 9 acceptance of our appeal.
- 10 I encourage you to defeat this motion, not
- 11 overdo the hours and hours of Committee effort that
- 12 went into getting this consensus.
- 13 MR. DOLLARD: Mr. Chairman, I have a point
- of information for the body. It's a point of order,
- 15 point of information, Mr. Chairman. I would like to
- 16 point out to this body that the documents that they
- 17 received --
- 18 CHAIRMAN PAULEY: Please state your name
- 19 again for the record.
- 20 MR. DOLLARD: My name is Jim Dollard. This
- 21 is a complicated issue. You have two handouts. One
- is a preprint, and no one has complained what that
- is. That is what the NFPA document would like look
- 24 today if we were to accept the committee report as
- offered to us by the Chair Jeff Mattern.

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1 CHAIRMAN PAULEY: I realize you have some
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- 2 information for the body. I'm going to ask you to
- 3 make those during your comments because it's not a
- 4 point of order on what we have on the floor, and I
- 5 have some microphones in order that I need to take.
- 6 I also want to clarify a point about the
- 7 motion that is on the floor. That in accordance with
- 8 the regulations when you have a return of a proposal,
- 9 related comments to that proposal are also returned.
- 10 So in this particular case, comments that also relate
- 11 to the material covered by this proposal would also
- 12 be part of the return. That's in that case, and that
- is in accordance with 4-5.6 of the regulations. So I
- 14 want to clarify that for the body with respect to all
- of the comments that impact this material. My next
- 16 microphone Microphone 4.
- 17 MR. KOFFEL: Bill Koffel, Koffel Associates.
- 18 The proposal is return specific comments. That's why
- 19 we went through the list of documents. He has not
- 20 identified return all comments associated with that
- 21 proposal.
- 22 CHAIRMAN PAULEY: I recognize your point.
- 23 I'm going to read to you specifically from the
- 24 regulations on returning a portion of the report in
- 25 the form of a proposal and related comments. And the

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1 statement is, "If other comments relating to the
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- 2 portion of the report being return have resulted in
- 3 revisions, these are also returned. If no previous
- 4 text exists, then the section is deleted.
- 5 MR. LLOYDS: Richard Lloyds speaking for
- 6 myself. I would like to ask staff what is this
- 7 preprint? If we accept the standard proposal R-46
- 8 that Mr. Chairman Mattern made, is this what we're
- 9 going to get?
- 10 CHAIRMAN PAULEY: The preprint is as
- interpreted of the ROP and ROC as voted on today
- 12 existing from the committee. So this is the preprint
- 13 that you are looking at as the document stands today
- without any amendments. Microphone Number 5.
- MR. OWEN: My name is Richard Owen. I'm a
- 16 principal voting member on 90A. I'm employed by the
- 17 City of St. Paul, Minnesota, but I'm speaking on
- 18 behalf of myself. Not to belabor this issue more
- 19 than necessary, but this proposal received many
- 20 negative comments during the comment stage. Then the
- 21 panel attempted another rewrite at the comment stage
- 22 which failed to get the majority vote, which then
- 23 returned us to where we are now.
- 24 This would seem to indicate that even the
- 25 committee recognized problems with 46 since it has

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1 attempted a rewrite. So it should not stand. It
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- 2 should be returned. In my opinion, there was not
- 3 adequate substantiation. There may have been in past
- 4 cycles, but we should look at what was presented to
- 5 us this time, not a lifetime history of 90A. There
- 6 was not adequate substantiation to warrant such a
- 7 change. And most of the information that was
- 8 presented, in my opinion, was anecdotal information.
- 9 There's also referencing to three different
- 10 fires in the comment stage. And when examining the
- 11 NFPA reports on those fires, I could not find any
- 12 reference to the low vault cable which is part of the
- 13 problem -- part of the question. There were comments
- 14 that did have quite a bit of data that actually
- 15 opposes this change.
- 16 As it stands, if you would remodel an
- 17 existing unsprinklered high-rise building, you would
- 18 be allowed to use the present 262 plenum cable which
- 19 proponents of this 255 standard say is not adequate.
- 20 However, a single-story strip mall with sprinklers
- 21 will require the 255. The application of this in the
- 22 proposal is not logical and would really be a problem
- 23 for the final enforcement of this document. Thank
- you, Mr. Chair.
- 25 CHAIRMAN PAULEY: Thank you. Microphone 7,

- 1 please.
- 2 MR. HORTON: My name is Pat Horton, LCB
- 3 Consulting. I'm representing the UC Conduit
- 4 Committee, and we are in support of the proposal.
- 5 This standard as revised has many unanswered
- 6 questions, and these questions need to be answered
- 7 prior to revising 90A.
- 8 As Mr. Dollard said, I do not believe that
- 9 the direction of the Standards Council was met.
- 10 There was not a single minimum that was established.
- 11 Mr. Koffel said that not accepting method 255 was
- 12 eliminating limited combustible cable. That is not
- true because limited combustible cable would pass
- 14 262. The other cables would not pass 255.
- As far as NFPA 13 is concerned, NFPA 13
- 16 needs to look at their issues. And it may say you
- 17 can't put unlimited combustibles up there, but it
- 18 doesn't say -- the primary developers and promoters
- 19 of this particular cable are the same people who came
- 20 to you in the '80s and said, "Oh, this 262 cable is
- 21 great. This is what you need up here. It's
- 22 perfectly safe." Now they are telling you that it is
- 23 dangerous and that it is unsafe. They were the
- developers of UL-910, which became the NFPA 262 test,
- 25 and they know the issues.

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1 And 255 does not have to be the one that's
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- 2 used. We actually probably agree with the analysis
- 3 that maybe neither one of them are safe. But that's
- 4 beside the point. One of them may have less fire
- 5 load backup. The one that they're trying to put in
- 6 now has other hazards that need to be looked at and
- 7 have not been looked at.
- 8 You may have read recently that the primary
- 9 producer of the raw material for Teflon has been just
- 10 settled with the EPA on allegations of health
- 11 problems that they have ignored for over 20 years.
- 12 Also the U.S. Justice Department of Environmental
- 13 Crimes has requested information on the same issue.
- 14 Those are things that this Committee needs to be
- aware of, needs to look at, needs to know what
- 16 they're putting up there. Because even though teflon
- 17 requires a very high fire in order to emit things
- 18 that we would not want in our buildings, certainly a
- 19 building fire would do that and could even affect the
- 20 surrounding area.
- 21 We all have been seeing things on TV besides
- these issues that I have just said, and the 255
- 23 cables are made with an FEP insulation and an FEP
- 24 jacket. This is teflon. With the cloud placed on
- 25 the NFPA 262 test cables, owners are already having

- 1 to spend a potential of billions of dollars to remove
- 2 cables if this issue keeps going on and decisions are
- 3 made here and this motion is defeated because of
- 4 miscalculations and because we were assured that 262
- 5 was all right. We don't want to see the same thing
- 6 happen years from now. Let's not jump out of the
- 7 frying pan into the fire and then years from now be
- 8 told that we have to take out 255 cables because of
- 9 the issues that I have just mentioned. We hate to
- 10 see us do that. I think we need to look closer at
- 11 appropriate testing of plenum cables, appropriate
- uses of plenum cables, and I urge you to vote yes on
- 13 this motion.
- 14 CHAIRMAN PAULEY: I'm looking for new
- 15 speakers on the issue. Microphone 8.
- 16 MR. PERI: Thank you, Mr. Chair. My name is
- 17 Frank Peri. I'm with Communications Design
- 18 Corporation. I am a member of the 90A Committee, and
- 19 I'm here representing myself.
- 20 I want to address the issue of technical
- 21 substantiation because I've heard it for three, maybe
- four years now that there is no hard statistical
- 23 information that we have a problem in our plenum
- spaces, and after a while you sort of get numb.
- There's statistics being floated around on both

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1 sides. So I try to command something like from a
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- 2 common sense point of view. If there's no problem in
- 3 plenum spaces, then why do we have a requirement to
- 4 remove abandoned cable in the electrical code? Why
- 5 are sprinklers required in NFPA to sprinklers above
- 6 ceiling spaces that have combustible loading? If we
- 7 don't have a problem, we don't need sprinklers.
- 8 Sooner or later you have to conclude that there's a
- 9 problem with combustibles in plenum spaces. If you
- 10 go and examine the reports on those fires that are
- 11 represented here today and that are in the
- 12 substantiation from the committee, you don't have to
- 13 be a rocket scientist to figure out that those fires
- 14 were essentially electrical in nature, not from low
- 15 voltage cabling. But where is the low voltage cable?
- 16 It's next to the power cable. So common sense would
- 17 tell you you don't put combustible cables next to a
- 18 potential fire ignition source. Common sense.
- 19 As far as the testing requirements are
- 20 concerned, we heard from Factory FM Global that their
- 21 tests essentially say 262 cable is fine. Well, the
- 22 fact of the matter is we don't reference those as any
- 23 yardsticks for measurements.
- 24 As far as cost is concerned, we do cabling
- 25 design projects. The vast majority of the cost of

- 1 the cabling project is labor, not the cable itself.
- 2 And I'm not going to get into cost, but I think the
- 3 statements made concerning costs in the industry are
- 4 way overexaggerated.
- 5 Finally, I'd like to conclude that the cable
- 6 design we're talking about, 255 cable, is not a new
- 7 introduction to the industry. This is a cable design
- 8 and has cable requirements that were the initial part
- 9 of NFPA 90A. We're not inventing something new.
- 10 We're trying to get back to something we had in the
- 11 first place, which Mr. Dillon expressed.
- 12 So the fact of the matter is, the bottom
- 13 line is, no, we don't have to change the code because
- 14 we can. We should change the code because we should.
- 15 CHAIRMAN PAULEY: Again I'm looking for
- 16 people who have not had an opportunity to speak to
- 17 the motion. Right now I have microphone 7, 8, and
- 18 then 2. Microphone 7, please.
- 19 MR. OTEY: Mr. Chair, my name is Harry Otey
- 20 representing myself. What was the previous question?
- 21 CHAIRMAN PAULEY: That motion is not
- debatable. Is there a second? There is a second.
- 23 We will move to end debate. All those in favor on
- the motion to end debate please raise your hand.
- Those opposed. The motion passes.

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1 We now have a motion on the floor which will
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- 2 immediately go to the vote. That is to return
- 3 proposal 90A-46 and the associated comments. All
- 4 those in favor and associated comments please raise
- 5 your hand. Those opposed. The motion passes.
- 6 We are now back to the main motion on the
- 7 floor, which is to accept a partial revision of NFPA
- 8 90A. Is there any further discussion? Microphone
- 9 Number 7.
- 10 MR. HIRSCHLER: Thank you, Mr. Chairman.
- 11 Marcelo Hirschler speaking for the Plenum Cable
- 12 Association.
- 13 As stated in the handout as follow-up to the
- 14 previous motion, we will be making a number of
- motions to accept a number of comments. These
- 16 comments were made by myself and Michael Callahan,
- 17 and I'll make a motion on the first one of those that
- 18 was made by me, which was to accept Comment 90A-97,
- 19 and I so move.
- 20 CHAIRMAN PAULEY: So the motion is to accept
- 21 Comment 90A-97; is that correct?
- MR. HIRSCHLER: That is correct.
- 23 CHAIRMAN PAULEY: So there is a motion to
- 24 accept Comment 90A-97. Is there a second? There is
- 25 a second. That motion is in order. Is there a

- 1 discussion? Please proceed.
- 2 MR. HIRSCHLER: What this does is eliminate
- 3 the new definition of plenum fan room, which is
- 4 included by Proposal 90A-42. I'd like to explain to
- 5 you what all of these nine motions are going to do.
- 6 All of these nine motions are going to clean up these
- 7 new definitions that were included by the Committee
- 8 that are not consistent with what was in 90A 2002.
- 9 Thank you.
- 10 CHAIRMAN PAULEY: Thank you. Microphone 3,
- 11 please.
- 12 MR. DOLLARD: Thank you, Mr. Chairman. My
- 13 name is Jim Dollard representing the IBEW. I rise in
- 14 support of the motion on the floor. I would first
- 15 like to offer some information to the body. I
- 16 attempted to do that on the last motion, and the
- 17 Chair was correct in asking me to waive my turn. I
- did not get my turn on the previous question.
- 19 You have two handouts. One is a preprint
- 20 which is essentially what this document would look
- 21 like if we did nothing. When you look at the other
- 22 document that has all of these motions on it, you
- 23 have a detailed Chapter 4 list. You're certainly not
- 24 going to find some of the text because you're looking
- 25 at apples and oranges. I rise in support of this

- 1 motion. This is going to help us make Chapter 4
- 2 suitable for NFPA 90A.
- 3 We just got done hearing an hour of talk
- 4 about this in saying Chapter 4 was a mess, and they
- 5 wanted to send it back to the committee to look at
- 6 and to study. Now we're going to hear a bunch of
- 7 proposals to fix Chapter 4. I say reject all the
- 8 proposals. Let the committee work together to solve
- 9 it. The committee is the expert. Let them do the
- 10 business. Reject all these proposals you're getting
- 11 here, and let's move on, please.
- 12 CHAIRMAN PAULEY: Thank you.
- MR. HIRSCHLER: Marcelo Hirschler speaking.
- 14 Let me explain. None of these nine comment motions
- 15 that will be made are on Chapter 4. They are made to
- take out of Chapter 3 and Chapter 6 and the Annex
- 17 things that were incorporated as a result of the
- 18 actions of the committee so as to make the standard
- 19 consistent again with the way it was in the 2002
- 20 edition. This motion on the floor right now, 90A-97,
- 21 eliminated a new definition that was added by the
- 22 committee into Chapter 3, not Chapter 4, plenum fan
- 23 room. Then the next one is going to add the new
- 24 definition, apparatus casing plenum room. And they
- 25 changed the definition of ceiling cavity and raised

- 1 floor. That's what these motions do. Chapter 4, the
- 2 body has voted to return Chapter 4 exactly the way it
- 3 was in the 2002 edition. There will be no action
- 4 further here on this floor on Chapter 4. And none of
- 5 the proposed motions, including the one that we're
- 6 debating now, is on any item specifically on
- 7 Chapter 4. Thank you.
- 8 MR. DILLON: Michael Dillon speaking in very
- 9 strong opposition to the motion on the floor. One of
- 10 the problems that the Committee found in going
- 11 through the arguments and the comments and the
- 12 proposals that were coming was that there appeared to
- 13 be an extraordinarily high degree of misunderstanding
- of what the word "plenum" as it applies to air
- 15 handling systems was in buildings.
- 16 While most of us like myself who design air
- 17 conditioning systems throughout time have always
- 18 known what it is because it's a common term of art
- 19 within our industry. We didn't see where there was
- 20 any confusion. So we decided that the one thing we
- 21 should do is sit down and carefully define what
- 22 plenums were and where they were and what they're
- used for so that the confusion would go away.
- 24 I sat down with the representative from
- 25 ASHRAE, which was Judge Buckley and another member of

- 1 the committee. I, in fact, used to be on the
- 2 Standards Committee, and I am fully aware of what
- 3 plenums really are. We sat down and wrote carefully
- 4 a document that would give us the different plenums,
- 5 the reasons for them, what they exist of, and remove
- 6 the confusion.
- What this proposal would do would be to take
- 8 you back to that same level of confusion. And even
- 9 more insidious than that, it would actually insert
- 10 language that is not the same as the language that's
- 11 in the 2002 edition. I heartedly hope that everyone
- will take the time to understand this is a complex
- issue. We did. We'll be glad to do it again. But
- 14 please don't try to do an ICC, write the code on the
- 15 floor here now. Thank you.
- 16 CHAIRMAN PAULEY: Mr. Chairman, would you
- 17 like to comment on this motion on the floor?
- 18 MR. MATTERN: The Committee tried to come to
- 19 a better level of understanding in 90A to help the
- 20 end user, and we feel that the use of these terms and
- 21 the definitions that are provided are integral to the
- 22 understanding of the use of this standard. So I
- 23 would request that you support the committee effort
- in this regard.
- 25 CHAIRMAN PAULEY: Thank you, Mr. Chairman.

- 1 Microphone Number 8, please.
- 2 MR. KADOO: My name is Dave Kadoo. I'm with
- 3 Alpha Gary Corporation. We manufacture materials for
- 4 all these different types of cables, plenum cables,
- 5 262 riser cables. And I think the gentleman who
- 6 stood up at the mike just a few moments ago
- 7 articulated that we're in the position now where
- 8 we're looking at all these different proposals that
- 9 were reviewed, commented on, rejected, or accepted.
- 10 And now we're actually participating as the Technical
- 11 Committee of 90A, and I don't think that is
- 12 appropriate. I think because of the complexity of
- 13 this issue, a lot of these proposals, a lot of these
- 14 motions, are being made in support of one position or
- another. And I think they all need to be
- 16 reconsidered by the committee.
- 17 However, I want to bring up at this point
- that our interest in this is the fact that NFPA 13
- 19 is, in fact, being adopted now, the 2002 edition, in
- 20 local jurisdictions. The State of Massachusetts just
- 21 in July of last year adopted it, and now they are
- 22 enforcing it. And the record shows in Massachusetts
- 23 a number of citations by the fire services and the
- 24 fire inspection groups that have, in fact, rejected
- 25 and cited the installation of plenum cables without

- 1 sprinklers, and they have offered the fact that NFPA
- 2 13 provides for a different number of methods to
- 3 alleviate the situation. So the record in
- 4 Massachusetts is that they are enforcing this now.
- 5 And it's NFPA 1.
- 6 So what is happening here, from what I can
- 7 see, is there's an attempt to eliminate one of the
- 8 options. It happens to be the lowest cost option and
- 9 a very safe option that has been tested and approved
- 10 and listed by UL for a number of years called limited
- 11 combustible cable. It's an option.
- 12 But this dilemma that NFPA 1 has in
- 13 conjunction with what 90A is trying to accommodate
- 14 and understand is real. So this group needs to
- 15 understand that I think the Committee is just simply
- 16 trying to put the language together to help bring
- 17 solutions. Thank you.
- 18 MR. DOLLARD: My name is Jim Dollard
- 19 representing the IBEW, principal member on NFPA 90A.
- 20 I agree with the previous speaker. I am not and will
- 21 never be a fan of writing code on the floor. This is
- 22 a suitability issue. The NFPA 90A Committee will be
- 23 balloted on suitability. When we take an entire
- 24 chapter in this stage on the floor of this Annual
- 25 Meeting and we return it to previous text, there is

- 1 implications throughout the documents. One of the
- 2 implications is definitions. We've got several cases
- 3 where if we don't make these move, terms in Chapter 4
- 4 will not be defined, and there will be definitions
- 5 that don't exist. We need to do this. It's
- 6 suitability.
- 7 One of the previous speakers said we spent
- 8 60 hours on this. We did, and we didn't get it
- 9 right. Now we need to fix it. It's all about
- 10 suitability. It's not about writing code on the
- 11 floor.
- 12 MR. DUSZA: Tom Dusza, Schirmer Engineering,
- 13 Technical Committee Member of 90A, and I'm speaking
- in opposition. And I think it's been very well said
- 15 by many. Please return it to us. We put a lot of
- 16 time and effort into it. We want to get this right.
- 17 Thank you.
- 18 MR. HIRSCHLER: Marcelo Hirschler speaking
- 19 for the American Fire Safety Council. I just want to
- 20 reiterate and make clear what Jim Dollard just said
- 21 what we're doing with these motions. These motions
- 22 have nothing to do with whether we want or don't want
- 23 to eliminate limited combustible cable. When the
- 24 floor returned to the Committee 90A-46, you still
- 25 have a requirement inside there that it says the

1 cables shall be limited noncombustible or unlimited

- 2 noncombustible. In fact, just so the body
- 3 understands, it is my intention to make after we
- 4 complete the action, not on this particular motion
- 5 but after we complete the action on the floor, it is
- 6 my intent to recommend to the committee to make it
- 7 very clear that limited combustible cable is a subset
- 8 of those cables that meet NFPA 262. What we're doing
- 9 here is suitability. That's all. Thank you.
- 10 MR. LAUGHLIN: Mike Laughlin. I call for
- 11 the previous question.
- 12 CHAIRMAN PAULEY: There is a motion on the
- 13 floor to move the previous question. Is there a
- 14 second? There is a second. We'll proceed
- immediately to the vote. All in favor raise your
- 16 hand. All opposed. The motion passes.
- 17 We'll move immediately to the motion that's
- on the floor, which is to accept Comment 90A-97. All
- 19 those in favor of this motion please raise your hand.
- 20 Those opposed. The motion passes. Further motions
- 21 on NFPA 90A?
- 22 UNIDENTIFIED SPEAKER: Can I have a floor
- vote, please?
- 24 CHAIRMAN PAULEY: I'll grant your request
- 25 for a floor vote on that particular issue. We will

- 1 go back to this motion that was to accept Comment
- 2 90A-97. We will do a standing count. For that
- 3 standing count I'm going to ask that we need to make
- 4 sure that the organizational delegates fill out a
- 5 green ballot form that's been handed to you
- 6 previously. These will be collected by NFPA staff.
- 7 Only accredited representatives of organization
- 8 members whose names have been recorded previously
- 9 with the Association for the purpose and prior to
- 10 this meeting shall fill out this ballot form. One
- 11 accredited representative of the organization member
- only will please complete the ballot. If the
- organization is abstaining from the vote, please
- 14 check the appropriate line on the ballot. I'll give
- them a moment to collect these organizational
- ballots, and then we'll do a standing count.
- 17 I'm not going to call for a standing vote of
- 18 the individual voting members. You must have a black
- 19 dot on your badge to be counted. Those of you voting
- on the motion to be counted, please stand. You may
- 21 be seated. Those of you voting against the motion
- 22 please stand. The motion passes by a vote of 184 to
- 23 104.
- 24 We will now proceed back to the main motion
- 25 on the floor.

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1 MR. WOODEN: My name is Dale Wooden. I
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- 2 represent the American Society of Healthcare
- 3 Engineering and American Hospital Association. I
- 4 move to accept Comment 90A-691 on page 90A-328 of the
- 5 ROC.
- 6 CHAIRMAN PAULEY: So the motion is to accept
- 7 Comment 90A-691. I notice you are the submitter of
- 8 that comment. Is there a second on the motion?
- 9 There is a second. Please proceed.
- 10 MR. WOODEN: This has nothing to do with
- 11 plenums. This Comment calls for the rejection of
- 12 Proposal 90A-197. This current section of 90A
- 13 addressing installation of smoke dampers where smoke
- 14 ducts passes, this proposal extends this requirement
- to also include smoke partitions to this proposal.
- 16 Smoke barriers and smoke partitions are not the same.
- 17 Smoke barriers are continuous from floor to floor
- 18 extending above the ceiling and through the
- 19 interstitial space. Smoke partitions are permitted
- 20 to terminate if the underside of the monolithic or
- 21 suspended ceiling do not extend through the
- 22 interstitial space. While the existing
- 23 requirement is there is no opening to protect in a
- 24 smoke partition. In fact, there is no wall above the
- 25 ceiling. I'll say that a different way. Since there

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is no wall being protected, these newly required
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- 2 dampers will have no wall opening to protect. Smoke
- 3 partitions are a relatively new concept that first
- 4 appeared in the 2000 edition of the safety code.
- 5 There's a lot of confusion between smoke barriers and
- 6 smoke partitions. But I urge the acceptance of this
- 7 comment to reject this unneeded requirement to return
- 8 to the language to apply only to smoke barriers.
- 9 MR. GALE: My name is Mike Gale. I'm Chair
- 10 of the Healthcare Section Codes Review Committee. At
- 11 your meeting Wednesday morning we voted to accept the
- 12 comment. This is a new proposed requirement for
- which no technical substantiation has been provided
- 14 to make the same level of smoke resistance. In fact,
- smoke partitions are even allowed to stop at the
- 16 underside of a suspended ceiling under certain
- 17 conditions. It's not practical to require a damper
- in a duct when there's not even a requirement for a
- 19 wall assembly.
- We feel this is an excessive requirement
- 21 that is not justified by the fire record. As such, I
- 22 strongly urge you to support the motion on the floor
- 23 to accept the comment. Thank you.
- 24 CHAIRMAN PAULEY: Mr. Mattern, would you
- like to comment?

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1 MR. MATTERN: I'll defer to Mr. Dillon.
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- 2 MR. DILLON: Mike Dillon, Dillon Consulting
- 3 Engineers, a principal on the committee. There is no
- 4 requirement in 90A as we voted through the committee
- 5 to install dampers in walls that aren't there. If
- 6 you don't have a wall, you don't put the damper in.
- 7 It's that simple.
- 8 MR. HIRSCHLER: Marcelo Hirschler speaking
- 9 on behalf of the American Fire Safety Council. We
- 10 are fully in support of the motion. The Technical
- 11 Committee has not presented any technical
- documentation as to why there is the need for these
- 13 additional smoke dampers to be included anywhere.
- 14 Please support the motion. Thank you.
- MR. FRABLE: Dave Frable in support of the
- 16 motion on the floor. As the previous speakers in
- 17 support of the motion stated, no technical
- 18 substantiation has been provided. The effect of this
- 19 code change will be a substantial cost in both
- 20 construction, operating and maintaining costs
- 21 associated with the installation of smoke dampers in
- 22 smoke partitions. We feel that the only prudent
- 23 action for the membership to take at this time is to
- 24 support the motion on the floor. Thank you.
- MR. VAN BECELAERE: My name is Bob Van

- 1 Becelaere. I represent Ruskin Manufacturing, and I'm
- 2 a member of the Technical Committee. What you're
- 3 saying here is that if there's a wall, there needs to
- 4 be a smoke damper in it if the wall there is to
- 5 protect smoke. So if you turn this down and they
- 6 build a wall, then you can leave a hole in the wall
- 7 without a damper in it. It doesn't make sense. The
- 8 Committee had the right motion on this. Please
- 9 support the committee. Thank you.
- 10 CHAIRMAN PAULEY: Is there any further
- 11 discussion? Mr. Mattern, would you like to comment?
- 12 MR. MATTERN: It was not the intent of the
- 13 committee to create an onerous responsibility here to
- 14 provide dampers where you have no wall. If you put a
- wall up, though, the Committee felt it's important
- that we subdivide that wall to prevent the transfer
- 17 of smoke.
- 18 CHAIRMAN PAULEY: Any further discussion?
- 19 Seeing none, we will proceed to the vote. Microphone
- 20 Number 3.
- 21 MR. ERICKSON: Douglas Erickson. In many
- 22 cases we put a wall up, and that wall is being put up
- 23 for privacy issues. It's not being put up to resist
- 24 the passage of smoke. In this case what would end up
- 25 happening is we would have to put a smoke damper in

- 1 this even though we have met the requirements of the
- 2 code only to take it up to the suspended ceiling. We
- do it for sound attenuation. We do it for privacy.
- 4 We don't do it for controlling the smoke within that
- 5 environment. Therefore, if this goes through, we
- 6 will be putting dampers in places where dampers are
- 7 not necessary. Thank you.
- 8 MR. HICKMAN: Palmer Hickman, IBEW. We
- 9 support the motion. We see no technical
- 10 substantiation.
- 11 MR. DILLON: Mike Dillon, Dillon Consulting
- 12 Engineers, a practicing engineer who designs systems.
- 13 I don't put dampers in privacy separations. I don't
- 14 put them there for sound purposes. I put sound
- dampering devices for that. For a smoke partition,
- 16 that's all we're talking about. If you build a smoke
- 17 partition to stop smoke from going from one room to
- 18 another. If you don't have a damper in that hole,
- 19 then you're not going to do anything by closing any
- 20 door down below.
- 21 CHAIRMAN PAULEY: Thank you. Is there any
- 22 further discussion? Seeing none, we will proceed to
- 23 a vote. The motion on the floor is to accept Comment
- 90A-691. All those in favor please raise your hands.
- Those opposed. The motion passes.

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1 We're back to the main motion on the floor
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- 2 to accept a partial revision of NFPA 90A. Microphone
- 3 Number 3, please.
- 4 MR. DOLLARD: Thank you, Mr. Chairman. My
- 5 name is Jim Dollard representing the IBEW. And I
- 6 would like to move acceptance of Comment 90A-9
- 7 written by Michael Callahan. Both NFPA and I have a
- 8 copy of a letter giving me the right to do so.
- 9 CHAIRMAN PAULEY: The motion is to accept
- 10 Comment 90A-9. We do have the record of you being
- 11 able to make this motion on file. Is there a second?
- 12 There is a second. Please proceed.
- 13 MR. DOLLARD: Thank you, Mr. Chairman. I
- 14 would like to inform the body that this is the second
- of nine comments that were tied to the original
- 16 proposal. The first thing that we dealt with today,
- which was essentially the return of Chapter 4 to
- 18 previous edition. What this does, accepting this
- 19 comment, is it incorporates into NFPA 90A definitions
- 20 that have always been used, including air handling
- 21 unit plenum, apparatus casing plenum, duct
- 22 distribution plenum, and raised floor plenum. I will
- 23 not belabor this body with additional discussion.
- 24 This is a suitability issue, and I urge you to
- 25 support the motion on the floor.

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1 MR. DILLON: Michael Dillon, Dillon
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- 2 Consulting Engineers, for the last time on this
- 3 issue. They can debate it the rest of the evening.
- 4 As a practicing engineer in the HVAC and
- 5 refrigeration world, I would beg this body to please
- 6 not allow the views of an unrelated industry, an
- 7 unrelated manufacturing interest in that industry, to
- 8 redefine what it is that we practice in our side of
- 9 the world. I'm not going to tell you how to define a
- 10 wire. I don't want other people to define ducts and
- 11 plenums for me. This is absurd. This is like Lewis
- 12 Carroll. We're stepping through the looking glass.
- 13 Please stay with the definitions that are defined by
- 14 the American Society of Refrigeration and Air
- 15 Conditioning Engineers. The votes are the way they
- 16 are because of the righteousness in the way we
- 17 proceeded.
- MR. HIRSCHLER: This is Mr. Hirschler in
- 19 support of the motion. Just so you understand, the
- 20 comment can be found on that page. These definitions
- 21 are identical to what's been there for a long time in
- the requirement section of Chapter 4 and 90A for many
- 23 years.
- 24 Furthermore, these exact definitions were
- 25 proposed by the Chairman of 90A Jeffrey Mattern, as a

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1 representative of the Committee, to the National
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- 2 Electrical Code for incorporation to the electrical
- 3 code. I repeat these exact five definitions were
- 4 proposed by the Chairman of the Air Conditioning
- 5 Committee responsible for 90A, Mr. Jeffrey Mattern,
- 6 to the National Electrical Code in representation of
- 7 the 90A Committee. So these definitions are what we
- 8 always used for these plenums. I urge you to support
- 9 the motion. Thank you.
- 10 CHAIRMAN PAULEY: Mr. Mattern, would you
- 11 like to comment?
- MR. MATTERN: The definitions that we carry
- 13 to the NEC were the result of a Committee action,
- 14 Committee work, and we'll stick by those definitions.
- 15 CHAIRMAN PAULEY: Is there any further
- 16 discussion on this motion? Seeing no one at the
- microphones, we'll proceed to a vote. The motion is
- 18 to accept Comment 90A-9. All those in favor please
- 19 raise your hand. Those opposed. The motion passes.
- 20 MR. LUDWICK: Good morning. Jim Ludwick,
- 21 Air Products and Controls. I move to reject ROP
- 22 90A-217, page 90A-120.
- 23 CHAIRMAN PAULEY: Your motion is to reject
- 24 proposal 90A-217; is that correct?
- MR. LUDWICK: Yes, sir.

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1 CHAIRMAN PAULEY: I do want to ask
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- 2 Microphone 8 for a clarification on your proposal.
- 3 You're asking to reject 90A-217. Can you identify a
- 4 comment that subsequently modified that proposal?
- 5 MR. LUDWICK: Comment 90A-706.
- 6 CHAIRMAN PAULEY: Is that the one that would
- 7 have modified it?
- 8 MR. LUDWICK: Yes, sir.
- 9 CHAIRMAN PAULEY: Now, in this case I
- 10 believe a motion to reject this proposal wouldn't be
- 11 appropriate. You can make a motion to return the
- 12 proposal.
- MR. LUDWICK: That's fine.
- 14 CHAIRMAN PAULEY: Which would return the
- 15 proposal and associated comments. Do you have the
- 16 page number for the particular comment? The comment
- 17 you gave us appears to be a rejected comment, which
- in that case would not have modified the proposal.
- 19 In order for this to be a proper motion to
- 20 return, we've got to return a proposal. We also have
- 21 to have a comment that would have modified that
- 22 proposal.
- MR. LUDWICK: I'd like to modify my motion
- 24 to return Chapter 6 in its entirety back to
- 25 Committee.

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1 CHAIRMAN PAULEY: In order to do that, you
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- 2 need to identify the proposal and the associated
- 3 comments that would accomplish that action. If you
- 4 would like, Staff can try to work with you to get
- 5 this clarified. I cannot take a motion to simply
- 6 return Chapter 6 because we are referring everything
- 7 to proposals and comments the Committee acted on.
- 8 MR. WOODEN: Dale wooden, the American
- 9 Society for Healthcare Engineering. I move to accept
- 10 Comment 90A-686 on page 90A-327 of the ROC.
- 11 CHAIRMAN PAULEY: So the motion is to accept
- 12 Comment 90A-686. The motion is valid. Is there a
- 13 second? There is a second. Please proceed,
- 14 Microphone Number 6.
- MR. WOODEN: This comment is to reject
- 16 Proposal 90A-194. This proposal changed the
- 17 requirements for fire dampers into and out of
- 18 enclosures to now require a combination. The effect
- of this proposal is to require smoke damper
- 20 protection at all shafts. This includes small
- 21 openings into shafts from bathrooms exhausted into
- 22 stacked multistoried buildings. Mandating
- 23 combination fire smoke dampers at points where ducts
- 24 penetrate shaft walls is not justified. The cost to
- install these combination dampers during new

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1 construction as well as to replace existing fire
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- 2 dampers during renovation will be substantial. The
- 3 Technical Committee accepted this proposal even
- 4 though there was no evidence submitted.
- 5 In addition, this revision is in direct
- 6 conflict with Life Safety Code Section 8.5.4.3, which
- 7 specifically accepted smoke dampers where ducts
- 8 penetrate floors that service smoke barriers. I urge
- 9 that this Comment be accepted, to reject this new
- 10 requirement, thereby returning the section to fire
- 11 dampers only.
- 12 CHAIRMAN PAULEY: Mr. Mattern, would you
- 13 like to comment?
- 14 MR. MATTERN: I'll defer to Mr. Dillon.
- MR. DILLON: Michael Dillon, Dillon
- 16 Consulting Engineers. It is simply a matter of
- 17 physics. If you have a vertical chimney in a
- building and you have a difference in temperature
- 19 between the inside and the outside, you will get
- 20 transfer up that chimney. There are a number of ways
- 21 you can handle that problem without the use of a
- 22 smoke damper in small ducts such as bathroom exhaust.
- 23 But if you don't have a fan operating, you don't have
- 24 a way of directing it, and you don't have a method
- 25 for making it go up. In those instances, you can

- 1 have exactly what happened at the West Chase Hilton
- 2 fire many years ago and have the smoke go down the
- 3 bathroom ducts and kill the people on floors below
- 4 where the fire was.
- 5 MR. GALE: My name is Mike Gale. I'm Chair
- of the Healthcare Committee. On Wednesday morning we
- 7 voted to support the motion on the floor to accept
- 8 the comment. This is a proposed new requirement.
- 9 Once again we feel there's no technical
- 10 substantiation that's been provided to justify the
- 11 change. The end result will be a significant
- 12 financial impact that should not be imposed on
- 13 building owners without clear technical
- 14 justification. We feel this is again an excessive
- 15 requirement that is not justified by the fire record.
- 16 As such, I strongly urge you to support the motion on
- 17 the floor to accept the comment. Thank you.
- 18 MR. HIRSCHLER: Marcelo Hirschler. I'm
- 19 strongly in support of the motion. Again the
- 20 Technical Committee upgraded the requirements,
- 21 thereby increasing the cost for installation from
- fire damper to fire smoke damper. No technical
- 23 justification was presented that there is any kind of
- 24 loss record that justifies that. Please, I urge the
- 25 body to support this motion. Thank you.

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1 MR. VAN BECELAERE: Bob Van Beezler
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- 2 representing Ruskin Manufacturing. I'm against this
- 3 motion. I am also on the Technical Committee. There
- 4 were several fires -- classic in Las Vegas is the MGM
- 5 Grand -- where people were killed on the 13th floor
- due to smoke movement in the building. It's physics.
- 7 You can't stop smoke from moving. Smoke dampers
- 8 protect the people, not the property.
- 9 MR. KOFFEL: Bill Koffel, Koffel Associates.
- 10 And I'm speaking for myself, and regrettably I have
- 11 to oppose this. Here's the risk of what's happening
- 12 here this morning. We are totally rewriting this
- document. What has not been said is that what's in
- 14 the current standard doesn't require these dampers,
- 15 but it does require the fans to shut down based upon
- 16 detection of smoke at the fan. And previous speakers
- 17 have addressed that. That's in this edition of the
- 18 standard.
- 19 So, in essence, you will have nothing that's
- 20 going to shut down the HVAC system if smoke gets into
- 21 that duct work. Somewhere this has to stop. The
- 22 Committee tried to develop a reasonable document, and
- 23 there are interests here that are opposed to that
- 24 every time. Now we're merely totally rewriting this
- 25 document. And I would challenge that none of us will

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1 know what it looks like at the end of the day.
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- 2 CHAIRMAN PAULEY: Thank you. Is there
- 3 further discussion?
- 4 MS. LOVELL: Good morning. My name is
- 5 Vickie Lovell. I'm the building code consultant for
- 6 the Air Movement Control Association. I'm also a
- 7 member of the Technical Committee for Fire Protection
- 8 Features. We represented the Air Movement and
- 9 Control Association on this item in a number of
- 10 venues, and this is my first opportunity to speak to
- 11 this group this morning.
- But I would like to call this body's
- 13 attention to the fact that building code trends have
- 14 changed. And while it's easy to examine this
- 15 document in the context of just the historical record
- of fire and smoke movement in modern construction,
- it's important to note that many fire resistive
- 18 barriers and many other fire protection features have
- 19 been eliminated in modern construction for economic
- 20 incentive and various reasons. So this document
- 21 becomes, in effect, almost a document that serves a
- 22 multiple purpose. In addition to moving air and
- 23 conditioning the building for ventilation, it also
- 24 becomes a very effective tool now for managing and
- 25 containing smoke. So many other fire resistive

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1 assemblies and items have been eliminated.
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- 2 It now becomes very essential that we
- 3 address the number-one killer three times out of four
- 4 that affect fire injuries and fire deaths, and that's
- 5 the containment of smoke. Now, the building owners
- 6 have said and other organizations have said that this
- 7 is an impressive cost, but in many respects it's
- 8 quite a simple and more economical means to address
- 9 the smoke issue.
- 10 So we encourage the membership now to
- 11 support the committee to not look at the document in
- 12 the context by itself but to look at the context of
- more modern building codes where many other items
- 14 have been stripped out, including engineered smoke
- 15 control and a number of other features that could
- 16 eventually change the fire record in the future.
- 17 CHAIRMAN PAULEY: Is there any further
- 18 discussion on this motion? Seeing no one at the
- 19 microphones, we will proceed to a vote. The motion
- on the floor is to accept Comment 90A-686. All those
- in favor please raise your hand. Those opposed.
- We're going to have to go to a standing
- 23 count on this. I would ask the organizational
- 24 delegates to fill out their ballot cards. The
- 25 organization delegates are the ones with the yellow

- 1 ribbon.
- 2 We'll proceed to a standing vote count. All
- 3 those in favor of the motion on the floor accepting
- 4 Comment 90A-686 please stand. Remain standing,
- 5 please. You may be seated. All those opposed to the
- 6 motion please stand. Thank you. You may be seated.
- 7 The motion passes 109 to 66. We will proceed back to
- 8 the main motion on the floor.
- 9 MR. DOLLARD: Once again my name is Jim
- 10 Dollard representing the IBEW, and I move acceptance
- of Comment 90A-93 by Michael Callahan. And once
- 12 again I am holding a letter from Michael Callahan,
- and NFPA has once again given me the right.
- 14 CHAIRMAN PAULEY: The motion is to accept
- 15 Comment 90A-93. Is there a second? There is a
- 16 second.
- 17 MR. DOLLARD: Once again, this issue is
- 18 helping us clean up 90A after the first motion on the
- 19 floor today, the return of Proposal 90A-46. There
- 20 was nine comments. This is the third of nine.
- 21 Essentially what this action will do, accepting
- 22 90A-93, will return the definition of plenum to
- 23 previous text. I will not belabor this point
- 24 anymore. Thank you.
- 25 CHAIRMAN PAULEY: Is there further

- 1 discussion?
- MR. HIRSCHLER: Marcelo Hirschler speaking,
- 3 and I support the motion on the floor. Let me just
- 4 explain for the audience and make it simple. First
- of all, the comment can be found on page 90A on the
- 6 proposal. The new definition proposed by the
- 7 committee, which is a very lengthy definition of
- 8 plenum, changes completely the definition of plenum
- 9 that has been accepted for many years in not only 90A
- 10 but 5000, 101, and NEC. And I will read you the
- 11 definition of plenum that is accepted throughout the
- 12 NFPA system. "Plenum is a compartment chamber in
- 13 which one or more air ducts --
- 14 CHAIRMAN PAULEY: Mr. Hirschler, please slow
- down for the court reporter.
- MR. DILLON: Michael Dillon, Dillon
- 17 Consulting Engineers. I lied. I'm back up one last
- 18 time because I didn't see anyone else go. The
- 19 definition for plenum that is in there is the correct
- 20 technical definition for what a plenum is. It
- 21 doesn't matter if people have been using the wrong
- one for a long time in 1642 BC in the Arcadian text.
- 23 In the Epic of Gilgamesh they use used the wrong
- 24 definition for "Ishtar" too. This doesn't matter.
- 25 The idiosyncratic definition by others in an industry

- 1 they are not related to is absurd.
- 2 CHAIRMAN PAULEY: Thank you. Further
- 3 comment?
- 4 MR. DOLLARD: My name is Jim Dollard. One
- 5 last comment. This is all about suitability. This
- 6 is about getting this document ready for 2005.
- 7 CHAIRMAN PAULEY: Thank you. Is there any
- 8 further discussion?
- 9 MR. STARKS: My name is Daniel Starks. I'm
- 10 from Harbor View Medical Center, and I'm speaking for
- 11 myself. I think one of the difficulties in a roomful
- of experts is we all think we're experts on
- 13 everything. I think in this case that the people who
- 14 are experts on the definition of a plenum are the
- 15 people who are on the committee for considering what
- 16 a plenum is. And I think while we all have our own
- opinions in this case, we defer to the experts on the
- 18 committee to define "plenum" and not attempt to
- 19 overturn their judgment.
- 20 RANDY: Randy from the Electrical Section
- 21 calling to question.
- 22 CHAIRMAN PAULEY: There's been a motion to
- 23 move the previous question in debate. Is there a
- 24 second to that motion? I do hear a second. All
- 25 those in favor of ending debate on this motion raise

- 1 your hand. Those opposed. The motion passes.
- 2 We will move to the motion on the floor
- 3 which is to accept Comment 90A-93. All those in
- 4 favor of that motion, please raise your hand. Those
- opposed. The motion passes. We're back to the main
- 6 motion on the floor. Microphone Number 2, please.
- 7 MR. DUSZA: Tom Dusza, Schirmer Engineering
- 8 corporation. I'm a principal on the Technical
- 9 Committee for 90A, and I'm asking for a motion to
- 10 return the entire document back to Committee. I
- 11 don't think I need to say anymore. I think we all
- 12 heard enough and let's do it. Let's have the
- 13 committee look at it. Let's not continue with this
- 14 on the floor.
- 15 CHAIRMAN PAULEY: I was going to ask for a
- 16 second, but I heard one before I asked. So that
- 17 motion is moved.
- 18 UNIDENTIFIED SPEAKER: Speaking strongly on
- 19 the motion by the actions taken today principally
- 20 what was done in definitions, how it was done in the
- 21 dampers issue. Because when you look at that in
- 22 association with what we did in Chapter 6, you have
- 23 made this document fatally flawed. It cannot
- 24 possibly go to its purpose. If you need its purpose
- 25 any longer the way it is set up, this is a useless

- 1 defective document. It must be returned to
- 2 Committee. You either have to go with what the
- 3 committee did, or it has to go back to committee.
- 4 This is not benefiting anything NFPA does. This is
- 5 really bad.
- 6 MS. HORTON: Could you please explain to us
- 7 what will happen if it is returned as far as timing
- 8 is concerned in reviewing it again? Will there be an
- 9 interview for new proposals, or will you just go back
- and examine everything that's been submitted thus
- 11 far?
- 12 CHAIRMAN PAULEY: Would you please identify
- 13 yourself for the record?
- MS. HORTON: And for the record, my name is
- 15 Pat Horton. 90A-2, 90A-121 ROP, 90A-2, 90A-338 ROC.
- 16 CHAIRMAN PAULEY: Because with us, as we
- 17 look at this, there's a bit of complexity to this.
- 18 So give us a few moments. We wanted to get you the
- 19 specific language in the regulation. This is in
- 20 4-7.3 of the regulation. When a technical report is
- 21 returned to the TC, the TC may request action in
- 22 preparing its Amended Report on Comments. Unless
- 23 there was an appeal to the Council, the action the
- 24 Technical Committee could request that they go back
- 25 to their comment phase of the document.

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MS. HORTON: Would that mean immediately, or
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     would that mean at the next cycle?
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- 3 CHAIRMAN PAULEY: The regulations speak
- 4 specifically to immediately. There could be time for
- 5 new proposals. As I said, in the regulations the
- 6 committee may make the recommendation to go back to
- 7 the comment phase. The committee may make that
- 8 recommendation. There may only be a recommendation
- 9 to go back to the public proposal phase.
- 10 At this point that's not a decision that's
- 11 made by this body at this meeting. That's the
- 12 committee discussions that will occur taking into
- account this meeting and ultimately the 13
- 14 recommendations that will go back to council. I will
- 15 now go back to Microphone Number 4.
- 16 UNIDENTIFIED SPEAKER: I strongly oppose
- 17 this motion. As you heard, what this will do is
- return it to the committee and probably get back to 18
- 19 the comment stage without new proposals. We were
- 20 very careful when we drafted the motions that we've
- 21 been making to tie those items what we believe that
- 22 the committee has been inconsistent or has acted
- 23 without proper justification. We do not believe that
- 24 there is any justification to return the entire
- 25 document to committee and then have the committee get

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1 back into a comment stage. And we would just be
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- 2 prolonging the agony. I urge the body to reject --
- 3 to defeat this motion and then finish the action and
- 4 get a new edition of 90A out.
- 5 MR. ERICKSON: Douglas Erickson with the
- 6 American Society for Healthcare Engineering and the
- 7 American Hospital Association. I strongly urge this
- 8 body not to return this document to committee. We
- 9 are dealing with one issue here, and that is plenum
- 10 rated cable. This has been before the 90A Committee
- for three cycles now, and we are going to go ahead
- and return a lot of good work that was accomplished
- within the 90A Committee other than plenum-rated
- 14 cable. A lot of work was done with regards to
- 15 testing, placement of dampers. We heard a lot of
- 16 good discussion with regards to whether or not it's a
- 17 fire smoke damper. I don't believe the correct
- 18 action of this body would be to take it back to the
- 19 committee once again, of which I serve on 90A, and
- 20 ask us to revise or look at the entire document. If
- 21 it's only the plenum-rated cabling issue that we're
- 22 concerned with, return that portion back, but leave
- 23 all the other good work that was accomplished by that
- 90A Committee intact. Thank you, Mr. Chairman.
- 25 CHAIRMAN PAULEY: Microphone Number 7,

- 1 please.
- 2 MR. MCELVANEY: Joe McElvaney. I'm in
- 3 support of this motion. Let's face it, folks. We've
- 4 been hearing for the last six, seven times, it always
- 5 goes back to the committee and then the Standards
- 6 Council. Let's stop talking about it. Let those
- 7 folks have their meeting, figure out what's going to
- 8 happen, and move on.
- 9 MR. DOLLARD: My name is Jim Dollard with
- 10 the IBEW, principal member of NFPA 90A. I strongly
- 11 urge the body not to support this motion. I rise in
- 12 opposition. As a previous speaker said, the document
- 13 would be fatally flawed. This is all about the
- 14 elimination of NFPA 262 cables. And this body has
- 15 turned that around with the first motion we had
- today, which was to return a proposal 90A-46. The
- 17 rest of this document, a lot of hard work was done,
- 18 and I do not want to see that hard work thrown out.
- 19 I strongly urge this body to vote against this
- 20 motion. Thank you, CHAIRMAN PAULEY.
- 21 UNIDENTIFIED SPEAKER: We're writing on the
- 22 floor. We're not doing it in an orchestrated manner.
- 23 I think it's important to give the committee the
- 24 opportunity to go back and redo this.
- Now responding to the comment about where we

- 1 go, whether it be the proposal or the comment stage.
- 2 The committee will make that decision. We have a lot
- 3 of good work that the committee has done. We have a
- 4 very strong foundation for enhancing the quality of
- 5 the 90A standard, but obviously it needs some more
- 6 work. And I support the motion of the committee
- 7 member who made that in order to take this back and
- 8 do some more work on it.
- 9 MR. ROCKUS: Dick Rockus. We're rewriting a
- 10 code on the floor. We didn't just work on 96. We
- worked on Chapter 6. We've had three proposals go
- 12 for that. It's not just the plenum cable issue. The
- document needs more work. Support the committee.
- 14 Let's stop trying to do it on the floor.
- 15 MR. HICKMAN: Palmer Hickman. I'd like to
- 16 call to question.
- 17 CHAIRMAN PAULEY: The motion's been moved to
- 18 end the debate. Is there a second? There is a
- 19 second. We will move immediately to end the debate.
- 20 Those in favor to end the debate. Those opposed.
- 21 The motion passes.
- We will move to the immediate motion on the
- 23 floor. That motion is to return the 90A report to
- 24 the committee. All those in favor of that motion
- 25 please raise your hand. Those opposed. We will go

- 1 to a standing vote.
- 2 I'm going to ask you to please now stand.
- 3 Those of you in favor of the motion to return the
- 4 report, please stand and remain standing. Those
- 5 opposed to the motion to return the report, please
- 6 stand.
- 7 The motion passes 152 to 136. That will
- 8 conclude our report on 90A. Mr. Mattern, thank you.
- 9 MR. MATTERN: 90B?
- 10 CHAIRMAN PAULEY: At some point we had two
- documents we were doing. I now remember that.
- 12 Please proceed.
- 13 MR. MATTERN: The second document is NFPA
- 90B and can be found on page 90B-2 of the ROP. Since
- there were no public comments, this document is not
- 16 included in the ROC.
- 17 The Committee proposes for official adoption
- 18 a partial revision to NFPA 90B, Standard for the
- 19 Installation of Warm Air Heating and Air Conditioning
- 20 Systems. The ballot statement can be found on page
- 21 90B-1 of the ROP.
- Mr. Chair, I move adoption of the
- 23 Committee's report on NFPA 90B.
- 24 CHAIRMAN PAULEY: You've heard the motion to
- 25 adopt a partial revision of 90B. Is there any

- 1 discussion? Microphone Number 9.
- 2 MR. DILLON: Michael Dillon. I'm in strong
- 3 support of the motion. Please let's get it over
- 4 with. But I would also request that the Standards
- 5 Council urge the Chairman to continue his good work
- 6 until he gets it right.
- 7 CHAIRMAN PAULEY: And, Mr. Mattern, I won't
- 8 ask you to comment at this point.
- 9 MR. MATTERN: I will comment at the end.
- 10 CHAIRMAN PAULEY: Is there any further
- 11 discussion? Seeing none, we'll move immediately to
- 12 the vote.
- The motion is to accept the report on 90B.
- 14 Those in favor. Those opposed. The motion passes.
- Mr. Mattern, any final comments?
- MR. MATTERN: Just one. As many of you
- 17 know, I'm retiring at the end of this year. And I
- 18 want to really take the opportunity to thank the NFPA
- 19 for being able to be involved in the critical
- 20 consensus making process. And I've been involved
- 21 since 1968. And the highlights, of course, were my
- two terms on the Standards Council and serving on
- 23 many committees, and I thank you for that
- 24 opportunity.
- 25 CHAIRMAN PAULEY: Before we take up our next

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1 report, we'll take a two-minute comfort break.
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- 2 (A brief recess was taken.)
- 3 CHAIRMAN PAULEY: Our next document will be
- 4 NFPA 1. The next report this morning is that of the
- 5 Technical Committee on the Uniform Fire Code. Here
- 6 to present two parts of the Committee's report is
- 7 Committee Member Anthony Apfelbeck of Altamonte
- 8 Springs Building and Fire Safety division, Altamonte
- 9 Springs, Florida.
- 10 MR. APFELBECK: Good morning, Mr. Chair,
- 11 ladies and gentlemen. The Technical Committee on
- 12 Uniform Fire Code is presenting two documents for
- 13 adoption. The first document is NFPA 1 and can be
- 14 found on pages 1-2 to 1-101 of the 2005 June
- 15 Association Technical Meeting Report on Proposals and
- on pages 1-2 to 1-38 of the Report on Comments.
- 17 The Committee proposes for official adoption
- 18 a partial revision to NFPA 1, Uniform Fire Code. The
- 19 ballot statements can be found on page 1-1 of the ROP
- and on page 1-1 of the ROC. Mr. Chair, I move to
- 21 adopt a partial revision.
- 22 CHAIRMAN PAULEY: You've heard a motion to
- 23 adopt a partial revision.
- 24 UNIDENTIFIED SPEAKER: I move to accept my
- 25 Comment Number 60 on page 16 of the ROC.

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1 CHAIRMAN PAULEY: So the motion is to adopt
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- 2 Comment 1-60?
- 3 UNIDENTIFIED SPEAKER: Yes. This was
- 4 submitted by the Technical Committee.
- 5 CHAIRMAN PAULEY: The motion is in order.
- 6 Please proceed.
- 7 UNIDENTIFIED SPEAKER: It will not be as
- 8 contentious as the last debate that we just got
- 9 through hearing. The Technical Committee on
- 10 Emergency Power Supply Systems submitted this to the
- 11 NFPA Committee. With NFPA 1 being a retroactive
- document for the Uniform Fire Code and for the Fire
- 13 Service, we felt as if we needed to have this Item
- 14 Number 10 added to the laundry list. Talking about
- the on-site fuel storage requirements for the
- 16 standard by power systems shall be in accordance with
- 17 recognized NFPA documents such as 110, 37, 30, 99,
- 18 and 20.
- 19 One of the problems we foresee is with this
- 20 MAQ table going into NFPA. We may have a fire
- 21 official saying, "You are outside of the requirements
- of the MAQ table," and we will have to try and comply
- 23 with that, find a waiver, variance, et cetera. So
- 24 what this does is simply say within the Uniform Fire
- 25 Code that you shall follow the on-site fuel storage

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1 requirements of NFPA 110, 37, 30, 99, and 20. I see
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- 2 no reason why this should not have been added to the
- 3 document.
- 4 CHAIRMAN PAULEY: Mr. Apfelbeck, do you have
- 5 a comment?
- 6 MR. APFELBECK: I would like to defer to our
- 7 Chair.
- 8 MR. JAMES: My name is Bob James. I'm the
- 9 Chair of the Hazardous Material Section of NFPA 1.
- 10 During the discussions of this item, one of the
- 11 things we had to look at is obviously the hazardous
- 12 material. And the hazardous material in this case
- 13 happened to be combustible liquids. It's clearly
- 14 stated just because you adopt this code doesn't mean
- 15 that all the hazardous material sections come into
- 16 play. There would have to be a change of occupancy
- 17 to trigger it or an immediate risk to life is how it
- 18 basically says in Section 10. So I don't believe
- 19 that this adoption of the document will automatically
- 20 trigger that.
- 21 The other point I wanted to make is the
- 22 comment of the maximum allowable quantity. That's a
- 23 term we do use. That's to identify the level of
- 24 which a normal occupancy can handle the hazardous
- 25 material. That doesn't mean the maximum you can have

- in the building. What happens when you use
- 2 combustible liquids in this case, whether it's for
- 3 emergency power, whether it's for some other
- 4 operation, it doesn't really matter. It's still a
- 5 hazardous combustible liquid.
- 6 What we do allow is if you feel the need to
- 7 have more than the table allows, then you have to
- 8 start adding protection features to offset that
- 9 increase. So it's not like another model code that
- 10 changes your occupancy on you. This one in this case
- just adds protection features, and there really isn't
- 12 a high end for combustible liquids.
- So again I don't feel it was necessary to
- 14 completely take this out of the document or
- unregulate it because there's other good things in
- 16 the general section of Chapter 60 that are important
- 17 to deal with combustible liquids.
- 18 CHAIRMAN PAULEY: Thank you.
- 19 MR. PETERKIN: Jim Peterkin, a member of the
- 20 Healthcare Section Review Committee. The Healthcare
- 21 Section met yesterday and voted to support this
- 22 motion. We feel that although the maximum level
- 23 quantities require you to take potentially additional
- 24 steps if you exceed those quantities. What we're
- 25 saying is that if you meet existing NFPA standards,

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1 why should there be a conflict between the two codes?
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- 2 So we strongly support this motion.
- 3 CHAIRMAN PAULEY: Further discussion?
- 4 MR. SHAPIRO: My name is Jeff Shapiro. I'm
- 5 speaking on my own behalf. I'm a member of the NFPA
- 6 1 Committee, and I'm speaking in opposition to the
- 7 motion on the floor. I think it's very important to
- 8 point out that if you read the proponent's
- 9 substantiation for this, it was fairly clear to the
- 10 Committee that there was a misunderstanding that the
- 11 proposal and the proponent did not really have a
- grasp on how the code applies to hazardous materials.
- 13 There was an assumption in what we read that
- 14 there is a high-end limit associated with maximum
- 15 allowable quantity, and that's not the case. There
- is no limit in the Uniform Fire Code on how much
- 17 material you're allowed to have. The Uniform Fire
- 18 Code simply increases the level of protection. And
- 19 we think it's appropriate to regulate flammable and
- 20 combustible liquids in buildings equivalently. We
- 21 did not see the reason -- the level of protection
- 22 being provided by the other documents that one
- 23 provides.
- So I would encourage you to reject the
- 25 motion on the floor. I think it's important to treat

- 1 these materials that are in generator tanks similar
- 2 to any other combustible liquid in the building and
- 3 provide the same level of protection.
- 4 MR. KROUZ: Dick Krouz speaking for myself
- 5 and as a member of the NFPA 1 Committee. The
- 6 proposal, the comment as written, proposes compliance
- 7 with a number of codes including NFPA 30. The NFPA
- 8 30 Committee is in the ROP process right now. The
- 9 NFPA 30 Committee has agreed to make their quantity
- 10 limitations comparable to those of NFPA 1 and NFPA
- 11 5000. So in effect accepting this comment would kick
- 12 you back to 30. 30 would kick you back to one.
- 13 Everything's the same. There's no reason to change
- 14 this. As the previous speaker has proposed, this is
- 15 not a limitation. This is not a limitation of
- 16 quantity. It's a protection issue. Thank you.
- 17 MR. ERICKSON: Douglas Erickson, American
- 18 society for Healthcare Engineering. This is not just
- 19 one proponent. This is an entire Committee that was
- very confused by what was going on with NFPA 1.
- 21 There's 22 members that were confused about what the
- 22 maximum allowable quantity would be for this
- 23 generator set. We have rules and regulations that
- 24 speak about 660 gallons. Those are interval tanks.
- 25 They have been working well for many, many years. By

- 1 adding Item Number 10, all we're doing is trying to
- 2 become consistent with all of the other standards of
- 3 the NFPA. If you don't like what 99 has done, if you
- 4 don't like what 110 has done, if you don't like what
- 5 37 has done, then why would someone do anything
- 6 differently.
- 7 I agree with Mr. Shapiro. If you look and
- 8 dive into one far enough, you probably will come up
- 9 with the right answer. The problem is many times
- 10 authorities in jurisdiction, many times owners,
- 11 designers, etcetera don't dig that deep.
- 12 CHAIRMAN PAULEY: Is there further
- 13 discussion?
- 14 MR. SHAPIRO: Jeff Shapiro again speaking on
- 15 my own behalf. Just to point out, the problem is the
- 16 way this is written. It becomes a carte blanche
- 17 exception to everything that follows. That's why it
- 18 doesn't work.
- 19 CHAIRMAN PAULEY: Any further discussion?
- 20 Seeing none, we'll move to the vote. The motion on
- 21 the floor is to accept Comment 1-60. All those in
- 22 favor accepting that comment please raise your hand.
- 23 Those opposed. The motion fails.
- 24 Moving back to the main motion on the floor
- on NFPA 1. Is there any further discussion?

- 1 Microphone Number 7.
- 2 MR. THORNBERRY: My name is Rick Thornberry
- 3 with the Code Consortium. I'm representing the
- 4 American Pyrotecnhics Association. I'd like to move
- 5 a comment we submitted, and it's Comment 1-13 on page
- 6 1-4 of the ROC.
- 7 CHAIRMAN PAULEY: There's a motion to accept
- 8 Comment 1-3. Is there a second? There is a second.
- 9 Please proceed.
- 10 MR. THORNBERRY: The concern I have here is
- 11 that I don't necessarily object with what the code is
- 12 trying to do regarding triggering a sprinkler
- 13 requirement for mini-storage buildings. My problem
- 14 with this issue is how one defines a mini-storage
- 15 building. And the Committee wrestled with it a fair
- 16 amount and came out with a proposal that still leaves
- it very undesirable in my mind as that definition
- 18 being unique to mini-storage buildings.
- 19 And our concern is it captures all kinds of
- 20 warehouses, not just mini-storage buildings. And in
- 21 the case of my client, the American Pyrotechnics
- 22 Association, when they lease a warehouse space in a
- 23 warehouse where it may be leased to several different
- tenants, it's going to be captured. The sprinkler
- 25 threshold is going to drop 2500 or 3500 square feet.

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1 Whereas NFPA 5000, for example, would have only
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- 2 required that building to be sprinkled at 2500 square
- 3 feet under the storage requirements under NFPA 5000.
- 4 So this is going to capture a lot of warehouse
- facilities that was never intended to capture. In
- 6 Item 1 of that definition, I don't see that as a
- 7 unique issue. You're going to find that in any
- 8 warehouse that's leased out to any one tenant.
- 9 And I also have a question as to what is a
- 10 fire resistant rated barrier. That's not a defined
- 11 term. We have defined terms in the building code for
- 12 fire barrier, for example, or firewall. This doesn't
- tell you what kind of wall it is. So how do you
- 14 build this wall? The way I read it, it doesn't even
- have to go up to the roof. There's no requirement.
- 16 It just says fire rated. Any tenant can lock up
- their warehouse space they're leasing out, and it's
- 18 not always going to be assessable to the tenant of
- 19 the building. That was Item 2.
- 20 And then Item 3, I don't see it as being
- 21 unique. I see a mixture of terms throughout this
- 22 that mixes up storage occupancy, storage facility
- 23 unit. It's not going to get us where we need to go,
- 24 and I urge you to accept this comment and get rid of
- 25 this definition.

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1 MR. APFELBECK: The Technical Committee
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- 2 looked at this issue very in-depth.
- 3 MR. LATHROP: Jim Lathrop speaking on behalf
- 4 of myself. As the task force that worked on this
- 5 definition, this was not an easy project. We put the
- 6 attached group together, including Mr. Everett. If
- 7 you take each of the individual items as just
- 8 mentioned, it doesn't look like it makes a lot of
- 9 sense.
- 10 But the requirement here is that you have to
- 11 meet all of these provisions. And when you add them
- 12 all together, it does make quite a bit of sense as
- far as the fire resistance rated barrier. We're not
- 14 requiring that barrier. We're saying if you don't
- have something like that, that's what's being
- 16 intended here. Is it a perfect definition? No. If
- 17 you're trying to define a term like "corridor,"
- 18 that's a hard thing to do. I encourage you to oppose
- 19 the motion on the floor.
- 20 MR. FASH: Mr. Fash. I participated in the
- 21 task group to better define mini-storage. The issue
- 22 that I have as a fire official is trying to do
- 23 inspections on these mini-storage facilities.
- 24 They're usually not available for inspection.
- 25 They're usually locked up by the tenant or the

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1 homeowner who are using these facilities. We found a
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- 2 number of items in there that would normally not be
- 3 allowed in storage warehouses that you would see in
- 4 these mini-storage facilities. We found propane
- 5 storage, flammable liquid storage, a number of
- 6 hazardous materials that you would not normally find
- 7 that we would normally allow in a normal storage
- 8 warehouse that would be open to plain view for the
- 9 inspectors going through the facility. Not only does
- 10 it protect the owner of the property and the
- 11 business, but it protects -- we're not proposing the
- 12 exception of fire rated barriers so they can segment
- the building up in smaller sections. We're just
- 14 trying to have a matchable solution with these type
- 15 of facilities. Thank you.
- MR. HOLMES: Wayne Holmes, Chairman of the
- 17 Technical Committee on Industrial Storage and
- 18 Miscellaneous Occupancy for NFPA 5000. We have a
- 19 similar issue with the definition of a mini-storage
- 20 facility, which will come up later when we discuss
- 21 NFPA 5000. That's under Comment 5082. That included
- 22 a proposal by the Technical Committee industrial
- 23 storage for a mini-storage facility. That was also
- 24 addressed by the Technical Correlating Committee for
- 25 NFPA 5000. We do have an alternative definition when

- discussing NFPA 5000.
- 2 UNIDENTIFIED SPEAKER: In some places we
- 3 build warehouses and they sublease it. That's called
- 4 a mini-storage. By this definition it could be a
- 5 hundred-thousand-square-foot warehouse subdivided and
- 6 leased by somebody else.
- 7 UNIDENTIFIED SPEAKER: NFPA 1 is an extract
- 8 document. So this is sort of a moot point talking
- 9 about this. Whatever action is taken either way, it
- 10 will revert back to whatever happens in 5000. I urge
- 11 you to vote against this proposal and let it ride to
- 12 5000. Do your talking there. Thank you.
- 13 CHAIRMAN PAULEY: Further discussion?
- 14 Microphone Number 7, please.
- MR. THORNBERRY: Rick Thornberry again
- 16 representing the American Pyrotechnics Association
- 17 responding to a couple of comments. I don't think
- 18 it's a moot point. I think we need to deal with it
- 19 here. Albeit Mr. Holmes indicated that there's a
- 20 comment that deals with that. But as I understand
- 21 that comment, it's saying let's use the definition.
- 22 This is a real problem. An example is this could
- 23 capture the storage lockers in the basement of an
- 24 apartment building. Is that necessarily intended to
- 25 do that? The annex note says, well, maybe it is

1 meant to capture that. The annex note says you don't

- 2 need to worry about a basement in an apartment
- 3 building where they've got storage of vehicles.
- 4 They're exempt for some reason by the annex note.
- 5 But the other types of storage facilities you would
- find for multiple tenants would not be included. I
- 7 think it's regulated by definition. We need
- 8 something in the code that's a lot clearer. It's not
- 9 a requirement, but it's being used to determine what
- 10 a mini-storage facility is.
- 11 MR. HIRSCHLER: Marcelo Hirschler speaking
- 12 for myself, and I'm opposed to the motion. I think
- 13 the committee worked quite hard, and it developed a
- 14 definition of its own. That's a definition from
- 15 NFPA 1. It does not say in the accepted comment that
- 16 this will be an extract of 5000. It does not say,
- no, the definition of NFPA will be the definition
- 18 that is contained in the NEC. I think the definition
- 19 that you have there is an appropriate one. And it
- 20 addresses an issue that the AHJ now can regulate if
- 21 the AHJ wants if NFPA 1 does not regulate.
- 22 Second, with regard to the private garages,
- 23 we want to make sure that we don't regulate people's
- 24 garages individually. We're talking of storage
- 25 facilities, not people's single individual garages.

- 1 Thank you.
- 2 MR. SHAPIRO: Jeff Shapiro speaking on my
- 3 own behalf, and I am a member of the NFPA 1
- 4 Committee. And I can share with the audience that
- 5 the committee really struggled with this. And we
- 6 went through a number of iterations and came up with
- 7 something that we felt was well-enough written that
- 8 it was worthy of going into the code and that it
- 9 needed to go into the code now because this is
- 10 recognized as a significant hazard to emergency
- 11 responders that have no idea what are in these
- 12 facilities. And I think it's important that we do
- 13 something.
- 14 Is this perfect? Absolutely not. Is
- anything else you're going to do here today or
- 16 yesterday perfect? Absolutely not. But it's a whole
- 17 lot better than we currently have. So I would
- 18 encourage to reject the motion on the floor and
- 19 support the committee.
- 20 CHAIRMAN PAULEY: Any further discussion on
- 21 this motion?
- 22 MR. QUICK: My name is Ken Quick. I
- 23 represent Culver City Fire Department in California
- 24 and the South Bay Fire Prevention Officers. I'm
- 25 objecting to this. We are finding in our city that

- 1 we remove several businesses because of the current
- 2 business environment. We have small businesses
- 3 trying to actually move their organizations into
- 4 these types of facilities. And they bring employees
- 5 who actually work in these buildings. We responded
- 6 to alarms. They've come out of the building, and
- 7 that's how we found them.
- 8 So we need a facility that will allow us to
- 9 at least provide minimum protection for our
- 10 firefighters, and those that don't know can't do
- 11 this.
- 12 CHAIRMAN PAULEY: Any further discussion?
- 13 Seeing no one at the microphones, we'll move the
- 14 motion on the floor, motion on Comment 1-1. All
- those in favor of that motion, please raise your
- 16 hand. Those opposed. The motion fails. We're back
- 17 to the main motion on NFPA 1. Is there any further
- 18 discussion?
- 19 We'll move to the motion on the floor to
- 20 accept partial revision of NFPA 1. All those in
- 21 favor of that motion, raise your hand. All those
- 22 opposed. The motion passes. Thank you,
- 23 Mr. Apfelbeck.
- MR. APFELBECK: I have a second document.
- 25 The second document is NFPA 230 and can be found on

- 1 pages 230-2 to 230-15 of the ROC. The Committee
- 2 proposes the withdrawal of NFPA 230, Standard for the
- 3 Fire Protection of Storage.
- 4 The ballot statements can be found on page
- 5 230-1 of the ROP and on page 230-1 of the ROC.
- 6 Mr. Chair, I move for the adoption of the
- 7 Committee's report on NFPA 230.
- 8 CHAIRMAN PAULEY: You heard a motion to
- 9 accept the committee report. Is there any
- 10 discussion? Seeing none, we'll move immediately to
- 11 that motion. All those in favor to accept the
- 12 committee report, please raise your hand. Those
- opposed. The motion passes. Thank you,
- 14 Mr. Apfelbeck.
- 15 The next report this morning is that on the
- 16 Committee on Safety to Life. James Quiter of
- 17 San Francisco, California is here to speak on behalf
- 18 of the committee.
- 19 MR. QUITER: Thank you, Mr. Chair, ladies
- 20 and gentlemen. The report of the Technical Committee
- on Safety to Life is presented for adoption.
- 22 NFPA 101 was submitted to letter ballot of the
- 23 Technical Correlating Committee that consists of 11
- voting members. The ballot results can be found on
- 25 pages 101-1 to 101-8 of the 2005 June Association

- 1 Technical Meeting Building Code Committee and Safety
- to Life Committee Reports on Proposals on NFPA 5000,
- 3 Building Construction and Safety Code, and NFPA 101
- 4 Life Safety Code and on pages 101-1 to 101-7 of the
- 5 2005 June Association Technical Meeting Report on
- 6 Comments. NFPA 101 can be found on pages 101-9 to
- 7 101-254 of the ROP and on pages 101-8 to 101-191 of
- 8 the ROC.
- 9 The committee proposes for official adoption
- 10 a partial revision to NFPA 101, Life Safety Code.
- 11 The ballot statements can be found on pages 101-1 to
- 12 101-8 of the ROP and on pages 101-1 to 101-7 of the
- 13 ROC.
- 14 Mr. Chair, I move adoption of the
- 15 Committee's report on NFPA 101.
- 16 CHAIRMAN PAULEY: Thank you. I do want to
- note that we will act on the code in chapter order,
- 18 starting at Chapter 1 through Chapter 42. We will
- 19 then take the annexations. Motions will be taken on
- 20 the Safety to Life Code in chapter sequence starting
- 21 with Chapter 1. After the discussion on the 42
- 22 chapters and their annexations, motions will be on
- 23 order of the entire document. It is likely in order
- 24 to coordinate if some of you will be making similar
- 25 substantiation on each of these documents. In order

- 1 to maximize the efficiency and not waste time in what
- will be a long session, I would request when you make
- a motion on NFPA 101 and you intend to repeat in
- 4 substantiation on NFPA 5000, please state that for
- 5 the information of the body at the time you make your
- 6 motion on NFPA 101. It is my hope that by informing
- 7 the body in this way you the body can, if you wish in
- 8 the interest of time, limit debate on repetitive
- 9 motions either through cloture motions or otherwise
- 10 as you the body deem appropriate.
- Now you have heard a motion to adopt a
- 12 partial revision of NFPA 101. Is there any
- 13 discussion on Chapter 1? Seeing no one at the
- 14 microphones, is there any discussion on Chapter 2?
- 15 Again proceeding on. Any discussion on Chapter 3?
- 16 Microphone Number 7, please.
- 17 MR. THORNBERRY: Thank you, Mr. Moderator.
- 18 Rick Thornberry with the Code Consortium. I wish to
- move to accept Comment 101-21 on page 101-12 in the
- 20 ROC.
- 21 CHAIRMAN PAULEY: Motion is to accept Motion
- 22 101-21. Is there a second? There is a second.
- 23 Please proceed.
- MR. THORNBERRY: What this comment does is
- 25 take the language that's currently in NFPA 5000 for

- 1 the definition for anchor building and puts it into
- 2 NFPA 1. So the two documents are consistent. I
- 3 think this is the right approach to time, and the
- 4 definition I think is much more succinct, clearer,
- 5 and limiting than what was proposed by the Technical
- 6 Committee. The Technical Committee left it wide open
- 7 to allow basically any occupancy to occur in an
- 8 anchor building as long as it was low or moderate
- 9 hazardous contents. This ties it to the specific
- 10 occupancies that would be printed based on what would
- 11 have been allowed in traditional malls for many years
- 12 upon which the mall requirements and the code were
- developed. I don't think we want to have that
- 14 definition for anchor building expanded beyond those
- 15 traditional occupancies until a further study has
- 16 been done to determine the technical ramifications of
- 17 increasing the types of occupancies that could be
- 18 allowed in these anchor buildings. So we urge you to
- 19 support this comment. Thank you.
- 20 CHAIRMAN PAULEY: Mr. Quiter, would you like
- 21 to comment?
- 22 MR. QUITER: I was going to defer to the
- 23 Technical Committee. I'm looking for Ken Bush, who
- 24 is going to represent the committee.
- 25 MR. BUSH: I'm the Chair of the Mercantile

- 1 and Business Occupancy Committee. Actually, this has
- been addressed. You'll see a similar change in NFPA
- 3 5000. This definition that is in the 5000 document
- 4 actually got in there through a glitch in the system
- 5 and old definition that was picked up in the last
- 6 cycle and did not get caught. If you look at the
- 7 Section of the Mercantile Occupancy that covers
- 8 malls, we've gotten very explicit that when greater
- 9 flexibility is restricted, there are more restricted
- 10 requirements extended to these anchor stores, such as
- 11 actually having actual firewalls spray the anchor
- 12 store from the covered mall building. So this has
- 13 been addressed in the mall section.
- 14 MR. LATHROP: Jim Lathrop speaking for
- 15 myself. If this was accepted, it would prohibit
- 16 hotels from being attached to a mall, which is a
- 17 fairly common arrangement nowadays.
- 18 MR. THORNBERRY: Rick Thornberry. It was
- 19 indicated that there was modification being proposed
- 20 to NFPA 5000 to address the definition of anchor
- 21 buildings and that's true. And it's found on page
- 22 5000 -65 as comment 5000-163A. However, the final
- 23 action on that is on hold. It was directed by the
- 24 Technical Correlating Committee to put this on hold
- 25 so it would be considered for further discussion in

- 1 the next revision cycle.
- 2 CHAIRMAN PAULEY: Is there any further
- 3 discussion on this motion? Seeing no one at the
- 4 microphones, we'll move to a vote. The motion on the
- 5 floor is to accept Comment 101-21. All those in
- favor of that motion, please raise your hand. Those
- 7 opposed. The motion fails. We are back to further
- 8 discussion on Chapter 3.
- 9 Seeing no one at the microphones, we will
- 10 move on to Chapter 4. Seeing no one at the
- 11 microphones, we will move on to Chapter 5. No
- 12 discussion on Chapter 5. We will move on to
- 13 Chapter 6. Moving on to Chapter 7. Microphone
- 14 Number 1, please.
- 15 MR. BRYAN: My name is John Bryan. I'm a
- 16 member of the Means of Egress Committee of 101, and
- 17 I'm speaking as an individual and not representing
- any of the following professional, commercial, or
- 19 financial relationships with any company, commercial
- 20 trade, or professional association proposing or
- 21 opposing supplemental evacuation equipment. Thank
- 22 you.
- I want to move the motion that Section 713
- in the report of comments titled Supplemental
- 25 Evacuation Equipment, including the annex and related

- 1 statements, be returned to the Means of Egress
- 2 Committee for further study. This action and the
- 3 annex note can be found in the Report of Comments
- 4 under Comment 101-78, which starts on page 101-38.
- 5 The material to be returned to committee is found in
- 6 the Committee Action section of the Comment, which
- 7 appears on page 101-39 and 101-40 of the Report on
- 8 Comments.
- 9 CHAIRMAN PAULEY: So your motion is to
- reject an identifiable part of Comment 101-78; is
- 11 that correct?
- MR. BRYAN: Right.
- 13 CHAIRMAN PAULEY: Is there a second to that
- 14 motion? There is a second. Please proceed.
- MR. BRYAN: The justification for this
- 16 motion is due to the lack of specific information and
- 17 description of the devices involved in this list
- 18 under 7.13.1, the right-hand column on page 39. I
- 19 would ask that you people look at that. There are
- 20 subnotifications from parentheses 1 through 9. I
- 21 will address them as quickly as possible within the
- 22 five-minute limitation. Is that okay?
- 23 CHAIRMAN PAULEY: That is. I do want to
- 24 clarify for the body that the identifiable part is
- 25 7.13.1. Please proceed.

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1 UNIDENTIFIED SPEAKER: Right. The first
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- 2 thing is it applies to high-rise buildings without
- 3 consideration of Section 3327.7, which is the
- 4 definition for high-rise buildings in 101. And
- 5 they're applying this without consideration of that
- 6 definition to non-high-rise buildings. Previously in
- 7 101 the Committee has considered the fire department
- 8 service with aerial equipment and aerial platforms
- 9 where there are external devices for non-high-rise
- 10 buildings. In effect, they're saying this is better.
- 11 I disagree.
- 12 The next item in here that I disagree with
- is the fact that ASTM -- and I realize this is not
- 14 an NFPA Committee -- has established a Committee EO6,
- on performance of buildings, the Subcommittee EO6.77.
- 16 The scope of the subcommittee is the development and
- 17 maintenance of standards for terminology,
- 18 specifications, performance practices, and test
- 19 methods for high-rise buildings, multiple occupants,
- 20 evacuation devices for evacuation of persons who
- 21 cannot use the primary evacuation routes in a safe
- 22 manner. And this committee was formed and is
- 23 operational. There's no coordination as of this time
- 24 between this means of egress request for requirement
- 25 with that Committee. I think it should be

- 1 correlated.
- 2 The other problem is they indicate that
- 3 certain devices are not included under this section.
- 4 But they did not tell you what is included, which are
- 5 platform-based devices, slides and chutes, and
- 6 controlled descent devices. None of those are
- 7 defined in Chapter 3 of 101 or in this section.
- Finally, as a summary I've listed these.
- 9 And if you want to look on page 40 on the
- 10 justification of my negative in the left-hand column
- 11 starting at the bottom, I've summarized those. I
- 12 will summarize now Section 7.13.1. If retained in
- 13 the Life Safety Code with the present text, it will
- 14 create multiple problems of application for the AHJ.
- 15 This section appears incomplete, premature, and
- 16 urgently needs further study by the Means of Egress
- 17 Committee hopefully with liaison to the ASTM
- 18 Subcommittee EO6.77 on high-rise building external
- 19 evacuation devices. Thank you.
- 20 CHAIRMAN PAULEY: We were looking at the
- 21 comment, and I do want to clarify this motion that
- 22 may make it clear for the body. The comment in
- 23 question of 101-78 appears in the committee action
- that the only action that they took was on 7.13.1.
- 25 With that being stated, I believe if I

- 1 understood your motion correctly, you are wanting to
- 2 return this to committee rather than reject it. And
- 3 in this case I believe it would be to return Comment
- 4 101-78 in its entirety, which I believe if you're
- 5 agreeable with that will make the motion easier for
- 6 the body to be able to follow because there is not an
- 7 identifiable part. The entire comment is the
- 8 identifiable part in this case, if that's acceptable
- 9 to you.
- 10 UNIDENTIFIED SPEAKER: Oh, sure.
- 11 CHAIRMAN PAULEY: I believe that would be
- the appropriate motion to return Comment 101-78.
- 13 UNIDENTIFIED SPEAKER: That's okay. Sure.
- 14 CHAIRMAN PAULEY: Let's proceed on with the
- 15 discussion. Mr. Quiter, would you like to comment?
- 16 MR. QUITER: I'm going to defer to David
- 17 De Vries, Chairman of the Means of Egress Committee.
- 18 MR. DE VRIES: Ladies and gentlemen, I was
- 19 the developer and submitter of the original proposal
- on this subject. And I would like to speak to this
- 21 issue from the floor and not as Chairman of the Means
- of Egress Committee. Therefore, with your
- 23 indulgence, I will call on Mr. Bill Koffel, who was
- 24 the previous Chair of the Committee on Means of
- 25 Egress, to speak on behalf of the Committee.

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1 MR. KOFFEL: Bill Koffel, Koffel Associates.
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- 2 Again, the reason for appearing is to represent the
- 3 committee, as the Chairman indicated. During the
- 4 deliberations of this issue, during the proposal
- 5 period and comment period, he did step down and ask
- 6 me to chair the meeting in that regard.
- 7 I see we're still struggling on the overhead
- 8 to get the motion. I just want to make sure that I
- 9 have the motion correct because what I originally
- 10 heard was to return the section as it was in the ROP
- and all related comments. That's what's up there
- 12 now, is to return the appropriate and all related
- 13 comments. I think that's what he wants because it
- 14 will take all the text for this section out in the
- 15 document in this edition of the code as compared to
- 16 at one point in time we were talking about doing
- 17 something with this comment which would put us back
- 18 to ROP.
- 19 So can I just get a clarification that the
- 20 intent of this motion is to eliminate the section and
- 21 any related text definitions, annexes, and whatever
- that's affiliated with this section?
- 23 CHAIRMAN PAULEY: That's correct. And
- that's what we interpret the motion to be as well,
- 25 which is why on the screen you do see to return the

- 1 proposal and the comment.
- 2 MR. KOFFEL: Okay. Thank you. As you can
- 3 see, if you look through the ROP and the ROC on this
- 4 issue, it had considerable discussion. And clearly
- 5 through the ballot statements, a lot of different
- 6 thoughts were expressed by the Egress Committee. We
- 7 spent considerable time in the proposal period
- 8 looking at the proposal, having a task group get
- 9 together. They generated a new committee proposal
- 10 that was accepted by the Committee.
- 11 And if you look at a number of the ballot
- 12 comments, it basically says the Committee is putting
- 13 us out there for input from the public. And we did
- 14 receive some input from the public. Again, we looked
- 15 at it during the comment period, had a task group
- look at it over the night, and come back with the
- 17 action that you see in Comment 101-78.
- 18 You also notice that the Correlating
- 19 Committee looked at this item, and you see a
- 20 Correlating Committee note at the beginning of
- 21 Comment 101-78 on page 38. And that Correlating
- 22 Committee note basically references my ballot
- 23 comment. And I'll probably summarize at least my
- 24 perspective of the Committee on this item based on my
- 25 ballot comment.

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1 This is an interesting situation because
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- 2 basically what we're doing is putting a set of
- 3 requirements in the Life Safety Code and then saying
- 4 we give you absolutely no credit for that. So, in
- 5 other words, we are going to regulate something that
- 6 a building owner might want to put in their building.
- 7 Now, that's the first issue that I had to look at.
- 8 Should we go down that path.
- 9 And I think in looking at that, basically I
- 10 came to the conclusion that there is a benefit to
- 11 this. Even though there's no credit given in the
- 12 code, there's a benefit to having language in there
- 13 that the authority having jurisdiction can use to say
- 14 that this device is acceptable or this device is not
- 15 acceptable.
- 16 And I understand the issue related to the
- 17 fact that we don't yet have the ASTM standard, but
- 18 the scenario we have right now is that if somebody
- 19 were to propose to put one of these devices on a
- 20 building, we'd have nothing in the code to regulate
- 21 it and sure enough the fire official basically saying
- this is creating some hazard, and I'm going to use
- 23 some general duty clause in the code. They have no
- 24 way to regulate it. Now at least in the code we're
- 25 saying we don't give you any credit for it. But

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1 we're going to say if you put it there, there are
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- 2 certain things you have to do so that in a fire
- 3 emergency hopefully we are not creating an unsafe
- 4 condition. We are putting something in a code that
- 5 may create a hazard. I think that's the real issue
- 6 that the Committee dealt with. And I think what you
- 7 have to deal with on this issue is, one, should we
- 8 put something in the code and then give it absolutely
- 9 no credit? And, two, assuming that you're willing to
- 10 do that, is there a benefit from this? Do we at
- 11 least give the code official, the authority having
- jurisdiction, something to use to control the type of
- devices that may go on these buildings?
- 14 CHAIRMAN PAULEY: Is there further
- 15 discussion on the motion?
- MR. BRYAN: I have several problems with
- 17 this argument. Number one is what you're
- 18 recommending is inadequate. You're not telling the
- 19 AHJ anything specific. As an example, you have no
- 20 information giving the committee other than this
- 21 requires a fire protection engineer to be consulted
- in the design.
- 23 It also requires you to follow the
- 24 manufacturer's instructions. I would not insult
- 25 either one of their capability, but it doesn't give

- 1 you anything specific. Let's take the chute. Did
- they go to Japan and look at their experience? I
- 3 talked to Dr. Jen in November of last year. Their
- 4 chutes are different. But with this all you can tell
- is there's no material requirement. There's no way
- 6 to slow or retard the descending people in the chute.
- 7 Tokyo never allowed them above ten stories. They're
- 8 talking about people going down a chute 40, 50, 60
- 9 stories. I'm not an engineer. I'm a psychologist.
- 10 You aren't going to get me in a chute going down 40,
- 11 50, 60 or even 20 stories.
- 12 Secondly, they no longer use them because of
- 13 what? As he said, people were injured by bumping
- 14 into each other. They didn't even look at our
- 15 experience. And the rest of it, they give you no
- 16 data. You see a lot of these platform devices which
- 17 are made of plastic sides, wooden floors. They don't
- 18 tell you how they're attached to the building. They
- 19 don't tell you what sort of plastic. Flames come out
- 20 of windows. You saw it at the World Trade Center
- 21 here yesterday. These things are going to run down
- the building on the outside. Not for me. I'm
- 23 telling you it's incomplete. We spent hours. We put
- 24 diagrams in the annex section of 101 on how to
- 25 measure the clear width of a doorway. You have a

- device to carry people on the outside of the
- 2 building, and we don't know whether the cables are
- 3 properly designed. We don't know the capability of
- 4 flames spread that are covering the building or
- 5 anything. I'm very sorry I never fought the
- 6 committee before, but I'm going to fight them on this
- 7 because I don't think these minimum requirements are
- 8 what the code requires. And it's our responsibility
- 9 as code committee members. I'm ashamed of this being
- 10 in the code at this time and forum.
- 11 CHAIRMAN PAULEY: Please state your name for
- 12 the record.
- MR. BRYAN: John Bryan.
- 14 CHAIRMAN PAULEY: Microphone Number 7.
- MR. MCELVANEY: Joe McElvaney speaking for
- 16 myself. I have to agree with the good doctor.
- 17 Parentheses Number 3 says use of the device including
- 18 emergency responding personnel. Basically you can't
- 19 get hurt when you use this device at all. Well,
- 20 sooner or later something is going to break or fail.
- 21 We all know that. It happens out there. How are we
- 22 going to comply with this? So I move that you reject
- 23 this thing and send it back to the committee.
- 24 CHAIRMAN PAULEY: Further discussion?
- 25 MR. BUSH: My name is Ken Bush, and I'm a

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1 member of the Technical Committee. We should note
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- 2 that every proposal and comment that was submitted
- 3 was given thorough consideration. The task force
- 4 used these comments to make further recommendation.
- 5 The task group considered the technical aspect of
- 6 these devices and recognized their value. The task
- 7 group sought to codify a level of performance in
- 8 order to standardize these levels for the
- 9 manufacturers, the users, the designers, and the
- 10 authorities having jurisdiction.
- 11 Likewise, it would recognize that a lack of
- 12 current testing and certification of these devices
- 13 prevent their recognition to satisfy the requirements
- 14 for the number, the capacity, or the location of
- 15 means and egress. It was always understood that work
- is underway on building performance to develop
- 17 standards for these products and provide further
- 18 guidance on this issue. Citing the levels of global
- 19 recognition of these devices of this type, it was
- 20 felt that the recognition or the incorporation of
- 21 these devices is the current correct action for this
- 22 code to take at this time, and I urge your support of
- 23 the Technical Committee's action.
- 24 CHAIRMAN PAULEY: Thank you. Further
- 25 discussion?

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1 MR. SIMONE: I'm Dr. Simone. I'm CEO of
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- 2 Escape Rescue Systems speaking in opposition of the
- 3 motion. I'm a manufacturer and developer of access
- 4 systems, and I'm here representing various other
- 5 manufacturers. I'm also the Chair of the ASTM AL-77
- 6 charged with developing product standards for
- 7 evacuation devices. A high-rise situation may
- 8 develop that we can't plan for, and there are quality
- 9 products now available that can create new and
- 10 flexible options for evacuations in emergencies.
- 11 These are more mature than ever, and the products are
- 12 being defined and tested to very extreme conditions.
- 13 People in distress, high winds, extreme temperatures,
- 14 water emergent and heat resistant, overloading,
- 15 emergency braking, etcetera. And it is specifically
- 16 the standards organizations that are in their
- 17 definition of specifications standards addressing
- 18 these particular issues.
- 19 By going to the outside surface of the
- 20 building while continuing to improve decor, we can
- 21 provide credible and reliable options for quick and
- 22 safe evacuation and in some cases responder access to
- 23 meet both the foreseeable and unforeseeable emergency
- 24 situations. This need is being recognized as we sit
- 25 here by markets, regulators, and policy bodies

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1 worldwide. We have information which we'll be happy
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- 2 to share on some 250,000 devices of various types
- 3 sold to date around the world, mostly in Asia and a
- 4 fair number in Europe. Many regulators and policy
- 5 bodies have decided to explore, pursue, and bring to
- 6 life external evacuation. The Standards Institute of
- 7 Israel, the fire commission there, the Department of
- 8 Homeland Security in Israel, the French and Spanish
- 9 Fire Authorities, as well as standards developers in
- 10 other places such as ASTM in this country and in a
- 11 preliminary way ISO and also in New York City.
- 12 However, for all this development code level
- 13 guidance is required to help to find a path so that
- 14 we do not end up with dangerous insulations of unfit
- 15 solutions in a haphazard and unprofessional manner.
- 16 In our opinion NFPA is precisely the body to provide
- 17 such guidance. Indeed in almost every instance where
- 18 we have found policy interest, this question has come
- 19 up. And what guidance can we get and receive from
- 20 NFPA on this issue?
- Just eight weeks ago I was in a meeting with
- the fire commissioner of Istanbul, which is one of
- 23 the top ten cities in the world in terms of high-rise
- 24 population. And his second question was what
- 25 quidance can we receive from the NFPA and has the

- 1 committee approved language and does it cover all
- 2 bases completely. Probably not. But waiting for a
- 3 totally defined solution and waiting for standards as
- 4 written is not the way invasion is introduced
- 5 anywhere on any issue in the world. The committee
- 6 has spent a year on this. Future feedback will
- 7 likely improve the code as you do or as the NFPA does
- 8 on an ongoing basis. Because the area is new and
- 9 there are certain uncertainties.
- 10 The Committee did the right thing in our
- 11 opinion by defining these solutions as supplementary
- 12 equipment, not displacing any existing requirement.
- 13 Based on all this, we ask for your support on the
- 14 Technical Committee's action by voting against the
- 15 motion that is now on the floor.
- 16 CHAIRMAN PAULEY: Further discussion and
- 17 comment?
- 18 UNIDENTIFIED SPEAKER: I'm Chief of Rescue
- 19 and Fire Fighting Service. I'm the Chairman of the
- 20 Special Evacuation Means from High-rise Building Task
- 21 Force of the Fire and Rescue Commission Ministry of
- 22 Interior of Israel. I was also responsible for
- 23 security at government facilities including Ben
- 24 Gurion International Airport. I am here today also
- 25 to speak in opposition to the motion. The special

- 1 task force recognizes that single accidental or
- 2 malicious acts such as a blast from a bomb or
- 3 contamination by chemical or biological acts can
- 4 prevent the use of stairs or elevators making
- 5 evacuation difficult or impossible.
- 6 Consequently, Israel has been -- the special
- 7 task force has worked closely with engineers,
- 8 scientists, manufacturer professionals, and the
- 9 Standard Institute of Israel. In our analysis we
- 10 concluded we needed a standards conclusion.
- 11 Nevertheless, Israel looks at NFPA for guidance and
- 12 direction as we did in Terminal 3 in Israel when we
- built the new terminal and we adopted the NFPA in
- 14 performing standards for external evacuation devices.
- 15 We encourage support of the Technical Committee by
- 16 your vote against the motion. Thank you.
- 17 MR. JENETTE: My name is Joseph Jenette, and
- 18 I'm here on behalf of Easter Seals New York speaking
- 19 in opposition of the opposition. The Easter Seals is
- the oldest and largest nonprofit organization.
- 21 Easter Seals has been in the forefront for
- 22 accessibility advocacy for decades. As the original
- 23 secretariat for the standard on accessibility that is
- 24 referenced in the Life Safety Code and the NFPA
- 25 Building Code, Easter Seals has promoted universal

- 1 design concepts and construction that facilitate the
- 2 use of buildings for the broadest range of people,
- 3 including those that use mobility aids and other
- 4 devices. And we found ways to let everyone in. But
- 5 not until recently did we really focus on ways to get
- 6 everyone out.
- 7 Now across the country and especially in
- 8 New York with all its high-rise buildings,
- 9 comprehensive safety and all-inclusive evacuation
- 10 procedures are more important than ever, especially
- 11 for the 54 million people in the United States with
- 12 disabilities. Most safety plans, however, do not
- 13 address the specific needs of people with
- 14 disabilities, older adults, those who might have a
- 15 temporary injury or illness, or women who may be
- 16 pregnant, for example. With the automatic recall of
- 17 elevators and the inability to traverse, disabled
- 18 people are now left behind when others are
- 19 evacuating. This is not acceptable, and our goal is
- 20 to ensure that no person is left behind. When
- 21 technology comes along, we support it.
- I had the opportunity to see and try out
- various forms of supplemental emergency evacuation
- 24 systems and apparatus from personal controlled decent
- 25 devices to platform evacuation systems designed for

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1 massive evacuations. During their demonstrations, I
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- 2 had colleagues evacuating from a high-rise building
- 3 in a controlled evacuation with ease. I with the
- 4 intuitiveness of stepping onto an elevator, the
- 5 systems that I tried were effective and will save
- 6 lives, especially those people with disabilities when
- 7 employed in an emergency. The action of the
- 8 committees that defined is the right action. We
- 9 therefore ask that you vote to support the committee
- 10 and vote against the motion.
- 11 Now with my remaining time, I would like to
- 12 read a letter from Alexander Wood, the Executive of
- 13 the Disability Network of New York City.
- 14 "Dear NFPA Members: I write to express in
- 15 support of disability for the inclusion of language
- of the Life and Safety Code to establish basic
- 17 criteria for the installation of external evacuation
- 18 equipment that meets the needs of people with
- 19 disability. The DNNYC is a coalition of
- 20 organizations and individuals who share the common
- 21 interest to work together on policy change with the
- 22 goal of improving the ability for people with
- 23 disabilities to participate. With legislation we
- 24 have made improvements, but we now have the goal of
- assuring safe egress from those persons with

- 1 disabilities. This particularly is an issue with
- 2 multistory buildings. And as demonstrated in the
- 3 World Trade Center evacuation, by establishing basic
- 4 criteria for the voluntary installation that includes
- 5 a requirement for accommodating persons with
- 6 disabilities, the NFPA is taking a great step
- 7 forward. The DNNYC urges the NFPA to include the
- 8 criteria for external evacuation systems and please
- 9 stand by us in support of persons with disabilities.
- 10 Thank you. Alexander Wood."
- 11 UNIDENTIFIED SPEAKER: I call to question.
- 12 CHAIRMAN PAULEY: There's been a motion to
- 13 end debate on this issue. Is there a second on that
- 14 issue? There's a second. The motion passes.
- We'll now move to the motion on the floor,
- which is to return Proposal and Comment 101-78. All
- 17 those in favor of that motion, please raise your
- 18 hand. Those opposed. We're going to have to move to
- 19 a standing count, organizational delegates turning in
- 20 your green card, and then we'll move to a standing
- 21 count.
- We'll now move to a standing vote. All
- those in favor to return the proposal and comments,
- 24 please stand. You may be seated. All those opposed
- 25 to the motion, please stand. You may be seated. The

- 1 motion passes. 109 to 66.
- 2 We'll now move back to a discussion on
- 3 Chapter 7. Any further discussion on Chapter 7?
- 4 MR. FRABLE: Dave Frable, U.S. General
- 5 Services Administration. I would like to make a
- 6 motion to accept Comment 101-44, 101-56, 5000-335,
- 7 and 5000-322.
- 8 CHAIRMAN PAULEY: So Comment 101-44 and
- 9 Comment 101-107. And for the body, you indicated
- 10 this same issue will come up on 5000.
- 11 So the motion on the floor is to accept
- 12 101-44. Is there a second to that motion? There is
- 13 a second. Please proceed.
- MR. FRADEL: Requirements in NFPA 101 are
- 15 based on sound technical documentation. However, in
- 16 this case the arbitrary threshold numbers for number
- of occupants and the arbitrary corresponding stair
- 18 width have not been based on any technical or
- 19 research data that demonstrates how effective the
- 20 change may be without the benefit of sound technical
- 21 analysis that clearly demonstrates the need -- the
- 22 increased costs associated with increasing the width
- of the exit stairways cannot be justified.
- 24 There are a few other concerns that we have
- 25 with this issue. As I stated earlier, the intent of

- 1 the proposed code change is to only address
- 2 counterflow issues encountered by the fire department
- 3 of ascending stairwells in buildings. It has nothing
- 4 to do with the stairway capacity or decreasing the
- 5 evacuation speed of occupants evacuating a building
- 6 and to improve the viability. Therefore, we feel
- 7 that the intent of this proposal has no relevance to
- 8 the goals of NFPA 101 since this proposal only
- 9 addresses issues relative to the safety of
- 10 firefighters and emergency responders.
- 11 Another issue of concern that deals with the
- 12 proposal infers that the only evacuation strategy in
- 13 high-rise buildings is total building evacuation as
- 14 opposed to other evacuation strategies currently used
- 15 throughout the country, such as selective evacuation
- 16 strategies. We definitely disagree with this
- inference to that strategy that all high-rise
- 18 buildings need to utilize total building evacuation
- 19 strategies.
- 20 Last but not least, I have spoken to several
- 21 fire department personnel across the country, and all
- the fire department personnel that I have spoken to
- 23 say that they're more concerned with -- this is not a
- 24 high priority for them. In addition, recently there
- 25 was an evacuation journal of a six-story building in

- 1 Washington D.C. in which we invited the fire
- 2 department to come in and basically video counterflow
- 3 issues on stairwells. That data has not been
- 4 analyzed yet. But based on my personal observation
- of the scene or of the incident, the added width of
- 6 the stairway -- and let me step back. That stairwell
- 7 that we did the videotaping was 57 inches nominal
- 8 width between handrails. The proposal requires 56
- 9 inches clear width between handrails. And what I
- 10 noted or observed during that test was that the added
- 11 width of the stair did not -- some of the occupants
- 12 still interfered with the fire department even though
- the width of the stair was larger than a nominal
- 14 width.
- 15 Furthermore, I asked representatives of the
- 16 Washington D.C. Fire Department, and they stated that
- 17 when they ascend stairs, they are slow and methodical
- 18 since they have to be cognizant of all their
- 19 surroundings. In addition, they stated that all bets
- are off with regard to the width of the stairwell
- 21 when they are descending the stairwell, which will
- 22 not affect this issue. In lieu of wider stairs, they
- 23 stated they still believe that the only way to
- 24 address all of these issues is incorporate stairs in
- 25 buildings for fire department access only. I believe

- 1 that more research is needed in this area for the
- 2 inclusion of these requirements in NFPA 101. Based
- 3 on all these concerns, we feel that the proposed code
- 4 change has not been based on any sound technical
- 5 documentation and is still too premature to be
- 6 considered at this time. We feel that the only
- 7 prudent action for the membership to take is to
- 8 support the motion to retain the current exit
- 9 stairway at this time.
- 10 CHAIRMAN PAULEY: Mr. Quiter, would you like
- 11 to comment?
- 12 MR. QUITER: I'll defer to David De Vries,
- 13 Chairman of the Egress Committee.
- MR. DE VRIES: Thank you. David De Vries,
- 15 Chair of the Means of Egress Committee.
- 16 Comment 101-44 and its related proposal
- 17 101-107 and other comments that were addressed by the
- 18 Means of Egress and Occupancy Committees asked for a
- 19 change to increase the minimum width of stairs. As
- 20 it is right now within Chapter 7 of the Life Safety
- 21 Code, we established several means -- several
- 22 criteria for measuring stairs. One is a fundamental
- 23 minimum width. As it's measured right now in the
- 24 2003 edition, a typical minimum width of a stair
- 25 would be 44 inches nominal width. That 44 inches

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1 allows a projection into that width to accommodate
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- the handrails. The original proposal looked at a new
- 3 means of measuring it, which was the clear width
- 4 between handrails. This was actually problematic for
- 5 those of us who are used to measuring stairs as the
- 6 nominal width and not between handrails.
- 7 And there was some confusion. I believe the
- 8 proponent of the motion or the maker of this motion
- 9 may have been confusing between handrails and nominal
- 10 width of stairs. The language as it's been approved
- 11 by the Committee thus far and which is before you for
- 12 consideration today is to increase the nominal width
- of a stair to 56 inches where that stair serves a
- 14 cumulative occupant load in excess of 2000 people.
- 15 If you look at the occupant load on each individual
- 16 floor in a multistory building, add them all up, and
- 17 where you have an accumulation of 2000 or more, the
- 18 stairs serving that population have to be 56 nominal
- 19 width.
- 20 The Committee reviewed and acted on a lot of
- 21 information on this subject, and we recognized that
- the single significant factor that we were addressing
- 23 was the issue of counterflow. There were reports in
- 24 the World Trade Center evacuation, also reports in
- 25 the Cook County Administration fire, both of which

- 1 involved flee evacuations of the building where there
- were issues of counterflow. We believe the original
- 3 submitter of the proposal had merits in asking for an
- 4 increase in the minimum width when it serves a high
- 5 cumulative load. And we move the proposal ahead as
- 6 well as subsequent comments.
- 7 I would like to point out just for
- 8 clarification that this action by the committee does
- 9 not change the occupant load calculations and
- 10 capacity width based on a capacity need. You still
- 11 look for what is the largest load served by that
- 12 stair on a floor-by-floor basis, and you go with
- 13 either the minimum width specified under this method,
- or if it's larger, you're going to go with a capacity
- 15 measurement based on the occupant load of a single
- 16 floor. Thank you.
- 17 MR. PAULS: My name is Jake Pauls. I'm with
- Jake Pauls Consulting Services, and I'm speaking
- 19 strictly for myself. I was a proponent originally of
- 20 Proposal 101-107, which was the starting position for
- 21 what turned out to be in the end a whole series of
- comments, about a dozen or so overall for 101 and
- 23 about 15 or so for 5000.
- 24 This has gone through a lot of deliberations
- 25 by a number of committees actually, and also at the

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1 TCC level. I've seen it also from the perspective of
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- 2 belonging to the Assembly Committee, which is the one
- 3 that did a minor rewrite, which is the current change
- 4 proposal that's found as 56-A on page 25. That's the
- 5 end result of what I would say years of deliberation
- 6 because this same proposal came before this body last
- 7 cycle. I was again the proponent of that. The
- 8 change was very similar to what's before us today.
- 9 So it has gone through a large deliberation.
- 10 We also had the benefit recently of the
- 11 reports on the World Trade Center, which after
- 12 urgency on my part and others has addressed the issue
- of counterflow and how it was disruptive to the
- 14 evacuation of occupants and police and emergency
- 15 responders. So firefighter safety is integral with
- 16 occupant safety generally.
- 17 So I want to rebut that comment made by the
- 18 maker of the motion. This does not only address the
- 19 safety of firefighters; it is a much more effective
- 20 thing we're after here. Also I want to crack the
- 21 inference or the statement that was made that total
- 22 building evacuation is the only strategy addressed by
- 23 the increased stair width. That has never been the
- 24 case. It addresses evacuations as we phase them in
- 25 buildings today, whether they are phased or total or

- 1 some combination of those if one fails.
- 2 I also have to crack the confusion about the
- 3 measurement method. This is one thing we did work on
- 4 and clarify during all the comments, particularly to
- 5 clarify that we're dealing with nominal width. This
- 6 is not the ideal way to measure this, but for the
- 7 time being it's what we have in the code and it's
- 8 consistent with the code. And it was unclear to me
- 9 in the motion maker's justification based on the
- 10 recent drill in New York whether the 57 inches was
- 11 clear or nominal.
- Now to rebut particularly the comment made
- 13 by the motion maker that this lacks sound
- 14 documentation, the documentation was presented in the
- original proposal, and it goes back to the 1960s and
- 16 1970s. It was dealt with in books and papers that I
- 17 have published. There is a lot of background to
- 18 this. I would ask that the people who are opposed to
- 19 what's being proposed here to change the code attend
- 20 the conferences that deal specifically with this
- 21 topic. And none of the opponents to what's being
- 22 proposed to the stairway issue, which is a very
- 23 modest change, participated in conferences such as
- 24 the Pedestrian Evacuation Dynamics Conferences that
- 25 are held. There will be one this year in Vienna,

- 1 this example where this topic is on the agenda not in
- terms of justifying this change, but going beyond it.
- 3 And if you look at one of my comments, you'll notice
- 4 that I actually was asking for a great deal more than
- 5 what's proposed for the change here. It is not
- 6 arbitrary. It is based on the probability of
- 7 counterflow and probability of needing to provide
- 8 assistance with people with disabilities, and that is
- 9 dealt with in the proposal at some length. The cost
- 10 benefit issue has also been dealt with at some
- 11 length.
- 12 CHAIRMAN PAULEY: Please wrap up.
- 13 MR. PAULS: I think I'll conclude there.
- 14 I've dealt with most of the rebuttal points.
- MR. LATHROP: James Lathrop speaking for
- 16 myself. I was the submitter of Comment 101-46, which
- 17 the Means of Egress Committee actually used to
- 18 address the issues. And as Jake Pauls just pointed
- out, 56A is the one you really should be looking at.
- Now, if you want to see what's being
- 21 proposed, 56A is the one you want to look at. It
- 22 doesn't kick in until the stairs serves a cumulative
- of 5000 or more people. That means on a typical
- 24 44-inch stair you have to be up to 14 stories. With
- 25 regard to lack of justification, I think Mr. Pauls

- 1 just addressed that. Proposal 101-107, which Jake
- just addressed, that deals with justification. The
- 3 thing I want to address is total evacuation versus
- 4 selective. So the fact that this does not address
- 5 total it's probably more appropriate with selective
- 6 evacuation.
- 7 MS. GULGOWSKI: I'm Erica Gulgowski from the
- 8 International Institute of Standards and Technology.
- 9 What I'm about to say should be seen as representing
- 10 my opinion instead of any affiliation.
- 11 I'd like to speak a little bit today on the
- issue of the increase of the stair width minimum.
- 13 I'd like to speak in support of the motion on the
- 14 floor. I just don't think that we have the data or
- 15 have performed the experiments or the simulations to
- 16 truly understand how large our stairs should be for
- 17 certain occupancies and for what kind of population
- 18 numbers.
- 19 My question is shouldn't we first understand
- 20 from the fire department how often they encounter
- 21 occupants in the stairwells, or do most buildings
- 22 embrace a phase of evacuation procedure or evacuate
- 23 the entire building before the fire department gets
- 24 there? I'd like to see a committee of people put
- 25 together to study evacuations involving different

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1 stair widths taking into account speed, average body
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- 2 sizes, speed on stairs, and how often the fire
- 3 department actually encounters a large population of
- 4 evacuees. This is involved in a limited number of
- 5 evacuations. However, we are scratching the surface
- 6 and don't have much data on counterflow. We are
- 7 working on evacuation in elevators and how these
- 8 chairs interact with other occupants. Is it more
- 9 likely that the evacuation chair is being used when
- 10 the majority of the occupants have evacuated the
- 11 building?
- 12 I would like to see some of these issues
- 13 worked on more thoroughly before settling on the
- 14 numbers to come up with the next edition of 101. I'd
- like to say something concerning the door widths at
- 16 the bottom of the stairs. Is that issue going to be
- 17 drawn up?
- 18 CHAIRMAN PAULEY: If there's not a motion
- 19 made on that particular issue, that will not be
- 20 discussed.
- 21 MS. GULGOWSKI: I'd like to have your
- 22 permission to continue.
- 23 CHAIRMAN PAULEY: You have about two
- 24 minutes.
- 25 MS. GULGOWSKI: Okay. Regarding the issue

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1 that the door width at the bottom of the stair
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- 2 minimum was not increased with the minimum stair
- 3 width, I'm aware of the fact that Mr. Pauls
- 4 originally proposed the increase of stair width in
- order to provide more comfort when he's in the
- 6 stairwell especially with counterflow movement.
- 7 However, I'd like to discuss his comment in
- 8 the ROC that maybe we should relook at the issue of
- 9 increasing the minimum door width. I think that if
- 10 we do not look at this issue, it may result in a
- 11 significant amount of queuing in the stairs and what
- is the comfort in that evacuation. There are times
- 13 where a building will need to evacuate, such as bomb
- 14 scares.
- In order to understand the impact of
- 16 increasing the stair width minimum without increasing
- 17 the minimum door width, I understand that Mr. Pauls
- 18 was not trying to decrease the evacuation time by
- increasing the stair width but rather allowing for
- 20 more comfort in stairs. However, if occupants do
- 21 fill the stairs, there is a potential for queuing.
- 22 What I did was I performed various
- 23 calculations of hypothetical buildings both varying
- the number of floors and number of occupants on each
- 25 floor for three different types of scenarios. One

- 1 with the current changes with the minimum door width
- 2 staying the same. One with Mr. Pauls' proposal. Two
- 3 thirds of the nominal width of the stair would be the
- 4 minimum door width. And the other the door width
- 5 equaling the stair width.
- 6 What I was finding was with the two thirds
- 7 nominal width that we're decreasing the evacuation
- 8 time by 20 percent. When the door width is increased
- 9 by the nominal stair width, we're getting a 35
- 10 percent decrease in evacuation time. Did we read
- 11 this as an issue? I don't feel if we increase the
- 12 minimum stair width that we should be negligible in
- increasing the minimum door width.
- 14 MR. HIRSCHLER: Marcelo Hirschler. I call
- 15 to question.
- 16 CHAIRMAN PAULEY: The motion passes. We'll
- 17 now move to the motion that is on the floor, which is
- 18 to accept Comment 101-44. All those in favor of that
- 19 motion, please raise your hand. All those opposed.
- The motion fails. We are now back to Chapter 7.
- 21 Further discussion on Chapter 7? Microphone
- 22 Number 4.
- 23 UNIDENTIFIED SPEAKER: Mr. Chairman, I
- 24 actually stand as a request for some information
- 25 prior to making the motion. The motion would be if I

- 1 make it on proposal 101-32, I just want to clarify
- 2 the intent of the action taken when we returned the
- 3 proposal and related comments concerning the
- 4 emergency escape devices. In my discussion of that I
- 5 said that includes definitions. However, this is the
- 6 proposal to put the definition in. This proposal has
- 7 no direct link to the proposal that was returned.
- 8 The comments that modified this had no direct link
- 9 from the submitter to the proposal or comments that
- 10 were returned.
- 11 CHAIRMAN PAULEY: I would prefer that you
- 12 pursue that motion for consistency if that is indeed
- 13 the case.
- 14 UNIDENTIFIED SPEAKER: That is what I
- 15 thought.
- 16 CHAIRMAN PAULEY: Is there a point of order?
- 17 UNIDENTIFIED SPEAKER: After some
- 18 discussion, I'm requesting a standing vote count on
- 19 the last issue.
- 20 CHAIRMAN PAULEY: The issue was decisive in
- 21 the rule of the Chair. So I'm not going to grant a
- 22 standing count. I don't think we're going to spend
- 23 any additional time on a standing count when it was
- 24 decisive from up here.
- 25 UNIDENTIFIED SPEAKER: It wasn't on this

- 1 side of the room.
- 2 MR. KOFFEL: Bill Koffel, Koffel Associates.
- 3 I would move to return Proposal 101-32 and related
- 4 comments. It is found on page 101-16 of the ROP.
- 5 CHAIRMAN PAULEY: The motion is to return
- 6 Proposal 101-52.
- 7 MR. KOFFEL: No, it is Proposal 101-32.
- 8 CHAIRMAN PAULEY: Proposal 101-32 and the
- 9 related comments?
- 10 MR. KOFFEL: That is correct. And I merely
- do this for consistency of the action that was taken
- 12 previously.
- 13 CHAIRMAN PAULEY: There's a second on that
- 14 motion. Is there any debate? Microphone 5.
- MR. HIRSCHLER: Marcelo Hirschler. I think
- it's pretty obvious from what Mr. Bill Koffel said.
- 17 Since we took out a section that talked about escape
- devices, we need to take out the definitions.
- 19 MR. DE VRIES: David De Vries representing
- 20 the Safety Evacuation Coalition. I do not object to
- 21 the motion that was made for consistency although I
- 22 expect this will be addressed by the Standards
- 23 Council.
- 24 CHAIRMAN PAULEY: Mr. Quiter, did you have
- any comment on that issue?

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1 MR. QUITER: No, none needed.
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- 2 CHAIRMAN PAULEY: I see no one else at the
- 3 microphone. So we'll move to the motion on the
- 4 floor, which is to return the proposal and comments
- on 101-32. All those in favor, please raise your
- 6 hands. Opposed. The motion carries.
- We're back to the discussion on Chapter 7.
- 8 Are there further motions on Chapter 7? Seeing no
- 9 one approach the microphones, we will move on to
- 10 Chapter 8. Any discussion on Chapter 8?
- 11 MR. THORNBERRY: Rick Thornberry with the
- 12 Code Consortium. I'd like to move our Comment
- 13 101-117 found on page 101-56 of the ROC.
- 14 CHAIRMAN PAULEY: So the motion on the floor
- is to accept Comment 101-117. Is there a second? I
- do hear a second. Please proceed.
- 17 MR. THORNBERRY: Thank you. This comment
- deals with an issue of evaluating fire resistance
- 19 assemblies in a situation where an active suppression
- 20 system may be used as an element of that fire
- 21 resistance rating for the assembly. As an example,
- one might look at a glass partition that a sprinkler
- 23 water curtain has been applied to, and that's been
- 24 put in the NFPA 251 fire test furnace.
- 25 The concern with this issue was that we felt

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1 it needed to be clearly stated in the code that that
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- 2 needed to be looked at very closely and either
- 3 specifically evaluate it as an alternate method or on
- 4 a performance basis approach. Several comments were
- 5 submitted on this issue. A task group was formed by
- 6 the committee on which I am a member, but I'm not
- 7 speaking on behalf of the committee. I was involved
- 8 as a member of the task group as well. And we came
- 9 back with this language, which the committee
- 10 accepted, as shown in the committee meeting action.
- I'm here to encourage you to accept that
- 12 action because I think it was appropriate because
- 13 they did take the time and effort to clarify the
- 14 issue and provide some pretty good annex explanation
- 15 material as to what the intent of this issue is. The
- 16 real issue with reliability is one element of this
- 17 overall concept of testing fire resistance rated
- 18 assemblies using active protection methods, and that
- 19 needs to be evaluated.
- 20 And I think it's critical when we're looking
- 21 at using passive fire protection systems to subdivide
- 22 buildings for compartmentation and other reasons.
- 23 The text as revised clearly indicates that you are
- 24 directed to either look at it as an equivalency or as
- 25 part of a performance-based option. Admittedly, the

- 1 code does already provide that as an option, but what
- 2 we're saying here is that you need to definitely
- 3 consider that in such a case and make sure that you
- 4 do make that evaluation. So we would encourage you
- 5 to support this comment as modified by the committee.
- 6 UNIDENTIFIED SPEAKER: Point of information.
- 7 I believe the motion is to accept an identifiable
- 8 part of the comment as printed in the TC action.
- 9 CHAIRMAN PAULEY: Then I would ask the
- 10 motioner to clarify. The motion that we understood
- it to be was to accept the comment, which would be as
- 12 submitted.
- MR. THORNBERRY: Rick Thornberry. You
- 14 misstated my motion. Bill is right. It would be to
- 15 accept the identifiable part, which is the committee
- 16 action that was taken on my comment.
- 17 CHAIRMAN PAULEY: And that is the entire
- 18 committee action?
- 19 MR. THORNBERRY: Yes. They modified the
- 20 comment based on the action that the task group
- 21 recommended to the committee.
- 22 CHAIRMAN PAULEY: For clarification to the
- body, the motion would be to accept Comment 101-117
- 24 as modified by the Technical Committee.
- 25 UNIDENTIFIED SPEAKER: I would point out as

1 well that the reason this is rejected is it did not

- 2 get the necessary two thirds vote.
- 3 CHAIRMAN PAULEY: Mr. Quiter, would you like
- 4 to comment?
- 5 MR. QUITER: I'll defer to Eric Rosenbaum,
- 6 Chair of the Committee on Fire Protection Features.
- 7 MR. ROSENBAUM: Eric Rosenbaum representing
- 8 the Committee for Fire Protection Features. The
- 9 intent of the committee by rejecting this action or
- in discussions with this action focus solely on
- 11 allowing the equivalency concept and by specifying it
- in the committee action that Rick is referencing. It
- 13 was a given that you could use that equivalency. It
- 14 was felt to be redundant. So it wasn't appropriate
- 15 to include it. And that was the way the final votes
- 16 ended up going even though a majority did vote in
- 17 favor of that.
- 18 MR. KLEIN: Marshall Klein, fire protection
- 19 engineer from Maryland. I am a member of this
- 20 particular Technical Committee, but I'm speaking for
- 21 myself.
- 22 If you all look on page 57 of the ROC, there
- 23 were ten negatives on this during the ballot, and the
- 24 committee members were very clear that the existing
- 25 code is more than adequate. We don't go through our

- 1 Life Safety Code at every instance. And the code
- 2 starts saying where you can and can't do something as
- far as equivalency goes. It's spelled out when and
- 4 when you can't consider equivalencies by a code
- official. And those are the appropriate sections
- 6 that can be used. And the Committee came down very
- 7 strong on this, and I urge you to support the
- 8 committee by rejecting this motion.
- 9 MR. VAN BULLUS: The original proponent is
- 10 not here to explain this. Basically the issue was
- 11 that some assembly manufacturers are going to the
- 12 test laboratories and getting something tested in a
- 13 furnace in conjunction with a water spray on it, and
- 14 the test labs seem to be willing and able to provide
- 15 it as an hourly rating.
- The other example that has been brought up
- 17 by the State of Connecticut was a steel column. If
- 18 you had a two-hour steel column, you could get it to
- 19 resist for two hours with no fire sprinkler
- 20 protection. It may be an equivalency, but it is not
- 21 a two-hour column. So the reason for the proposal is
- 22 to differentiate those two situations. One is where
- 23 you have a fire resistant assembly that does have a
- 24 fire resistance rating. That is the intent of the
- 25 proposal.

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1 Now, at first I went to the ROP meeting.
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- 2 The Committee felt that the original wording as
- 3 submitted by the proponent would prohibit
- 4 equivalencies. So this is why it was voted down.
- 5 But at the ROC meeting the Committee itself massaged
- 6 the wording and came up with a good comprised wording
- 7 that made it critically clear that equivalencies be
- 8 allowed but that you couldn't assign a number to it
- 9 based on the addition of water spray. A piece of
- 10 sheet metal with water on it is not a four-hour sheet
- 11 metal. So I urge you to accept this motion here to
- 12 allow 101 to make that distinction. Otherwise, you
- are opening up the door with four- or five-hour
- 14 columns.
- 15 MR. HIRSCHLER: Marcelo Hirschler. I see
- Marshall Klein's negative, and in Marshall Klein's
- 17 negative it is very clear. He says this is
- 18 unnecessary. If all those negatives were like that,
- 19 I think the motion would be unnecessary. But I look
- 20 at other negatives. I look at Mr. Maddox's
- 21 negatives. He says -- I disagree with this because
- 22 this indicates a fire resistant -- it's less
- 23 reliable. So most of the other negatives don't agree
- 24 with Marshall Klein that this is unnecessary. They
- 25 believe that this changes is necessary, but they

- 1 don't agree with it. The question is clear that it
- 2 is unclear. So I think the wording is appropriate
- 3 the way that the committee added it, and I urge you
- 4 to support the motion. Thank you.
- 5 CHAIRMAN PAULEY: Is there anyone else that
- 6 wants to speak that has not spoken to this issue yet?
- 7 MR. KLEIN: Marshall Klein. The whole issue
- 8 here is dealing with the equivalencies. The Code
- 9 already has general sections that deal with
- 10 equivalencies. And this is what the Committee's
- 11 negative votes were. You don't put in an individual
- 12 section where you have protection, but you don't have
- 13 equivalency to that.
- 14 MR. THORNBERRY: Rick Thornberry
- 15 representing the Alliance for Fire Smoke Containment
- 16 and Control. I am definitely having a bad hair day,
- 17 and I want to apologize to the group. I just
- 18 realized that I was a member of this committee. I
- 19 actually was thinking about my activities on the
- 20 Fundamentals Committee as opposed to the Fire
- 21 Protection Committee although I did participate in
- 22 the task group and attend the meetings. So I do
- 23 apologize. I am a member of your committee and I'm
- 24 glad.
- 25 Besides, this issue obviously generated a

- 1 lot of interest if you look at the ROC because there
- were also Comments 101-114, 115, 116, 118 and 119.
- 3 They were all submitted on this very issue. And I
- 4 wouldn't say that the committee voted it down. By
- 5 the rules of procedure, it didn't make it because it
- 6 didn't get the two thirds. If you look at some of
- 7 the others and you look at those votes, I believe
- 8 most of those were 13 to 8. And all you had to do is
- 9 switch one guy or gal and you'd get the two thirds
- 10 vote.
- 11 I think if you look at this and look at the
- 12 technical issues related to this issue that you would
- 13 support this comment to move this identifiable part
- 14 as the committee action was taken before it failed to
- 15 achieve two thirds majority. Thank you.
- MR. GOLDBERG: Rubin Goldberg call to
- 17 question.
- 18 CHAIRMAN PAULEY: The motion has been made
- 19 to end debate on this issue. Is there a second?
- 20 There is a second. All those in favor for ending
- 21 debate on this issue, please raise your hand. All
- 22 opposed.
- We'll now move to the motion on the floor,
- 24 which is to accept Comment 101-117 as modified by the
- 25 Technical Committee. All those in favor to that

- 1 motion, please raise your hand. All those opposed.
- 2 The motion fails.
- 3 MR. HIRSCHLER: Marcelo Hirschler. Can we
- 4 have a standing count, please? It looked pretty
- 5 close to me.
- 6 CHAIRMAN PAULEY: Well, I think it was close
- 7 too, but I still called it. So we'll do a standing
- 8 count in this case. If the organizational delegates
- 9 will please turn in their ballots.
- 10 At this time I'm going to ask those of you
- in favor of the motion to please stand. You may be
- 12 seated. Those of you opposed to the motion, please
- 13 stand. You may be seated. The motion passed 68 to
- 14 63.
- And on that note we're going to take a
- 30-minute lunch break, and we'll return back to
- 17 continue on Chapter 8. It is presently ten minutes
- 18 after 12:00. We will start back promptly at 12:40.
- 19 (A lunch recess was taken.)
- 20 CHAIRMAN WILLSE: Good afternoon, ladies and
- 21 gentlemen. My name is Pete Willse. I have the
- 22 distinct privilege of being a member of your
- 23 Standards Council. I will be continuing the
- 24 proceedings from now on.
- 25 We are now on Chapter 8. Do we have any

1 further motions on Chapter 8? Seeing none, Chapter

- 2 9? Seeing none, Chapter 10? Seeing none,
- 3 Chapter 11? Seeing none, Chapters 12 and 13?
- 4 MR. FERRY: Good afternoon. My name is
- 5 Shane Ferry. I'm the Chair of Fundamentals and Fire
- 6 Alarm Systems, and I move to accept Comment 101-216
- 7 on page 101-86 of the ROC.
- 8 CHAIRMAN PAULEY: We have a motion. Do we
- 9 have a second? I have a second. Please continue.
- 10 SHANE: Thank you. The Fundamentals
- 11 Committee was tasked by a Director from the Council,
- 12 as were all the Technical Committees, as part of 72
- 13 for scoping, and one of the items related to the
- 14 Assemblies Chapters of 101. We'll be also having a
- 15 similar comment to two other items, one item for
- 16 Chapter 2 and two items similar for NFPA 5000. This
- 17 relates to voice evacuation systems.
- 18 If you have a voice evacuation system, that
- 19 should meet the requirements of NFPA 72. We did some
- 20 proposals on this. They were rejected by the
- 21 Committee. We did follow-up with substantiations
- 22 during the comment stage, and the Committee also
- 23 rejected them.
- 24 CHAIRMAN PAULEY: Mr. Quiter?
- 25 MR. QUITER: I'll defer to Ralph Gerdes.

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1 MR. GERDES: Ralph Gerdes, Chair of the
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- 2 Technical Committee on Assembly Occupancy and
- 3 Membrane Structures. We did form a task group to
- 4 address this issue. Unfortunately, the task group
- 5 never met and didn't come back to the committee with
- 6 a recommendation specifically on this comment. The
- 7 committee basically rejected the proposal.
- 8 The committee had a strong feeling that in
- 9 places of assembly, we're dealing with large volume,
- 10 high ceiling spaces. And an emergency voice
- 11 communication system just won't be sufficient in
- 12 terms of clarity and audibility in getting a message
- 13 across to the people. So we decided to stick with
- 14 our base requirement of allowing the option of voice
- 15 communication or PA system. We don't feel the
- 16 hardware exists in certain spaces to accomplish what
- 17 we need to do.
- 18 CHAIRMAN WILLSE: Any further discussion?
- 19 Hearing none, we are about to vote on the motion to
- 20 accept Comment 101-114. Motion fails. Any further
- 21 discussion on Chapters 12 and 13?
- 22 UNIDENTIFIED SPEAKER: I move to accept
- 23 Comment 101-220 found on page 101-88 on the Report of
- 24 Comments.
- 25 CHAIRMAN WILLSE: Do I have a second?

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1 UNIDENTIFIED SPEAKER: Just the same
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- 2 comments I had previous.
- 3 CHAIRMAN WILLSE: Mr. Quiter?
- 4 MR. QUITER: I'll defer to Ralph Gerdes.
- 5 MR. GERDES: Essentially, this is the same
- 6 issue, requesting an emergency voice communication
- 7 system. They're just going to reference to 172. We
- 8 need a PA option for certain situations.
- 9 CHAIRMAN WILLSE: Thank you. Any further
- 10 discussion? Hearing none, we are about to move on to
- 11 the motion to accept Comment 101-220. All in favor
- 12 please raise your hands. Thank you. All opposed.
- 13 Motion fails. Thank you.
- 14 Any further motions on Chapters 12 or 13?
- 15 Hearing none, Chapters 14 and 15?
- MR. THORNBERRY: Rick Thornberry with the
- 17 Code Consortium representing the Alliance for Smoke
- 18 Containment and Control. I would like to move to
- 19 accept our Comment 101-237, which should be on page
- 20 101-95, and that's to accept Proposal 101-365, which
- 21 is on page 101-131.
- 22 CHAIRMAN WILLSE: I do have a motion. Do I
- 23 have a second? I have a second. Thank you. Please
- 24 continue.
- 25 MR. THORNBERRY: The original proposal was

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1 submitted by the National Association of State Fire
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- 2 Marshals, and they gave quite a bit of substantiation
- on this particular issue. In doing that, they also
- 4 introduced a threshold trigger of more than ten
- 5 occupants to trigger the one-hour requirement. So
- 6 they tied it into some reasonable number to trigger
- 7 this as opposed to triggering it at one or two
- 8 occupants. We think this is also very reasonable.
- 9 We provided some additional substantiation
- 10 as well in the public comment we submitted pointing
- 11 out I think not only do you have the issue of
- 12 assuring reasonable and reliable protection of the
- 13 exit corridors should something go wrong by providing
- 14 the built-in one-hour fire resistant protection, but
- 15 it also provides additional protection for the
- 16 firefighters when they've got to go into the building
- and fight the fire and do their rescue operation.
- 18 Quite frankly, I don't see the benefit of
- 19 trading 30 minutes. That's a pretty flimsy
- 20 partition. In most schools when they're building
- 21 partitions, they build them pretty substantial
- 22 because they get a lot of physical abuse. It doesn't
- 23 make sense to reduce them from one hour to 30
- 24 minutes. There's no financial gain in that
- 25 trade-off. So we think the folks did the right

- 1 thing, and we urge that you support the public
- 2 comment that we submitted to bring back their
- 3 proposal.
- 4 CHAIRMAN WILLSE: Mr. Quiter?
- 5 MR. QUITER: I'll defer to Cathy Stashak,
- 6 Chairman of Day Care Facilities.
- 7 MS. STASHAK: The original recommendation
- 8 was to require one-hour separations even in a
- 9 sprinkler building, and the Committee felt that in a
- 10 sprinkler building we did not eliminate the
- 11 protection all together. We still required that
- 12 there be a smoke partition.
- 13 Education occupancies are unique in that
- 14 they have practice fire drills that kids are required
- 15 to practice once a month, and they have very rapid
- 16 evacuation. So it was felt that the whole Life
- 17 Safety Package was sufficient to reduce down to that
- 18 smoke partition in an educational occupancy.
- 19 MR. HORTON: Pat Horton representing myself.
- 20 As Dr. Jack Snell, who used to be the head of the
- 21 Fire Research Center, said, since the 1980s you need
- 22 redundant fire protection. And I support the motion
- 23 on the basis of not eliminating sprinklers but
- 24 requiring both because the redundancy is needed. And
- 25 they may be correct in so far as the fire drills and

- 1 things like that, but we live in a different
- 2 atmosphere now where we never know where terrorism
- 3 will occur in our educational facilities, and we need
- 4 to be taking care of the children for sure.
- 5 MR. COLLINS: Dave Collins, American
- 6 Institute of Architects. The issue really isn't 30
- 7 minutes. Quite frankly, I was in a school building
- 8 just this past week. It was four stories. They have
- 9 drilled and practiced and measured the time to
- 10 evacuate that building in less than two and a half
- 11 minutes. When you're in these kinds of environments,
- 12 30 minutes is quite frankly overkill for life safety.
- 13 If we're talking about other issues, that's something
- 14 else.
- The cost implications aren't going from a
- 16 heavily rated corridor wall. The cost implications
- are going from a fire rated assembly where you have
- 18 to concern yourself with penetrations and protections
- 19 of openings. And I urge you to overturn this motion.
- 20 CHAIRMAN WILLSE: Any further discussion?
- 21 Mr. Quiter? Hearing none, we are about to vote on a
- 22 motion to Accept Comment 101-237. All in favor
- 23 please raise your hands. Thank you. All opposed.
- 24 Motion fails. Thank you.
- 25 Any further motions on Chapters 14 and 15?

- 1 Hearing none, Chapters 16 and 17? Microphone 7.
- 2 MR. THORNBERRY: Rick Thornberry. I'd like
- 3 to move our Comment 101-238 on page 101-96, which
- 4 recommends acceptance of Proposal 101-380.
- 5 CHAIRMAN WILLSE: I have a motion made. Do
- 6 I have a second? I have a second. Please continue.
- 7 MR. THORNBERRY: Thank you. Again, this is
- 8 a similar issue to what we just discussed, only in
- 9 this case it's applying to new day care occupancies.
- 10 The proposal was submitted by the National
- 11 Association of State Fire Marshal. However, in this
- 12 case the one hour disappears to nothing. It's not
- even 30 minutes. That's where you're going to lose
- 14 the protection of the penetrations that come along
- 15 with the one hour in the Safety Code.
- In a day care facility where you've got
- 17 young kids that obviously can't take care of
- themselves and have to be helped by the staff, we
- 19 think providing this redundancy would make sense in
- 20 these occupancies. We urge you to support our
- 21 comment.
- MS. STASHAK: Cathy Stashak, Chair of the
- 23 Committee. I think it was in 1997 that the Committee
- 24 for Day Care completely rewrote the package for life
- 25 safety for day care occupancies, making more

- stringent requirements for construction, sprinklers,
- 2 and smoke partitions and issues related to the fact
- 3 with the full understanding that there are people
- 4 that are incapable of self-preservation within these
- facilities. It was a total rewrite of the chapters,
- 6 and we took all that into consideration. Again, day
- 7 cares are required to run fire drills. They're
- 8 required to run these fire drills every month. The
- 9 teachers are trained. And you'd be surprised at even
- 10 a young age of 3, the kids will respond appropriately
- 11 with the training and education.
- 12 It was felt by the committee that again in a
- 13 sprinkler building that permits plenty of time even
- 14 with assistance and even with clients that are
- incapable of self-preservation, it was felt that in a
- 16 sprinkler building a corridor rating was not
- 17 required.
- 18 MR. HIRSCHLER: Marcelo Hirschler speaking
- 19 for myself. I think when we're talking about
- 20 protecting small children in day care occupancies,
- 21 they don't start at 3. They start much lower than 3.
- 22 And a lot of them are incapable of exiting on their
- own. So I think we should keep the protection of the
- 24 fire resistant walls. I urge you to support the
- 25 motion. We have to try to protect the people who are

- 1 the most vulnerable. We heard in the talk by Jim
- 2 Shannon on Monday that very young children are the
- 3 most vulnerable to fire incidents. So I urge you to
- 4 support this motion. Thank you.
- 5 MR. COLLINS: Dave Collins, American
- 6 Institute of Architects. These facilities are
- 7 typically licensed and required to be inspected, have
- 8 personnel that are skilled in evacuation. We don't
- 9 find the losses in these facilities. I urge you to
- 10 not approve this motion. Thank you.
- 11 CHAIRMAN WILLSE: Any further discussion?
- MR. KLEIN: Marshall Klein speaking for
- 13 myself. This is a change in the code based on a
- 14 package that has been used by quite a few years by
- 15 the Day Care Committee.
- 16 My point I want to bring up is most day
- 17 cares, even though they have corridors, they're not
- 18 going to operate behind one-hour doors that are
- 19 self-closing doors. Even if this passes, which I
- 20 don't support, the whole matter is you put
- 21 self-closures on these doors, they're not going to
- 22 stay closed. They're going to be held open with
- 23 three-hour fusible hinges with wedges. I would
- 24 recommend that you follow the Committee's
- 25 recommendation and deny this motion.

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1 MR. THORNBERRY: Rick Thornberry. We've
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- 2 heard some of the discussion, and it's really focused
- 3 on the small children. But I would also point out
- 4 the definition for day care would include me one day
- 5 when I get too old and my daughter doesn't want to
- 6 take care of me. She will want to put me in day
- 7 care. I would feel better if we have redundancy in
- 8 these things when I get old.
- 9 CHAIRMAN WILLSE: We are now moving on the
- 10 motion to accept Comment 101-238. All in favor
- 11 please raise your hands. Those opposed. I'm not
- 12 going to call. Move for a standing vote. I will not
- 13 rule on the hand vote. Therefore, we will proceed to
- 14 a count of the Vote. Delegates for organizations,
- 15 please fill out the green ballot form handed to you
- 16 previously. And these will be collected by the NFPA
- 17 staff. Only accredited representative organization
- 18 members whose names have been previously recorded
- 19 with the Association for the purpose of and prior to
- 20 this meeting shall fill out this ballot form. One
- 21 accredited representative for the organization member
- 22 only will please complete the ballot. If the
- organization is abstaining from the vote, please
- 24 check the appropriate line on the ballot.
- I now call for the standing count of

- 1 individual voting members. You must have a black dot
- on the badge to be counted. Those voting for the
- 3 motion, please stand. Please be seated. Will those
- 4 who are voting against the motion please stand.
- 5 Please be seated. The motion fails by 75 to 56.
- 6 Are there any further motions on Chapters 16
- 7 and 17? Hearing none, Chapters 18 and 19?
- 8 Microphone 6, please.
- 9 MR. HARRIS: My name is Don Harris. Comment
- 10 246, I would like to move to reject an identifiable
- 11 part.
- 12 CHAIRMAN WILLSE: Okay. What's the part,
- 13 please?
- MR. HARRIS: Paragraph A of subparagraph 3.
- "Each projection shall not exceed a depth of 6
- 16 inches."
- 17 CHAIRMAN WILLSE: Sir, are you looking at
- 18 what was recommended or the committee meeting action?
- 19 Because the committee action is what the code would
- 20 look like.
- 21 MR. HARRIS: I was looking at the
- 22 recommendation paragraph at the top.
- 23 CHAIRMAN WILLSE: It was not accepted. Part
- 24 A was not accepted. The part that was accepted is
- 25 Part D. And that's going to be going into 18.23.43

1 to 18.23.53 and 19.23.43. So the only part of that

- whole comment, Part D was accepted.
- 3 MR. HARRIS: So you're saying C was not
- 4 accepted by the Committee?
- 5 CHAIRMAN WILLSE: Correct.
- 6 MR. HARRIS: And those parts will or will
- 7 not appear in the Code?
- 8 CHAIRMAN WILLSE: Will not.
- 9 MR. KOFFEL: I don't think that's an
- 10 accurate reflection of the proposal. I believe the
- 11 paragraph the gentleman was referring to was, in
- 12 fact, accepted in the committee action on Proposal
- 13 101-405.
- 14 CHAIRMAN WILLSE: Excuse me. Can you please
- 15 state your name for the record?
- MR. KOFFEL: Bill Koffel, Koffel Associates.
- 17 CHAIRMAN WILLSE: In order to reject an
- 18 identifiable part of the comment, it had to have been
- 19 accepted in the comment. So could you find another
- 20 comment anywhere else where this came about?
- 21 MR. KOFFEL: I don't believe that specific
- 22 part was rejected in any comment or appears in any
- 23 comment other than just the recommendation portion.
- 24 MR. HIRSCHLER: Marcelo Hirschler. I think
- 25 what the gentleman could do is return an identifiable

1 part of Proposal 101-405, which is what would have

- 2 been accepted.
- 3 CHAIRMAN WILLSE: The only way a proposal
- 4 can be returned is if it's been modified by a
- 5 comment. Has part been modified by any comment?
- 6 MR. KOFFEL: The entire proposal was
- 7 modified by the comment. I'm just trying to help the
- 8 gentleman. The proposal was modified by the comment.
- 9 So what he's trying to do is return the identifiable
- 10 part of the proposal because the proposal was the
- 11 identifiable comment.
- 12 CHAIRMAN WILLSE: Part D was the only one
- 13 modified by the comment.
- 14 MR. KOFFEL: Okay. I was assuming once they
- 15 repeat the text in the comment here, that that would
- 16 open that back up.
- 17 CHAIRMAN WILLSE: Only the part accepted by
- 18 the Committee can be worked on because everything
- 19 else was rejected.
- 20 MR. KOFFEL: I don't think it was rejected.
- 21 CHAIRMAN WILLSE: A and B was not accepted
- 22 by the Committee.
- MR. KOFFEL: In the proposal it was.
- 24 CHAIRMAN WILLSE: But there was no change in
- 25 the comment stage.

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1 MR. KOFFEL: Not to A and B, no.
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- 2 CHAIRMAN WILLSE: Correct.
- 3 MR. KOFFEL: So a motion to that effect is
- 4 not in order; is that right?
- 5 CHAIRMAN WILLSE: Correct. Any further
- 6 comments or motions on Chapters 18 and 19? Hearing
- 7 none, Chapters 20 and 21? Hearing none, Chapters 22
- 8 and 23? Hearing none, Chapter 24?
- 9 MR. BROWN: I'd like to get a ruling on
- 10 these procedures all dealing with the sprinkler
- 11 systems, that it's appropriate to hear them at this
- 12 time since they have not gone out for public comment.
- 13 Substantial changes have been made to the documents,
- 14 and according to ANSI's regulations, they still have
- 15 to go out for public comment and TCC consideration on
- 16 those public comments.
- 17 CHAIRMAN WILLSE: Can I have your name,
- 18 please?
- 19 MR. BROWN: Larry Brown, National
- 20 Association of Homeowners. Is it appropriate to hear
- 21 these at this time?
- 22 CHAIRMAN WILLSE: Yes, it's a valid motion,
- 23 sir.
- 24 UNIDENTIFIED SPEAKER: Then I would move to
- return to committee Comment Number 101-312.

CHAIRMAN WILLSE: On page?

UNIDENTIFIED SPEAKER: It's on page 125.

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              CHAIRMAN WILLSE: Thank you. I have a
 4
      motion made. Do I have a second? I have a motion
 5
      made and a second. Please continue.
 6
              MR. BROWN: Yes. In accordance with ANSI's
 7
      procedures 2.4, any substantive change made to any
      document which bears the ANSI designation has to go
 8
 9
      back out for public comment.
10
              At the last stage of the comment period, the
      TC has now made a substantive change that is now
11
12
      requiring sprinklers. Since this change has not gone
      out for public comment, it's not appropriate to hear
13
14
      this at this time. It still needs to go out and have
15
      public comment and TC consideration of such comments.
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18 also. One would be the Standards Council's addition

In addition, we believe there may be

improprieties of what happened during this process

- of two new members on the committee between the
- 20 proposal phase and the comment stage. We believe
- 21 this goes against true consensus of trying to stack
- the committee possibly in this manner. The other is
- 23 we believe that staff is also misinformed on its
- 24 ability to vote during the balloting period saying
- 25 they didn't vote during the balloting period.

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1 MR. LATHROP: James Lathrop, Chair of
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- 2 Residential. With regard to the procedural things, I
- 3 think that's for the Standards Council.
- 4 However, I will point out that in the
- 5 proposal stage, if you look at pages 177 through 185,
- 6 I think there's like six or seven proposals that one-
- 7 or two-family dwellings be sprinklered. Those
- 8 proposals were accepted. However, they failed ballot
- 9 by a vote of 12 to -- it made over the 50 percent but
- 10 didn't get the two thirds. So it did fail. It's
- 11 rejected.
- 12 However, the public was aware of the fact
- 13 that it was not hidden. It was there. It wasn't
- 14 rejected during the comment period. The Committee
- did change and has accepted the mandate for
- 16 sprinkling one- or two-family dwellings in one- or
- 17 two-family buildings.
- 18 UNIDENTIFIED SPEAKER: Though it's true this
- 19 was out in front of everyone during the proposal
- 20 period, it didn't achieve consensus. The substantive
- 21 change did not take place until the ballot on the
- 22 comment; i.e., the ANSI procedures were taken at that
- 23 time everything was said here.
- 24 MR. LATHROP: Jim Lathrop, Chair of
- 25 Residential. Under that form of logic, we can never

1 change from a reject to an accept during the comment

- 2 period.
- 3 MR. BROWN: Larry Brown. That is extremely
- 4 true. The NFPA has disregarded the ANSI procedures
- 5 for years.
- 6 CHAIRMAN WILLSE: Any further discussion?
- 7 MR. OWEN: Kirk Owen, Vice Chairman of the
- 8 Fire Service Section. I'm speaking on behalf of the
- 9 Section in opposition to this motion. Sprinkler
- 10 systems protect our lives and property of our
- 11 citizens and reduce the hazards faced by
- 12 firefighters. The Fire Service Section supports the
- 13 requirement to protect new one-and-two-family
- 14 dwellings with sprinklers, and I urge you to reject
- 15 this proposal.
- 16 UNIDENTIFIED SPEAKER: What needs to be
- 17 concentrated on is whether the Building Code -- the
- 18 Life Safety Code should regulate that all
- one-and-two-family dwellings should have sprinklers.
- 20 So I urge you to support the motion.
- 21 MR. CAMPBELL: My name is Ed Campbell. I
- 22 represent the National Association of Fire Chiefs,
- 23 Fire and Life Safety Division. I oppose this motion.
- 24 Sprinklers, as we all know, are lifesaving features
- 25 where most of the fatalities occur. So I do support

1 the installation of sprinklers in one- or two-family

- 2 occupancies.
- 3 MR. CRAWFORD: My name is Jim Crawford. I'm
- 4 a fire marshal from Vancouver, Washington. I am not
- 5 sure of all the legal nuances and ANSI issues and all
- 6 of the other things that go along with this
- 7 discussion. But I think the floor members here need
- 8 to send a message to NFPA, and to the Standards
- 9 Council especially, that it's time for requirements
- 10 for sprinklers in one- or two-family dwellings.
- 11 People are done complaining about air bags in cars.
- 12 I think it's time to do the same thing in the
- 13 construction industry. I'm opposed to it.
- 14 MS. STASHAK: My name is Cathy Stashak, and
- 15 I oppose the motion on the floor.
- 16 First I'd like to say that I know NFPA takes
- 17 extreme measures to make sure that the ANSI
- 18 accreditation process is upheld and is in place
- 19 properly. Because they do such a good job at that,
- 20 they are not required to have every year ANSI come in
- and make sure that they're following the processes.
- 22 They are ANSI accredited, and because they do such a
- good job, they don't have to have the oversight from
- 24 ANSI that other organizations do.
- 25 Now onto the issue of sprinklers. NFPA fire

- 1 incident data has shown the number of fires in one-
- 2 to two-family dwellings in the U.S. According to
- 3 NFPA data, clearly one- or two-family dwellings
- 4 present the greater risk to citizens and
- 5 firefighters. The residents of one-and-two-family
- 6 dwellings are also the most difficult to reach as
- 7 very few AHJ's have the authority to have inspections
- 8 and meet compliance.
- 9 Now affordable technology is available that
- 10 takes us further. That will even protect the person
- intimate with the fire according to the NFPA report.
- 12 Every time I see on the news a fire in a home, it has
- 13 yet again taken more lives. Every time I see that, I
- 14 think if that house had been protected with
- 15 sprinklers, those people would still be alive. I
- 16 personally retrofitted sprinklers into my home, and I
- 17 travel here with a much higher level of comfort
- 18 knowing that our kids are home with their 19-year-old
- 19 sister.
- 20 I'm a firefighter that personally
- 21 experienced being unable to move until fellow
- 22 firefighters dislodged the materials that had fallen.
- 23 Had that been a sprinklered home, my life would not
- 24 have passed before my eyes at that moment of time.
- 25 According to NFPA data, seven out of ten

- 1 firefighters -- NFPA data also shows that more
- 2 firefighters die in residential structures than any
- 3 other type of structure. I did the math. Most of
- 4 our fires occur in residential homes.
- 5 Hence, these are the firefighters that
- 6 predominantly and incidentally will be injured or
- 7 dive into these fires. But why is this acceptable?
- 8 In a conversation with my own homeowners insurance
- 9 agent, who was distressed over the \$1 million that
- 10 the insurance company was paying for fire loss on a
- \$300,000 home -- and these were costs to repair the
- 12 house, replace the clothing, the furniture, the toys,
- 13 the computers that were only smoked damaged, and
- 14 housing the residents while repairs were being
- 15 made -- after hearing that the fire started in the
- 16 kitchen, I advised that one head, maybe two, would
- 17 have contained or extinguished the fire and they
- 18 would have had maybe only \$5000 in repairs, repairs
- 19 made while the families still lived in the house.
- 20 Why can't new one-and-two-family homes have the same
- 21 level of protection as the buildings where we spend
- 22 most of our hours of our lives.
- 23 As a fire investigator, I walked the
- 24 homeowner through their destroyed homes and witnessed
- 25 their pain, agony and loss. You can't put a price on

1 our children, your children, or their children. I

- 2 know emotions aren't very scientific, but most
- 3 families don't think along scientific lines.
- 4 Homeowners don't have a lot. Just their homes,
- 5 families, and memories.
- 6 CHAIRMAN WILLSE: Thank you.
- 7 MR. HORTON: Pat Horton representing myself.
- 8 I rise to speak in support of the NFPA process and am
- 9 appalled that anybody --
- 10 UNIDENTIFIED SPEAKER: I'm speaking in
- 11 opposition to the motion. I am also a member of the
- 12 Executive Board of the International Fire Marshals
- 13 Association, whose official position is in support of
- 14 sprinklers. And we feel that it's high time that
- 15 this body send forward the message that most of the
- 16 fire related deaths are in one-and-two family
- dwellings, and we need to protect the people in those
- 18 dwellings.
- 19 The CBC figures for accidental deaths show
- 20 that fire related deaths are the third cause of death
- 21 next to poisoning and falls. We have a significant
- 22 problem. We're sending a message here, and we want
- 23 it to go forward. Thank you.
- 24 MR. PAULS: Jake Pauls from Jake Pauls
- 25 Consulting Services speaking for myself and also as a

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1 member of the Residential Committee where I represent
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- 2 the American Public Health Association. And I should
- 3 clarify that I have an instructed vote there. I
- 4 operate under the American Public Health Association,
- 5 public policy 2019, which did recommend the
- 6 sprinklering of one-and-two-family homes. I'm very
- 7 proud of that public position.
- 8 I must clarify that public health is
- 9 concerned with everything that a community does to
- 10 preserve the health and well-being of its citizens,
- and sprinklering of homes is good public health.
- 12 I'll also add on the procedural issue that
- that policy 2019 as well as an earlier policy, 1916,
- 14 did deal with the process issues. I'm very proud to
- 15 see that this issue is being well addressed within an
- 16 ANSI-applying process where consensus is represented.
- 17 OZZIE: My name is Ozzie from Las Vegas Fire
- 18 and Rescue. I'm in support of the residential fire
- 19 sprinkler systems for one-and-two-family dwellings
- 20 regardless of what the gentleman from the National
- 21 Association of Home Builders believes, that there are
- irregularities with our process. That's not facts.
- 23 The fact of the matter is we don't have control over
- 24 a lot of issues. One of them being fire. Fires grow
- 25 exponentially. Regardless of whether the gentleman

- 1 agrees with procedures, fires are destroying our
- 2 communities. And we are dispatched when? When
- 3 there's a call. By the time we arrive on the scene,
- 4 even if they comply with NFPA 13 requirements of six
- 5 minutes, 90 percent of the time the fire is 36 times
- 6 larger than the sprinkler could have put it out. We
- 7 are reacting to fires. We are trying to put out the
- 8 fires. It's time that we take the proactive status
- 9 not only for us, but for the future generation, for
- 10 the kids not yet born that will be the victims in the
- 11 future, for the kids not born yet that will be
- 12 putting their gears up and running into those
- 13 buildings and saving those victims of fires. That is
- 14 the emotional part of it.
- The statistical part of it indicates that we
- build 1-1/2 million homes every year at a cost of
- 17 \$2,000 per square foot each. That is \$3 billion. We
- 18 are losing \$6-1/2 billion alone on property loss due
- 19 to fires in residential occupancies. We lose \$250
- 20 million total of fire loss in this country. That is
- 21 2 percent of our gross domestic product. If you want
- 22 to talk numbers, let's talk numbers.
- 23 Sprinkling these buildings not only is going
- 24 to save lives but also is economically feasible.
- 25 They might believe that this is boring, your asking

- 1 us to put the sprinkler systems in. But as
- 2 Americans, we all must recognize that 2 percent of
- 3 our gross domestic product down the drain is not
- 4 acceptable. It is for the future generation
- 5 economically also. We must save lives. Yet we also
- 6 must be cognizant of what we're doing with our
- 7 Committee.
- 8 That's why I'm in support of the proposal to
- 9 put the sprinkler system in. And I think it is time.
- 10 We have lost way too many. Take a look at when
- 11 Scottsdale put sprinkler requirements in. We could
- 12 have filled the Rose Bowl Stadium. Enough is enough.
- 13 It's time to move.
- MR. ANDERSON: My name is Richard Anderson.
- 15 I speak on behalf of the Fire Life Safety Initiatives
- 16 Program. I am the Chair of the NFPA Lodging Industry
- 17 Section. I'm a member of the leadership team. I
- 18 have over 32 years' experience as a firefighter chief
- 19 officer. I served in the industry as a loss
- 20 prevention engineer for a Fortune 500 company.
- 21 And I'd like to first talk a little bit
- 22 about a history lesson on the success of sprinklers
- in lodging occupancies. On January 27th of 2004, an
- 24 article in the Charlotte Observer by John Hall, who
- 25 is the Assistant Vice President of NFPA, reported

- 1 that from 1994 to 1998 an average of 28 people died
- 2 in hotel blazes. None died in hotels with
- 3 sprinklers. The most common cause of deadly hotel
- 4 fires is caused by smoking, followed by children
- 5 playing with fire, and then arson. For all hotel
- 6 fires, although I know we're talking about
- 7 residential, there's a correlation here. The most
- 8 common cause is cooking.
- 9 Recognizing the need to do more to prevent
- 10 the line of duty deaths and injuries in the fire
- 11 service, the National Forum of Firefighters
- 12 Foundation launched a national initiative to focus on
- 13 fire life safety. The First National Firefighter
- 14 Life Safety Summit was held in Tampa, Florida in
- 15 2004.
- Narrative 15 reads, "Advocacy must be
- 17 strengthened for the enforcement of codes. This
- 18 represents a consensus of over 230 fire service
- 19 leaders across the nation. We believe the evidence
- in history conclusively support mandating sprinklers
- 21 as the first step in not only reducing civilian death
- 22 and injury from fire, but reducing line of duty
- 23 deaths and injuries of firefighters.
- 24 MR. SHAPIRO: Jeff Shapiro representing
- 25 myself. A debate requires two sides. We can talk

1 about this all day, and we're all saying the same

- 2 thing. I move for the previous question.
- 3 CHAIRMAN WILLSE: The question has been
- 4 moved. It's undebatable.
- 5 UNIDENTIFIED SPEAKER: I believe when a
- 6 motion is made, you cannot precede it with a
- 7 statement.
- 8 CHAIRMAN WILLSE: I stand corrected. Sorry.
- 9 MR. GLENN: My name is Larry Glenn. I'm
- 10 representing the State Fire Marshals Office in the
- 11 state of Washington. In 1960 I was there when the
- 12 opposition to residential sprinklers was smoke
- 13 detectors. In 1980 I was in Kansas City when we
- 14 tried to get the UBC to adopt the multifamily
- 15 sprinkler requirements. It's the same opposition,
- 16 same smoking mirrors.
- 17 About ten years ago I worked with that
- 18 group, the research and development division, at the
- 19 Home Developers Association. There are over 1200
- 20 homes now sprinklered there in Washington. I would
- 21 support voting no against this motion.
- MR. JABOWSKI: Greg Jabowski representing
- 23 myself. Four years ago I purchased a new home. I'm
- 24 a member of the National Association of Home
- 25 Builders. I find it disappointing that the home

- 1 builders are not willing to work with us on this
- 2 issue.
- 3 MR. HOPPER: Howard Hopper, Underwriters
- 4 Laboratories, speaking in opposition to the motion on
- 5 the floor. Underwriters Laboratories supports the
- 6 installation of sprinklers in residential occupancies
- 7 where their use can save lives. We recognize that
- 8 the public relies on life safety and building
- 9 construction codes and the local enforcement of these
- 10 codes to provide a safe place for their families to
- 11 live. These codes already, including guardrails on
- 12 stairs, are an effective means of escape. And
- 13 strategically located smoke alarms mentioned in these
- 14 codes to acquire a critical life safety system in
- 15 newly constructed one-and-two-family homes is the
- 16 right thing to do.
- 17 MR. HIRSCHLER: Marcelo Hirschler. I call
- 18 the question.
- 19 CHAIRMAN WILLSE: The question has been
- 20 called. It's undebatable. All in favor please raise
- 21 your hands. All opposed. Motion carries.
- Now we'll go into voting on the motion to
- 23 return Proposal Number 101-205. All in favor please
- 24 raise your hands. Thank you. All opposed. Motion
- 25 fails. Do we have any further motions on Chapter 24?

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1 MR. THORNBERRY: Rick Thornberry. I'd like
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- to move our Comments 101-296 found on page 101-112,
- 3 which ties into Proposal 101-490.
- 4 CHAIRMAN WILLSE: I have a motion made. Do
- I have a second? I have a second. Please continue.
- 6 MR. THORNBERRY: You need to go and look at
- 7 the proposal when the Committee instituted this
- 8 change to 101. What this is dealing with is the sole
- 9 means of egress, in this particular case from a
- 10 dwelling unit. And we just had a big discussion on
- 11 safety in dwelling units. And this is focused on a
- 12 single form of egress, which is all you're required
- in a single-family dwelling.
- 14 What the Committee did was propose an
- 15 alternate to that in their proposal, and basically it
- 16 said you can do it under one of two conditions. This
- is what it boils down to. You either sprinkler the
- 18 building, which it sounds like we're going to do
- 19 anyhow based on what just happened, or you provide a
- 20 one-hour protected passageway or enclosure through
- 21 that non-residential occupancy.
- Our public comment says that's not enough.
- 23 If you're going to have the sole means of egress
- 24 allowed which you did not allow before, then you
- 25 should do both. You should have some redundancy

- 1 because that's the only way out. So what we're doing
- 2 is saying sprinklers and provide the one-hour
- 3 protection. Pretty simple, pretty basic, but pretty
- 4 important. It's a pretty important concept in our
- 5 minds to go from no allowance to allowing it under
- 6 the conditions that the Committee proposed, which we
- 7 think are too lax and too risky. Part of the
- 8 Committee's rejection of our comment was that we
- 9 provided no technical substantiation. Well, I guess
- 10 that's in the eyes of the beholder.
- 11 But when you go and look at the
- 12 substantiation for the proposal, I didn't see any
- 13 there. They just said it's a good idea. It looks
- 14 like it will provide equivalent safety. Whether or
- 15 not this is equivalent safety, I think what we
- 16 proposed gets closer to equivalent safety. But to go
- from a ban to allowing something, I think you've got
- 18 to look at it closely and make sure you've got
- 19 adequate backup protection. So we think this comment
- 20 makes sense. We would urge your support.
- 21 UNIDENTIFIED SPEAKER: Rick pretty well
- 22 summed it up. If you accept his comment, you're
- 23 going to mandate that if you're going to have a
- 24 dwelling unit go through another occupancy to get
- out, you're going to have one-hour protection and

1 sprinklers. The Committee felt strongly if you went

- 2 over the other, it would be safe.
- This isn't only in a single-family dwelling.
- 4 If we had a situation where we have a single sleeping
- 5 room, possibly even like in a doctors ready room in a
- 6 hospital where we might have a single sleep room, it
- 7 can be very easily interpreted that I have to have a
- 8 one-hour quarter to get out of that. This is a
- 9 situation where Chapter 24 is being used in other
- 10 occupancies, which it quite often is.
- 11 MR. COLLINS: Dave Collins, American
- 12 Institute of Architects. There's a new trend in
- 13 housing development. We are working on revitalizing,
- 14 and that's called a work/live arrangement. This
- 15 would cripple that kind of design approach. I urge
- 16 you to oppose this motion.
- 17 MR. THORNBERRY: Rick Thornberry. I find
- 18 this curious that we're taking away some options.
- 19 We're not taking away any options. We're just saying
- 20 do it right. It wasn't allowed before. How is this
- 21 a help? You didn't allow it before. Now you're
- 22 going to allow it, but you're going to allow it
- 23 without adequate protection features in terms of
- 24 redundancies. Let's buy into it, but let's buy into
- 25 it and do it right.

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1 CHAIRMAN WILLSE: Any further discussion?
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- 2 MR. BROWN: Larry Brown, National
- 3 Association of Homeowners, who is also on the
- 4 Residential TC. If you look at the statement, it
- 5 outlines everything we did on this. I urge rejection
- 6 on this motion. Thank you.
- 7 CHAIRMAN WILLSE: Any further discussion?
- 8 Hearing none, we are about to vote on the motion to
- 9 accept Comment 101- 296. All in favor please raise
- 10 your hands. Thank you. All opposed. Motion fails.
- 11 Thank you. Any further discussion on Chapter 24?
- MR. BROWN: Larry Brown, National
- 13 Association of Homeowners. Move for acceptance of
- 14 Proposal 101-315. It's on page 101-126.
- 15 CHAIRMAN WILLSE: Is that a proposal or
- 16 comment?
- MR. BROWN: It's a comment, 101-315. The
- 18 Proposal is 101-506.
- 19 CHAIRMAN WILLSE: You want to move that?
- 20 MR. BROWN: I'm on the committee for
- 21 household fire warning systems and such. I guess it
- 22 would be appropriate.
- 23 CHAIRMAN WILLSE: Very good. I have a
- 24 motion made. Do I have a second? Any further
- 25 discussion on Chapter 24? Hearing none, now Chapter

- 1 26.
- 2 UNIDENTIFIED SPEAKER: Comment Number
- 3 101-315, move to accept.
- 4 CHAIRMAN WILLSE: I have a motion made. Do
- 5 I have a second? I do have a second. Please
- 6 continue.
- 7 UNIDENTIFIED SPEAKER: Yes. There's quite a
- 8 few proposals or comments that go along with this,
- 9 and being on both the Household Committee and the
- 10 Residential TC of 101, something needs to be done to
- 11 clarify who has jurisdiction over the installation of
- 12 the smoke alarm systems in these residential
- 13 occupancies.
- 14 It would seem logical according to Annex
- 15 6 -- I'm not sure that's true -- that the
- 16 Installations Manual Committee has jurisdiction over
- 17 the installation of the system. And what it says is
- 18 the Occupancies Chapter and TC says we have a
- 19 problem. They need to be addressed by smoke alarms.
- 20 That's fine. But they shouldn't be telling us how to
- 21 install them since that's the jurisdiction of the
- 22 Installation Committee, which in this case would be
- 23 the Household Fire Alarm TC, and I urge you to
- 24 approve this motion.
- 25 CHAIRMAN WILLSE: Mr. Quiter?

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1 MR. QUITER: I'll slowly defer to
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- 2 Mr. Lathrop, who's scrambling to catch up with what's
- 3 going on.
- 4 MR. LATHROP: Jim Lathrop. Just a flat-out
- 5 reference to NFPA 72 for the smoke alarms will not
- 6 work in the Life Safety Code. And the major reason
- for that is this deals with new and existing. You'll
- 8 see that the provisions of the referenced documents
- 9 do not apply to existing buildings unless the
- 10 jurisdiction determines there's a hazard in the
- 11 installation. If we take out everything and just
- 12 referring to NFPA 72, we will not have adequate
- 13 guidance for existing buildings.
- 14 CHAIRMAN WILLSE: Thank you. Any further
- 15 discussion? Microphone Number 8.
- MR. BROWN: Larry Brown. I urge you to
- 17 accept my comments on this proposal or on the
- 18 comment. Thank you.
- 19 CHAIRMAN WILLSE: Any further discussion?
- Hearing none, we're about to move on the motion to
- 21 accept Comment 101-315. All in favor please raise
- 22 your hands. All opposed. Motion fails. Any further
- 23 motions on Chapter 26?
- 24 MR. THORNBERRY: Rick Thornberry. I would
- like to move our Comment 101-313 found on page

- 1 101-125.
- 2 CHAIRMAN WILLSE: I have a motion made. Do
- 3 I have a second? I have a second. Please continue.
- 4 MR. THORNBERRY: This issue is similar to
- 5 the issue we discussed a little earlier regarding the
- 6 single means of egress through another occupancy
- 7 other than the residential occupancy. Only this time
- 8 you've got a little different situation because we're
- 9 dealing now with lodging and rooming houses. You
- 10 heard the arguments. Let's take a vote.
- 11 CHAIRMAN WILLSE: Thank you. Mr. Quiter?
- MR. QUITER: I'll defer to Mr. Lathrop.
- MR. LATHROP: Jim Lathrop, Chairman of the
- 14 Residential Committee speaking for myself. Pretty
- much the same arguments as we saw in the exact same
- 16 things before. But this one is even more onerous
- 17 because this is lodging rooming houses. We have a
- 18 lot of situations where we have ten people sleeping
- 19 in another occupancy, which would have to come under
- these requirements, for example, a fire station.
- 21 Many fire stations have 14 people sleeping in them,
- 22 and everything would have to be hour-rated and
- 23 sprinklered if we accepted this. This also applies
- to hospitals where we have again the doctors ready
- 25 rooms. We quite often will have a suite of ten or 12

- 1 ready rooms. If we don't have this provision in
- there, you're going to have to establish one-hour
- 3 quarters out of those areas with the sprinkler
- 4 exception. With a sprinkler option in there, it will
- 5 work much better.
- 6 CHAIRMAN WILLSE: Any further discussion?
- 7 Hearing none, we are about to vote on motion to
- 8 accept Comment on Proposal 101-313. All in favor
- 9 please raise your hands. All opposed. Okay. Motion
- 10 fails.
- 11 Any further motions on Chapter 26? Hearing
- none, we will now go to Chapters 27 and 29. Hearing
- none, Chapters 30 and 31?
- 14 MR. FASH: Chapter 28. I'd like to move
- forward the comment on 101-322. It's found on page
- 16 101-128.
- 17 CHAIRMAN WILLSE: Your name, sir?
- 18 MR. FASH: Robert Fash. This ties into my
- 19 original submittal in the ROP phase.
- 20 CHAIRMAN WILLSE: Your name again? We're
- 21 trying to see if you have the authority to do it
- 22 because it was submitted by somebody else. Do we
- 23 have a second? Okay. Please continue.
- MR. FASH: Being fairly new to the 101
- 25 standard, I was quite surprised when it came along

- 1 the requirement that did not have corridor smoke
- detection in hotel corridors. And this was I guess a
- 3 result of UBC for a number of years and then
- 4 transitioned.
- 5 But this proposal was to place corridor
- 6 smoke detection systems throughout, and there would
- 7 not be any trade-off for having fire sprinklers. So
- 8 the whole justification behind it was to make sure
- 9 that the people that are sleeping in the hotel rooms
- 10 had some type of prewarning that their means of
- 11 egress would be compromised. So that's the reason
- 12 why I put that submittal back into it.
- 13 CHAIRMAN WILLSE: Thank you. Mr. Quiter?
- MR. QUITER: I'll defer to Jim Lathrop.
- 15 THE WITNESS: Jim Lathrop, Koffel
- 16 Associates, Chairman of Residential. If you look at
- 17 the ballot, the one negative ballot is from me. But
- 18 speaking for the Committee, the committee statement
- 19 says that no fire data has been supplied. And their
- 20 basic feeling is everything we deal with we need to
- 21 have data or substantiation and cost justification.
- 22 CHAIRMAN WILLSE: Okay. Thank you.
- 23 Microphone 3.
- 24 MR. KLEIN: Marshall Klein from Maryland
- 25 representing myself. I'm also a committee member of

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1 the Residential Committee. And I quess since Jim was
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- 2 the only one who voted opposite the committee, the
- 3 committee did have reasons and justification. The
- 4 committee felt that what is in the code has been
- working, and an extra burden on the industry wasn't
- 6 warranted.
- 7 MS. GIFFORD: Wendy Gifford. Jim, look at
- 8 that vote again. I voted against it. I voted with
- 9 you as well representing NEMA. Particularly in a
- 10 hotel where guests are not going to be very familiar
- 11 with how to get out of the place, having the earliest
- warning possible is very important. And the smoke
- detector will go off long before the sprinkler does.
- 14 CHAIRMAN WILLSE: Thank you. Any further
- 15 discussion? Hearing none, we're going to vote on the
- 16 motion to accept Comment 101-322. All in favor
- 17 please raise your hands. Thank you. All opposed.
- 18 Motion carries.
- 19 Any further discussion on Chapters 28 or 29?
- Hearing none, we'll go up to Chapters 30 and 31.
- 21 UNIDENTIFIED SPEAKER: Can we have a
- 22 standing count on that last motion, please?
- 23 CHAIRMAN WILLSE: Okay. We'll go for a
- 24 standing count. Organizational delegates please make
- 25 sure you fill out the green ballot form handed out to

- 1 you previously. These will be collected by the NFPA
- 2 staff. Only accredited representatives or
- 3 organizational members whose names have been
- 4 previously recorded shall fill out the ballot form.
- 5 One accredited representative member only will fill
- 6 out the ballot.
- 7 I will now call for the standing vote of the
- 8 individual voting members. You must have a black dot
- 9 on your badge to be counted. Those voting for the
- 10 motion please stand. Standees, please be seated.
- 11 Those voting against the motion please stand.
- 12 Standees, please be seated. The count needs to be
- 13 calculated. 76 against the motion. 73 in favor of
- 14 the motion. The motion fails by three votes.
- 15 We are up to Chapters 30 and 31, 32, 33, 36,
- 16 and 37.
- 17 MS. STASHAK: My name is Cathy Stashak. I
- 18 represent myself. And I'd like to move to accept an
- 19 identifiable part of Comment Number 101-378 on page
- 20 101-152 and I made that comment.
- 21 CHAIRMAN WILLSE: What is the identifiable
- 22 part, please?
- 23 MS. STASHAK: 36.4.9.1.
- 24 CHAIRMAN WILLSE: Okay. Thank you. Do I
- 25 have a second? I have a second. Please continue.

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1 MS. STASHAK: Play structures are becoming
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- 2 more common. For a while they were only found in
- 3 assembly occupancies such as Chucky E. Cheese's,
- 4 Discovery Zones, Odyssey Fun Worlds. But now they're
- 5 becoming more and more common in mercantile occupancy
- 6 malls.
- 7 Not all users of 101 are strong in the
- 8 intricacies of using the code. And I'd like to
- 9 accept this one section just as a pointer so that
- somebody that's using the code in a mall and is
- 11 dealing with a play structure will be pointed back to
- 12 the requirements for multilevel play structures that
- 13 are in assembly occupancies. This really isn't a
- 14 technical change. I'm just looking to make 101 more
- 15 user friendly for someone that is dealing with it in
- 16 a mall.
- 17 MR. SCHULTZ: Ed Schultz, Chair of
- 18 Mercantile and Business. The committee looked at
- 19 this and felt that this is an issue that doesn't just
- 20 lie with mall buildings. In fact, we've had very
- 21 little demand for these in mall buildings, and we
- 22 feel it's a fairly complex issue that needs to be
- 23 addressed on a local basis. The design of these
- things can vary largely, and trying to set up
- 25 requirements for these when many times there's a

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1 question whether they're building structures and
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- whether they should be controlled by the Code gets
- 3 into a high question. So the Committee decided that
- 4 it was not appropriate for the Committee to deal with
- 5 these.
- 6 MR. HIRSCHLER: Marcelo Hirschler strongly
- 7 in support of the motion. We've heard from the
- 8 Committee time after time after time again. What
- 9 you're proposing is not perfect. So we do nothing.
- 10 Within one minute you can get temperatures within
- 11 these structures of a hundred degrees centigrade
- 12 throughout the structure. So kids can't get out, and
- 13 kids will be exposed to untenable situations very
- 14 fast.
- 15 What is being requested in this motion is at
- least pointing out where we have a little bit of
- 17 requirements. Hopefully we can go further and build
- 18 from that. But we need to start pointing out that
- 19 these structures are a danger waiting to happen.
- When I gave the presentation that I gave on
- 21 Monday this week about the hazards of these
- 22 structures, I learned that, number one, there have
- 23 been a number of incidents so far. We've been lucky.
- 24 The fires that have occurred have occurred outside of
- 25 the time when these structures were open. So no kids

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1 were killed in the fires. But the State of New York
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- 2 has told me that there are a significant amount of
- 3 cases of fires with these structures. These
- 4 structures are built of materials that are very, very
- flammable. We need to at least have some level of
- 6 protection. And if this is not enough, this is at
- 7 least a pointer for us to start working on this. I
- 8 urge you to support the life safety for our small
- 9 children and to support this motion. Thank you.
- 10 MS. STASHAK: Cathy Stashak. I represent
- 11 myself. The language for indoor multilevel play
- 12 structures is already in the code. It's in the
- 13 assembly chapters. When I was on the Assembly
- 14 Committee, I chaired the task force that developed
- 15 that language. So the language is there.
- 16 All this identifiable part recommendation
- does is if somebody's in a mall or a mercantile
- 18 occupancy where these are starting to grow and
- 19 they're now becoming more popular so that if somebody
- 20 opens up to "Mercantile Occupancies" and they know
- 21 they have a play structure, they're going to see
- 22 something that says, "Here, this is where you need to
- 23 go. See the requirement for these structures."
- 24 That's all.
- 25 CHAIRMAN WILLSE: Any further discussion?

- 1 Hearing none, we'll take the vote on the motion to
- 2 accept an identifiable part of Comment 101-378. All
- 3 those in favor please raise your hands. Thank you.
- 4 All opposed. Thank you. Motion carries.
- 5 Any further discussion? Microphone
- 6 Number 7.
- 7 MR. FERRY: Thank you. Shane Ferry. I'm
- 8 here as Chair of the Fundamentals and Fire Alarm
- 9 Systems Committee and NFPA 72, and I move to accept
- 10 Comment 101-364, which is found on page 101-143 of
- 11 the ROC.
- 12 CHAIRMAN WILLSE: Okay. I have a motion
- 13 made. Do I have a second? I have a second. Please
- 14 continue.
- 15 MR. FERRY: This is similar to my comments I
- 16 made earlier. We were on Chapter 12. The
- 17 Fundamentals Committee feels if a voice evacuation
- 18 system is required by the Occupancy Chapter, that it
- 19 should meet the requirements of NFPA 72. And our
- 20 substantiation and comments detailed that. I'll just
- 21 defer to that.
- 22 And also it should be noted that within the
- 23 International Fire Code, there is a requirement that
- 24 for the similar occupancies under their code, these
- 25 systems do need to meet the requirements of NFPA 72.

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1 Also, I will be having three other comments and
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- 2 motions within Chapter 36 and also for related and
- 3 similar in 5000.
- 4 CHAIRMAN WILLSE: Mr. Quiter?
- 5 MR. QUITER: I will defer to Mr. Schultz.
- 6 MR. SCHULTZ: Ed Schultz, Chair of
- 7 Mercantile and Business.
- 8 The Committee looked at this pretty
- 9 extensively in covered mall buildings where you could
- 10 have a sprinkler flow in a back stockroom. It starts
- forcing the issue that we evacuate 10,000 people,
- 12 some of which in the larger malls may be half a mile
- 13 away from the incident.
- 14 Because of that and the long history, the PA
- 15 systems have been adequate, along with trained staff
- that have responded to these incidents, evaluated
- 17 them, and directed evacuation as necessary. There's
- 18 a long history behind the use of the options that are
- 19 permitted in the Code. The Code does allow a fire
- 20 alarm system if the occupant -- or the design team
- 21 decides to go that way and gives the options to use a
- 22 PA system to start emergency action if necessary.
- 23 It's got a long history of being very successful, and
- 24 the Committee feels firmly that this should be
- 25 maintained as an option in the Code.

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1 MR. SHANK: Ed Shank of Pfeiffer Alarm
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- 2 Systems. What we described here can be handled in
- 3 the operation of an alarm system. Also, there's the
- 4 option for the system to be automatic.
- 5 And also we would stress the age of some of
- 6 the operators or the trained staff may be 18 or 19
- 7 years old. So we still feel that the systems
- 8 installed within these occupancies needs to be per
- 9 the requirements of NFPA 72.
- 10 CHAIRMAN WILLSE: Thank you. Any
- 11 discussion? Hearing none, we will now vote on the
- 12 motion to accept Comment 101-364. Motion fails. Any
- further motions on Chapters 36 and 37? Microphone 7.
- 14 MR. SHANK: Ed Shank, Pfeiffer Alarm
- 15 Systems. Move Comment 101-367, which is found on
- 16 page 101-145.
- 17 CHAIRMAN WILLSE: Thank you. I have a
- 18 motion. Do I have a second? I have a second.
- 19 Please continue.
- 20 MR. SHANK: Same statements as before.
- 21 MR. SCHULTZ: Ed Schultz, Chair of
- 22 Mercantile and Business. Again, there's a long
- 23 history of the use of these systems that has been
- 24 successful and well-trained people to respond to
- 25 emergency conditions in these structures, and we urge

- 1 that the committee action be upheld.
- 2 CHAIRMAN WILLSE: Thank you. Further
- 3 discussion? Hearing none, we will now take the vote
- 4 on motion to accept Comment 101-367. All in favor
- 5 please raise your hands. Thank you. All opposed.
- 6 Motion fails. Any further discussion?
- 7 UNIDENTIFIED SPEAKER: I'd like to move
- 8 Comment 101-381 found on page 101-154 of the ROC.
- 9 CHAIRMAN WILLSE: Motion made. Do I have a
- 10 second? I have a second. Please continue.
- 11 UNIDENTIFIED SPEAKER: As previous
- 12 statements.
- 13 CHAIRMAN WILLSE: Thank you. Mr. Quiter?
- MR. QUITER: I defer to Mr. Schultz.
- 15 CHAIRMAN WILLSE: Microphone 4.
- MR. SCHULTZ: Ed Schultz, Chair of
- 17 Mercantile and Business, and I won't add any more
- 18 comments. I'll stand on my previous comments.
- 19 CHAIRMAN WILLSE: Thank you. Any further
- 20 discussion? Hearing none, we will now vote on the
- 21 motion to accept Comment 101-381. All in favor
- 22 please raise your hands. Thank you. All opposed.
- 23 Motion fails. Any further discussion?
- MS. STASHAK: Last one. This is on Chapter
- 25 38.

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1 CHAIRMAN WILLSE: This is not in order.
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- 2 MS. STASHAK: You have to let me know if
- 3 this is okay.
- 4 CHAIRMAN WILLSE: Can you state your name?
- 5 MS. STASHAK: Cathy Stashak. I represent
- 6 myself. I would like to move and accept an
- 7 identifiable part of Comment 101-378. And I don't
- 8 know if this is okay to do. This is the second part
- 9 of my proposal that I submitted to the committee, and
- 10 it's on page 101-152.
- 11 CHAIRMAN WILLSE: It's okay. It's
- 12 permissible.
- MS. STASHAK: I just want the membership to
- 14 know --
- 15 CHAIRMAN WILLSE: I have a motion made, and
- 16 I do have a second. Please continue.
- MS. STASHAK: -- the second part of my
- 18 proposal, which I'm identifying as 36.4.4.9.2. We've
- 19 already accepted my motion for .1. And this requires
- 20 that ASTM be used for these structures while their
- 21 parents go shopping. Originally, these structures
- 22 were found in assembly occupancies such as
- 23 McDonald's, Chucky E. Cheese, and Discovery Zone.
- 24 During the developmental cycles for the 1997 edition
- of NFPA 101, the Assembly Technical Committee

- 1 proactively adds. They are growing in size too as
- 2 tall as 30 feet and covering floor areas of 900
- 3 square feet. The Assembly TC established a task
- 4 group for which I chaired, and the task group visited
- 5 facilities housing multilevel play structures,
- 6 evaluating the hazard, and how the expected behavior
- 7 of the occupants' children interfaced with this
- 8 hazard.
- 9 There frequently exists a large number of
- 10 children ranging from toddlers to young children who
- 11 probably have no evacuation training, to older
- 12 children and teenagers playing within these
- 13 structures. The structures provide various climbing
- 14 experiences which compounds the egress. You're going
- 15 to get a lot of casualties. My own experience was
- myself crawling up tubes to get my 6-year-old
- 17 daughter who was caught in a remote part of the
- 18 structure.
- 19 Recognizing the greater challenge for
- 20 multilevel play structures, the Assembly TC defined
- 21 multilevel play structures and required special
- 22 considerations. During that development of this
- 23 language, the Assembly TC was unaware that a standard
- 24 provided for fire resistance directly related to
- 25 these structures. Now that there is knowledge that a

- 1 standard exists, this will improve that equation.
- 2 The only proposal available for me to enter into on a
- 3 common stage was for mercantile. My goal is to
- 4 pursue this again with assembly the next cycle but
- 5 with the combination of ASTM.
- 6 MR. SCHULTZ: Ed Schultz, Chairman of
- 7 Mercantile and Business. Our problem with this is
- 8 since we now have a referral back to 12.4.7, we do
- 9 not feel it's appropriate to split the requirements.
- 10 If the requirements are not adequate in that section,
- 11 we should deal with it. But to add some requirements
- 12 here so that the user now is flipping back and
- 13 forth -- and I can't tell you whether these conflict
- or do not conflict -- we would not recommend the
- 15 adoption of this. Thank you.
- 16 MARCELO HIRSCHLER: Marcelo Hirschler
- 17 speaking in support of the motion. I can tell you
- 18 the difference between ASTM and -- by the way, these
- 19 are requirements for materials, although they are not
- 20 perfect. And I would be very remiss if I gave anyone
- 21 the impression that they are perfect. They are at
- $22\,$  least one step up from nothing, and they at least
- 23 will require a minimum level of safety with the
- 24 materials included in those; in particular, with the
- 25 materials that are included in those that we already

- 1 have in the code. So I think this is a very good
- 2 step forward in terms of starting to protect these
- 3 children. The same issue was presented in NFPA 5000.
- 4 So the first proceedings in the first identifiable
- 5 part or second identifiable part, if successful, will
- 6 be prepared in 5000.
- 7 MR. THORNBERRY: Rick Thornberry with the
- 8 Code Consortium. On this issue I'm speaking on
- 9 behalf of myself. No client interest. I just have a
- 10 problem with what's being proposed. I'm on the
- 11 Technical Committee of Business and Mercantile
- Occupancies, but I'm not speaking for the Technical
- 13 Committee. The problem I have with this is that we
- 14 did look at ASTM 1918, and that was one of the
- problems we had with this particular comment. It's
- 16 got fire requirements in it which, in my opinion, are
- inadequate to address some of the problems that we
- 18 can experience with these structures. And by
- 19 adopting this, it seems to imply that that's all you
- 20 need to do.
- I've heard the argument that, well, if we
- 22 get something in there, it's a minimum. It's a
- 23 start. But to me this is saying this is adequate and
- this provides the necessary protection we need for
- 25 fire safety for these multilevel play structures.

- 1 There's some very small-scaled fire tests in there,
- 2 including the UL-94 series, which is looking at
- 3 something on the order of a sample size of 1 to 3
- 4 inches of this plastic material that you may be
- 5 testing. There's just a lot of problems with that
- 6 standard. That standard was not developed under the
- 7 auspices of the ASTM E-5 Committee of Fire Standards.
- 8 It was under another committee that has no
- 9 substantial fire expertise on it. And nobody brought
- 10 it to E-5 to look at. So I'm very concerned. I'm on
- 11 E-5 as well, and I would be very concerned to say
- that this is going to provide the necessary level of
- 13 fire safety you need for these structures. So I urge
- 14 you not to accept this identifiable part. This is
- different than the other issue we dealt with earlier.
- 16 MR. HIRSCHLER: Marcelo Hirschler. I agree
- 17 with Rick on one thing. That ASTM 1918, the material
- 18 requirements in there, are not perfect and that we
- 19 should improve on that. But if we give guidance to
- the committee, ASTM 36 and 15 is consumer products.
- 21 CHAIRMAN WILLSE: Mr. Hirschler, could you
- 22 slow it down?
- MR. HIRSCHLER: 36 and 15 address the soft
- 24 playground structures. At least we're going to get
- 25 something. We have a start. Right now there is no

- 1 requirement that anything is met in terms of the
- 2 material fire safety requirements of these structures
- 3 that are proliferating. I absolutely agree that
- 4 F1918 is not good enough, but F1918 is better than
- 5 nothing. And with regard to some of the materials in
- 6 there, particularly the foams and things like that,
- 7 F1918 provides a very reasonable level of protection.
- 8 Thank you.
- 9 CHAIRMAN WILLSE: Thank you. Microphone
- 10 Number 4.
- 11 MR. SCHULTZ: Ed Schultz, Chair of
- 12 Mercantile and Business. I want to reiterate what
- 13 Rick said because that was a portion of discussion of
- 14 the committee. The appropriateness of that standard
- and the fact that once something is in there, it
- 16 becomes interpreted by the authority having
- 17 jurisdiction.
- 18 Well, this is adequate, and many times the
- 19 fact that it's referenced is indication that this is
- 20 all we have to do. And that was one of the things
- 21 that bothered our Committee and why we were
- 22 uncomfortable with this where you're better off, in
- 23 our judgment, not having reference to a standard
- 24 that's inadequate. And then it at least alerts the
- 25 officials that they need to look at this and the

- 1 designers, that they need to look at this and make
- 2 sure that what they're doing here is a safe condition
- 3 instead of relying on something that is misapplied.
- 4 Thank you.
- 5 CHAIRMAN WILLSE: Thank you. Microphone
- 6 Number 7.
- 7 MR. THORNBERRY: Rick Thornberry again
- 8 representing the Code Consortium and myself.
- 9 I think the other key point, as I mentioned
- 10 earlier and that I need to elaborate a little bit on,
- is that we're deferring to assigning a requirement
- 12 for safety of these multilevel play structures. If
- 13 you adopt it now and give it to the committee that's
- 14 developed this standard in ASTM, I think it's totally
- 15 appropriate for this organization.
- 16 CHAIRMAN WILLSE: Microphone Number 5.
- 17 MR. HIRSCHLER: Marcelo Hirschler. I find
- 18 it ironic where we are. If you would like to turn
- one page back where the comment is that we are
- 20 discussing. If you look at Comment 377, which is my
- 21 comment, that contains more severe requirements than
- these and contains very detailed -- the committee
- 23 rejected them because they said these requirements
- 24 are too severe. We're playing games here. On the
- one hand, we have a consensus standard by one

- organization. It ain't perfect, but it's a start.
- 2 That's not good enough. Where I put the actual
- 3 requirements for everyone of the materials in there,
- 4 well, that's too bad. That's too good. So where are
- 5 we? We need to protect these structures. These
- 6 structures contain our kids who are burning inside
- 7 these structures. Thank you.
- 8 CHAIRMAN WILLSE: Thank you. Any further
- 9 discussion? Hearing none, we will now vote on the
- 10 motion to accept the identifiable part of Comment
- 11 101-378. All in favor will you please raise your
- 12 hands. Thank you. Those opposed. I'm not going to
- 13 call that one, folks. I will not rule on the vote.
- 14 Therefore, we will proceed to a standing vote count.
- Delegates for organizations, please fill out
- 16 the green ballot form handed to you previously, and
- 17 these will be collected by NFPA staff. In accordance
- 18 with the Association Bylaws, only accredited
- 19 representatives of organization members shall fill
- 20 out this ballot form. One accredited representative
- 21 of the organization member only will please complete
- the ballot. If the organization is abstaining from
- voting, please check the appropriate line on the
- 24 ballot.
- 25 I will now call for the standing vote of

- 1 individual voting members. You must have a black dot
- on your badge to be counted. Those voting for the
- 3 motion, please stand. Standees, please be seated.
- 4 Those voting against the motion, please stand.
- 5 Please be seated. Motion carries. Vote of 63 to 48.
- 6 Thank you.
- 7 Any further motions on Chapters 36 and 37?
- 8 Hearing none, on Chapters 38 and 39? Microphone 7.
- 9 MR. FERRY: Shane Ferry. I move Comment
- 10 101-400, which is found on page 101-161 of the ROC.
- 11 CHAIRMAN WILLSE: Thank you. I have a
- 12 motion made. Do I have a second? I have a second.
- 13 Please continue.
- MR. FERRY: Same comments as we just had up
- 15 when we were on Chapter 36. It's related to the same
- 16 subject.
- 17 CHAIRMAN WILLSE: Thank you. Mr. Quiter?
- 18 MR. QUITER: I'll defer again to
- 19 Mr. Schultz.
- 20 MR. SCHULTZ: Ed Schultz, Chair of
- 21 Mercantile and Business. Again, this provision of
- 22 the code allows for emergency action to be initiated
- 23 by PA system and trained staff. Fire alarm system is
- 24 another option. It has been an effective option
- 25 under the Code. And no documentation has been

1 presented that it has created any issues. So we urge

- 2 that you uphold the Committee's action on this.
- 3 Thank you.
- 4 CHAIRMAN WILLSE: Thank you. Any further
- 5 discussion? Hearing none, we will now vote on the
- 6 motion to accept Comment 101-400. All in favor
- 7 please raise your hands. All opposed. Motion fails.
- 8 Any further comments or motions on Chapters 38 and
- 9 39?
- 10 Hearing none, Chapter 40? Hearing none,
- 11 Chapter 42? Hearing none, Chapter 43? Hearing none,
- 12 annexes? Hearing none, any motions on anything else
- 13 on NFPA 101?
- 14 MR. LATHROP: Jim Lathrop. I'd like to move
- to reject Comment 101-314.
- 16 CHAIRMAN WILLSE: Page number, please?
- 17 MR. LATHROP: 125.
- 18 CHAIRMAN WILLSE: Okay. Do I have a second?
- 19 I have a second. Please continue.
- MR. LATHROP: What happened here is a whole
- 21 series of changes occurred back in --
- 22 UNIDENTIFIED SPEAKER: I thought Comment
- 23 101-314 is rejected, according to my book.
- 24 CHAIRMAN WILLSE: I'm looking at Comment
- 25 101-125 bottom right. It says "Accepted Principles."

- 1 Please continue.
- 2 MR. LATHROP: What this is is this is a
- 3 whole series of changes made in Chapter 10 that
- 4 caused the related occupancies chapters some concern,
- 5 which I understand. I think we made some mistakes in
- 6 the rooming house chapters. They did it without
- 7 other chapter lead-in -- in other words, it was
- 8 automatic in all other occupancy chapters -- when
- 9 Chapter 10 made changes regarding upholstered chairs
- 10 and furniture. However, recognizing that there were
- 11 some things that in 10.3 were still necessary.
- 12 If you notice on the next page on the top of
- page 126, it repeats a statement out of Chapter 10
- 14 that furnishings or decorations or explosive or
- 15 highly flammable material shall not be used. However
- it still referred to Chapter 10. It was exempting
- 17 things from Chapter 10. Those general statements
- 18 back in Chapter 10 were not allowed. This will allow
- 19 a natural cut Christmas tree, which we have never
- 20 allowed at least for 30 years, in the Life Safety
- 21 Code. And there's no technical session to allow
- 22 this. Since I was chairman of this committee, I was
- 23 offered to make this proposal.
- MR. KLEIN: Marshall Klein speaking for the
- 25 Committee. We ended up during the ROP stage of

- 1 adding this requirement in, and then under the ROC
- 2 stage we took it out. The Committee felt these
- 3 requirements were unenforceable. All new rooming
- 4 houses have to be sprinklered. All existing ones
- 5 have appropriate protection. True you might get a
- 6 Christmas tree in there that might be flammable, but
- 7 you also have those in one- or two-family dwellings.
- 8 So that's apparently the Committee's concern, was the
- 9 enforceability.
- 10 MR. HIRSCHLER: Marcelo Hirschler. I made a
- 11 proposal to the Committee on contents and furnishings
- that basically said that every other occupancy
- 13 committee had to get -- decide independently whether
- 14 they wanted to have the requirements in Chapter 10
- 15 applied to them. The committees felt that that was
- 16 inappropriate. So that failed.
- 17 Consequently, the Committee started putting
- 18 statements in there specifically addressing that
- 19 whatever is included in Chapter 10 doesn't apply to
- 20 the committee. When that failed and we changed that
- 21 in Chapter 10, this really should not have gone in
- here.
- 23 As Jim Lathrop points out correctly, this
- 24 will allow things into rooming houses that is a
- 25 problem, things like natural cut Christmas trees that

- 1 we know are responsible for about 1400 deaths a year.
- 2 CHAIRMAN WILLSE: Thank you. Any further
- discussion? Hearing none, we will now vote on the
- 4 motion to reject Comment 101-314. All in favor
- 5 please raise your hands. Thank you. All opposed.
- 6 Motion carries.
- 7 Are there any other motions on NFPA 101?
- 8 Hearing none, we will now vote on accepting the
- 9 hearing report as amended in NFPA 101. Motion
- 10 carries. Thank you. Why don't we have a five-minute
- 11 recess.
- 12 (A brief recess was taken.)
- 13 CHAIRMAN BUKOWSKI: The next Report this
- 14 afternoon is that of the Committee on Building Code.
- 15 Here to present the Committee's Report is the
- 16 Technical Correlating Committee Chair Jerry
- 17 Wooldridge of Reedy Creek Improvement District, Lake
- 18 Buena Vista, Florida.
- 19 MR. WOOLDRIDGE: Mr. Chair, ladies and
- 20 gentlemen, the report of the Technical Committee on
- 21 Building Code is presented for adoption.
- 22 NFPA 5000 was submitted to letter ballot of
- 23 the Technical Correlating Committee that consists of
- 24 27 voting members. The ballot results can be found
- 25 on pages 5000-1 through 5000-10 of the 2005 June

- 1 Association Technical Meeting Building Code Committee
- and Safety to Life Committee Reports on Proposals on
- 3 NFPA 5000, Building Construction and Safety Code, and
- 4 NFPA 101, Life Safety Code and on pages 5000-1
- 5 through 5000-11 of the June Association Technical
- 6 Meeting Report on Comments. NFPA 5000 can be found
- 7 on pages 5000-11 through 5000-544 of the ROP and on
- 8 pages 5000-12 through 5000-348 of the ROC.
- 9 The Committee proposes for official adoption
- 10 a partial revision to NFPA 5000, Building
- 11 Construction and Safety Code.
- The ballot statements can be found on pages
- 13 5000-1 through 5000-10 of the ROP and on pages 5000-1
- 14 to 5000-11 of the ROC.
- Mr. Chair, I move adoption of the
- 16 Committee's report on NFPA 5000.
- 17 As we just did with 101, we will act on the
- 18 Code in chapter and subject order starting at Chapter
- 19 1 through Chapter 55. We will then take the Annexes.
- 20 Motions will be taken on the Building Construction
- 21 and Safety Code in Chapter sequence, starting with
- 22 Chapter 1. After discussion on the 55 Chapters and
- 23 their Annexes, motions will be in order on the entire
- 24 document.
- 25 As previously indicated when we discussed

- 1 NFPA 101, and in order to coordinate NFPA 5000 with
- 2 NFPA 101, some of you made similar substantive
- 3 motions on NFPA 101. In order to maximize efficiency
- 4 and not waste time in what has been a long session, I
- 5 would request that when you make a motion on NFPA
- 6 5000 that you made, in substance, on NFPA 101, please
- 7 state this information for the information of the
- 8 body at the time. It is my hope that in this way
- 9 you, the body, can if you wish in the interest of
- 10 time limit debate on repetitive motions either
- 11 through cloture motions or otherwise as you, the
- 12 body, deem appropriate.
- 13 You've heard a motion to adopt a partial
- 14 revision of NFPA 5000. Is there any discussion on
- 15 Chapter 1? I see someone at Microphone 7.
- MR. DE CHRISTINA: My name is
- 17 Mr. De Christina, and I represent the Building Code
- 18 Development Committee. And I want to move to accept
- 19 Comment 5000-70, to accept in principle the original
- 20 proposal 5000-96.
- 21 CHAIRMAN BUKOWSKI: Do we have a second?
- MR. DE CRISTINA: In principle the new
- 23 language from the ROP Item 1-10 addresses the issue
- 24 in NFPA 101 and applies it to 5000 as well. The
- 25 approach of the language of 1-10 by the Fire Code

- 1 Technical Committee appears to address the concerns
- of the Fundamentals Technical Committee, the adoption
- of a similar 5000. And in NFPA 1 both documents
- 4 should have similar language regarding the authority
- 5 and restrictions placed on the Board of Appeals.
- 6 Otherwise, an action by the Board of Appeals can
- 7 comply with one document but not the other. This
- 8 item in principle would be consistent with the action
- 9 taken in Proposal 5000-90A.
- 10 CHAIRMAN BUKOWSKI: Response from the
- 11 committee?
- MR. WOOLDRIDGE: I will defer comments to
- 13 Morgan Hurley.
- MR. HURLEY: Morgan Hurley, Chairman of the
- 15 Technical Committee on Fundamentals. When the
- 16 Committee acted on the subject comment, we felt that
- 17 the subject matter was adequately covered by other
- 18 texts. It is noteworthy that the Committee's action
- 19 during voting was unanimous.
- 20 MR. MCELVANEY: Joe McElvaney. I would
- 21 support this motion.
- 22 CHAIRMAN BUKOWSKI: Any other comments.
- 23 Seeing none, we'll go to a vote. All those in favor
- of the motion to accept Comment 5000-70, please raise
- 25 your hand. Thank you. All opposed. Motion fails.

- 1 Ready for anything else on Microphone 7?
- 2 UNIDENTIFIED SPEAKER: Yes. I'd like to
- 3 move to accept ROP 5000-37.
- 4 MR. MCELVANEY: My name is Joe McElvaney.
- 5 The reason why I'm bringing this proposal up is there
- 6 was a conflict. Some people reference NFPA.
- 7 CHAIRMAN BUKOWSKI: I forgot to get a
- 8 second.
- 9 MR. MCELVANEY: My purpose is to go back to
- 10 require us to use one method of identifying what type
- of system we need, either 13R or 13D. My proposal
- 12 gave the Code section. If you look at the ROC, some
- committees wanted NFPA 13. Some wanted .1.1.1. I
- just wanted one method. I don't want the option of
- this one or that one. So I suggest we accept my
- 16 Proposal 5000-37.
- 17 CHAIRMAN BUKOWSKI: Committee reaction?
- 18 MR. WOOLDRIDGE: I'll defer this to Wayne
- 19 Holmes.
- 20 MR. HOMES: Wayne Holmes, Chairman of the
- 21 Industrial Storage and Miscellaneous Occupancies
- 22 Committee. And I have to apologize. I was off in
- 23 another discussion a few minutes ago, and I did not
- hear the discussion. I can't respond. My apologies.
- 25 CHAIRMAN BUKOWSKI: Any other comments?

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1 MR. KLEIN: Marshall Klein. I'm a member of
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- 2 the Storage and Industrial Section. So maybe I can
- 3 help Wayne a little, but I'm speaking for myself.
- 4 There were discussions during the first
- 5 writings of the 5000 Code whether we're going to the
- 6 numbering system or just go directly to what
- 7 sprinkler standard we are going to use.
- 8 As you can see, what was decided this cycle
- 9 was that it made more sense to actually naming which
- 10 standard, whether it was 13R or 13D. I personally
- 11 like this method instead of fishing around the Code,
- 12 going back to Section 55 point whatever it is. The
- 13 Code will tell you. The Code section tells you which
- 14 section or which standards you're using, the 13R or
- 15 13D.
- And it's my understanding that all the
- occupancy committees have gone through their
- 18 particular sections and used this convention, whether
- 19 it's a 13R or 13D.
- 20 CHAIRMAN BUKOWSKI: Other comments?
- 21 MS. STASHAK: Cathy Stashak. I Chair the
- 22 Education and Day Care Committee, and we did not
- 23 change our reference to the 13D, 13R. We left it at
- reference to 55.3, just as a correction.
- MR. COLLINS: Dave Collins, American

- 1 Institute of Architects. Thanks, Joe, for helping
- 2 us, but I think this goes the other way. I'd prefer
- 3 to know if I'm going on a fishing trip what I'm going
- 4 to catch. And at this point I can be told actually
- 5 what kind of 13 system I need. The Code ought to be
- 6 clear and direct and it references to the standards,
- 7 not send you all over the Code to find out which one
- 8 you're looking for.
- 9 MR. MCELVANEY: Joe McElvaney, speaking for
- 10 myself. I agree with you, Dave. I don't care which
- 11 one we do. I just want all the chapters to do it one
- 12 way. So, TC Standards Council, just make it one way.
- 13 And I don't care which way it is. Just one way,
- 14 please.
- 15 CHAIRMAN BUKOWSKI: Okay. Anything else?
- 16 Seeing none, we'll move to a vote. All those in
- favor of the motion to accept Proposal 5000-37,
- 18 please raise your hands. Thank you. All opposed.
- 19 Motion fails. Onto the next item.
- 20 UNIDENTIFIED SPEAKER: Speaking of 5000-79.
- 21 I am a Member of the Building Code Development
- 22 Committee. Move to accept in part the comment which
- asks to send the original proposal of 5000-120.67.
- 24 The only part we're seeking to accept is a revision
- 25 to Section 176.614. That would replace the words

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"considered necessary" with "required." We're not
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- 2 asking for the rest of the Comment to be considered.
- 3 Thus, the section would begin "When required by the
- 4 AHJ" rather than "When considered necessary by the
- 5 AHJ."
- 6 As a building official, this language
- 7 "considered necessary" is not real enforceable in the
- 8 field. It becomes an issue of whether or not I
- 9 consider it necessary versus the person doing the
- 10 construction considering something necessary. This
- 11 allows us to determine when things would be
- 12 necessary, but it is also in good code language to
- 13 put the words in that are enforceable code language.
- 14 CHAIRMAN BUKOWSKI: Would you repeat which
- 15 identifiable part you want?
- 16 UNIDENTIFIED SPEAKER: The section would
- 17 begin by saying -- rather than "When considered
- 18 necessary," it would say "When required."
- 19 MS. STASHAK: It's 1.7.6.6.1.4.
- 20 UNIDENTIFIED SPEAKER: Including A and B or
- just the main paragraph?
- 22 UNIDENTIFIED SPEAKER: The main paragraph.
- 23 UNIDENTIFIED SPEAKER: Drop those and
- 24 substitute in the word "required."
- 25 CHAIRMAN BUKOWSKI: Okay. Committee

- 1 response?
- 2 MR. HURLEY: Morgan Hurley, Chair of the
- 3 Technical Committee on Fundamentals. If you'll look
- 4 at Comment Number 5000-79, I believe it simply said
- 5 to reconsider the original proposal, which we did.
- 6 And I can tell that when we reconsidered Proposal
- 7 5000-120, we did not deliberate extensively this word
- 8 substitution at the beginning. So I'd offer no
- 9 opinion on the motion that's being raised.
- 10 MR. COLLINS: Dave Collins, American
- 11 Institute of Architects. I think this is a good
- 12 order. Any other comments? Seeing none, I think
- we're ready to vote.
- 14 All those in favor of the motion to accept
- an identifiable part of Proposal 5000-120, please
- 16 raise your hands. Thank you. All opposed. Thank
- 17 you. Motion carries. Ready for the next. Anything
- 18 more?
- 19 MR. FLUTE: Good afternoon. My name is Bob
- 20 Flute. I'm here to represent the Building Code
- 21 Development Committee on Item 5000-80 on page
- 22 5000-24. And I'm asking that you move to accept the
- 23 comment. I had been authorized by a letter from the
- 24 proponent to speak on this item.
- 25 CHAIRMAN BUKOWSKI: Do we have a second?

- 1 Okay, we have a second. Please proceed.
- 2 MR. FLUTE: This section deals with the
- 3 inspection of prefabricated units. The comment was
- 4 that as proposed using the term "prefabricated
- 5 assembly" rather than "structural units" broadens the
- 6 application to include prefabricated components
- 7 rather than just structural units.
- 8 As the building officials that will be
- 9 enforcing this, we feel that we need to have the
- 10 ability not just to look at structural units but
- 11 rather all the prefabricated units to come into the
- 12 jurisdiction. These other prefabricated units need
- 13 to be inspected, and the current code language would
- 14 not allow for this.
- 15 CHAIRMAN BUKOWSKI: Thank you. Committee
- 16 response?
- 17 MR. WOOLDRIDGE: I defer to Morgan Hurley.
- 18 MR. HURLEY: Morgan Hurley, Chairman of the
- 19 Technical Committee on Fundamentals. We rejected
- 20 this comment for two reasons. One, we felt the
- 21 existing text in the Code provided the necessary
- 22 latitude. Secondly, we were also concerned about the
- language in the proposal regarding how the design
- 24 professionals should be basically required to certify
- aspects of the design.

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1 CHAIRMAN BUKOWSKI: Thank you. Any other
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- 2 comments? Seeing none, we'll proceed to a vote. All
- 3 those in favor of accepting Comment 5000-80, please
- 4 raise your hand. Thank you. All opposed. Thank
- 5 you. Motion fails.
- 6 Ready for the next item. Anything more on
- 7 Chapter 1? Seeing none, Chapter 2?
- 8 MR. FITZ: Dennis Fitz, American Forest and
- 9 Paper Association, Member of the Materials Technical
- 10 Committee. I'm moving approval of Comment 5000-105A,
- 11 which is located on page 5000-46.
- 12 CHAIRMAN BUKOWSKI: You're moving
- 13 acceptance? You're on the Committee?
- 14 MR. FITZ: Yes, I'm on the Materials
- 15 Technical Committee.
- 16 CHAIRMAN BUKOWSKI: We have a second.
- 17 Proceed.
- 18 MR. FITZ: This is part of two comments, the
- 19 second one being 105B. That would update the
- 20 reference standards of the American Forest and Paper
- 21 Association.
- 22 At the time of the ROC meeting, we didn't
- 23 have those documents available. If you'll read the
- 24 Committee statement, it was that they would have
- 25 approved the update if those documents would have

1 been available, and they're hoping that action will

- 2 be reversed at this meeting.
- 3 The documents are available. They've been
- 4 printed. We've got them ready, available for sale.
- 5 And for that reason I would ask the membership to
- 6 accept 105A. And if successful, I'll make the same
- 7 motion for 105B.
- 8 CHAIRMAN BUKOWSKI: Committee?
- 9 MR. WOOLDRIDGE: I'll defer the comments to
- 10 Mr. Bursky, Chairman of Building Materials.
- 11 MR. BURSKY: This is not like we had done
- 12 with all the reference standards that were not
- 13 codified and finalized by other organizations. And
- 14 now that it is, we are in favor of it.
- 15 CHAIRMAN BUKOWSKI: All those in favor of
- 16 accepting Comment on 5000-105A, please raise your
- 17 hands. All opposed. Thank you. Motion carries.
- 18 MR. FITZ: Dennis Fitz, American Forest and
- 19 Paper Association speaking on behalf of David Tyree,
- 20 who is a Member of the Structural Technical
- 21 Committee. And I move acceptance of 105B on page
- 22 5000-47.
- 23 CHAIRMAN BUKOWSKI: Do we have a second? I
- 24 heard a second. Go ahead.
- 25 MR. FITZ: This is the second of the two

- 1 proposals that would update the AFPA reference
- 2 standards. The reason for denial was the same. They
- 3 weren't available. They're now available. And we
- 4 ask you that you accept this comment.
- 5 CHAIRMAN BUKOWSKI: Thank you. Committee?
- 6 MR. WOOLDRIDGE: I'll defer action to Pete
- 7 Willse.
- 8 MR. WILLSE: Pete Willse, Chair of the
- 9 Structural Committee.
- 10 As was in the previous motion, we did not
- 11 have the completed documents to us at the time. They
- 12 have now been completed. We would support this
- motion.
- 14 CHAIRMAN BUKOWSKI: Thank you. Any other
- 15 discussion? Seeing none, we'll --
- 16 UNIDENTIFIED SPEAKER: Just ask one
- 17 question. Bill Webb, Schirmer Engineering. How is
- 18 the Committee purporting to ask us to support a
- motion about a document that they haven't even
- 20 reviewed? I urge you to reject this.
- 21 MR. WILLSE: Pete Willse, Chair of
- 22 Structures and Construction Committee. This
- 23 Committee is correct. It was a procedural issue. We
- 24 had the drafts in front of us. It had not gone
- 25 through the final balloting and the final printing.

- 1 It has at this point. Without any additional
- 2 changes, that's why we're moving it forward. Thank
- 3 you.
- 4 CHAIRMAN BUKOWSKI: With that additional
- 5 input, I think we're now ready to vote. All those in
- favor of the motion to accept Comment 5000-105B,
- 7 please raise your hands. Opposed. Thank you.
- 8 Motion carries.
- 9 Next item, Chapter 2. Microphone 7.
- 10 MR. FITZ: Dennis Fitz with American Forest
- and Paper Association speaking to Comment 5000-106B,
- 12 which is on page 5000-48.
- 13 CHAIRMAN BUKOWSKI: For the record, you are
- 14 Mr. Rossberg?
- MR. FITZ: I'm speaking on behalf of
- 16 Mr. Rossberg. I was asked to make statements on his
- 17 behalf into the record on this Committee.
- 18 CHAIRMAN BUKOWSKI: Could we get your name
- 19 on the record?
- 20 MR. FITZ: Dennis Fitz. This is Jim's
- 21 statement:
- 22 "My proposal could not be accepted at this
- 23 time because ASCE 7 Supplement Number 1 is out for
- 24 public comment and won't complete its progress until
- 25 July. Upon successful completion I plan to appeal to

- 1 the Council for acceptance of 5000-106B. The TC has
- 2 indicated their support on this matter as noted in
- 3 the comment.
- 4 CHAIRMAN BUKOWSKI: So this is a statement
- on the comment, but we can't take it up right now.
- 6 Anything else on Chapter 2? Seeing none, Chapter 3?
- 7 MR. KOFFEL: Bill Koffel, Koffel Associates.
- 8 And I would like to move Proposal 5000-180 and all
- 9 related comments to Committee. It is found on page
- 10 51 of the ROP. By the way, the proposal was modified
- 11 by Comment 5000-152.
- 12 CHAIRMAN BUKOWSKI: To return Proposal and
- 13 Comments 180?
- 14 MR. KOFFEL: Yes. Again, this is Bill
- 15 Koffel. I merely do this to coordinate with what we
- 16 did with 101. In 101 we went through the Means of
- 17 Egress Committee.
- 18 CHAIRMAN BUKOWSKI: Second? We've got a
- 19 second.
- 20 MR. KOFFEL: I'm somewhat presuming the same
- 21 action in the Means of Egress chapter will be taking
- care of the definitions while we're in Chapter 3.
- 23 MR. DE VRIES: David De Vries, Chairman of
- 24 the Means of Egress Committee, but I will speak here
- 25 not in that capacity. This is a little bit

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1 confusing, this process here we're addressing. I
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- will be speaking as the original proposer of that
- 3 subject and on behalf of the Safe Evacuation
- 4 Coalition.
- I think we're putting the cart before the
- 6 horse by voting on this motion about a definition
- 7 when we haven't addressed the substantive issue. You
- 8 may recall this morning there were several people
- 9 standing at the microphones waiting to speak on this
- 10 issue when discussion was cut off.
- I haven't been able to speak to the
- 12 substantive issues, and I would like to have that
- opportunity. I don't know procedurally if there's a
- 14 way we can defer this until after we've addressed the
- 15 substantive matter in Chapter 11. If there is, I
- 16 would like that done.
- 17 CHAIRMAN BUKOWSKI: There's a motion on the
- 18 floor right now. So we have to take care of it.
- 19 MR. DE VRIES: May I address that motion?
- 20 CHAIRMAN BUKOWSKI: Certainly.
- 21 MR. DE VRIES: Dave De Vries speaking on
- 22 behalf of the Safe Evacuation Coalition. Members
- 23 present, it's premature to address this definition
- 24 until we've talked about the substantive issue. I
- 25 encourage you to vote against the motion on the floor

- 1 until such time as we can take a look at what's
- 2 coming in Chapter 11. Thank you.
- 3 MR. HIRSCHLER: Marcelo Hirschler. I'm
- 4 confused. If the motion is successful, then this
- 5 definition goes. If the motion is unsuccessful and
- 6 then we move the motion that addresses a technical
- 7 issue afterwards to be consistent with 101 and the
- 8 devices no longer exist in the code, then what
- 9 happens?
- 10 I think the appropriate thing is to wait to
- 11 put this motion on the table and wait until we
- 12 address the substantive issues which are going to be
- addressed in a subsequent chapter. Otherwise,
- 14 whatever the result of this motion is, it's going to
- 15 be in order.
- 16 CHAIRMAN BUKOWSKI: The action would be to
- move to reconsider later.
- 18 MR. DE VRIES: Dave De Vries representing
- 19 the Safe Evacuation Coalition. On the advice of the
- 20 Chair, I will defer my motion until a later time.
- 21 Thank you.
- MR. HIRSCHLER: Marcelo Hirschler speaking
- on behalf of myself. With consistence with what
- 24 happened in the Life Safety Code, I support the
- 25 motion. Please approve that.

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1 CHAIRMAN BUKOWSKI: Similar action was
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- 2 approved in 101. So that's what you're referring to,
- 3 just for clarification. Any other discussion on this
- 4 point? Seeing none, we'll go to a vote.
- 5 All those in favor of returning the proposal
- 6 and comments, please raise your hand. Thank you.
- 7 All opposed. Thank you. Motion carries. Next item,
- 8 Microphone 4.
- 9 MR. SCHULTZ: You're in Chapter 3. Correct?
- 10 CHAIRMAN BUKOWSKI: Yes.
- 11 MR. SCHULTZ: My name is Ed Schultz. I'm
- 12 Chair of Mercantile and Business Committee. I would
- like to move 5000-163A, which is located on page 65.
- 14 CHAIRMAN BUKOWSKI: Page 65 of the ROC?
- MR. SCHULTZ: Yes.
- 16 CHAIRMAN BUKOWSKI: Do I have a second?
- 17 Heard a second. Please proceed.
- 18 MR. SCHULTZ: I'm requesting this be
- 19 accepted based on several issues. One is it's a
- 20 glitch in the code initially that the wrong
- 21 definition got picked up. And there's already
- 22 conflicting words in the body of this section that
- 23 addresses anchor stores in the fact that like Section
- 24 27.4.4.3.3 refers to anchor stores and sets up two
- 25 different scenarios: one if the anchor stores are

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1 assembly business or mercantile occupancies and a
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- 2 separate requirement if it's an anchor store or some
- 3 other occupancy. Obviously by definition, other
- 4 occupancies would not be an anchor store. This again
- 5 ended up being a committee generated proposal that
- 6 went out for public comment in 101, but there was
- 7 another error that did not get out for public comment
- 8 for the 5000 document. As a result, since 101 will
- 9 have this revised definition, we would have a
- 10 conflict between the two documents. So I urge that
- 11 you support what the Committee voted 13 to 1, to
- 12 revise this in the 5000 document and allow this
- 13 definition to be changed. Thank you.
- 14 CHAIRMAN BUKOWSKI: Since that was the
- 15 Committee, I'll go to microphone 7.
- MR. THORNBERRY: Rick Thornberry with the
- 17 Code Consortium. I would like to ask for a ruling on
- 18 this item. As you can see as a point of order, in
- 19 the TC action it says to change it to hold for
- 20 further study because the comment introduces a
- 21 concept that did not receive prior public review. So
- 22 within our rules of procedure, I don't believe we can
- 23 discuss this item here. If anything, it's got to go
- 24 to the Standards Council I would think.
- 25 CHAIRMAN BUKOWSKI: The ruling from the

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1 Chair is that it's a legitimate motion for the
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- 2 committee to make. They're agreeing with the TCC.
- 3 MR. MCELVANEY: Joe McElvaney, Phoenix Fire
- 4 Department. To understand what you just said, if I
- 5 would just make that new comment and have no proposal
- 6 to tie to it, you are saying I could then bring it
- 7 onto the floor every year?
- 8 CHAIRMAN BUKOWSKI: Yes. The ruling is it's
- 9 a legitimate motion. The Technical Committee is
- 10 disagreeing with the Correlating Committee. So it's
- 11 a legitimate motion to bring up for the body to
- 12 consider. Let the TCC Chair have a shot.
- 13 MR. WOOLDRIDGE: I would like to state based
- on the action from the TCC, the hold for further
- 15 study is probably correct and that there was some
- 16 information. So I would recommend that we just stay
- 17 with the current action and hold for further study at
- 18 this point.
- 19 MR. THORNBERRY: Rick Thornberry again with
- 20 the Code Consortium. I don't know how the Technical
- 21 Committee could disagree with the TCC because we
- 22 didn't have a meeting to discuss this. I'm on the
- 23 Technical Committee. We didn't take a vote on this
- 24 after the TCC came out. This is what the TCC
- 25 directed. It's new information. It's out of order.

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1 MR. SCHULTZ: Ed Schultz, Chair of the
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- 2 Mercantile and Business Occupancy Chapter. We did
- discuss this. It was the intent to revise the
- 4 amendments or the definition for both the NFPA 101
- 5 document and the NFPA 5000.
- 6 In fact, this error was discovered after
- 7 last cycle, and it actually went to a TAI that
- 8 failed. But the committee was well aware of it.
- 9 There was a task group meeting that discussed it, and
- 10 Mr. Thornberry is on that task group. And we did
- 11 agree that this definition needs to be advanced both
- in the 101 and 5000 document.
- 13 CHAIRMAN BUKOWSKI: For the benefit of the
- 14 body, can someone explain whether this is affected by
- the anchor store discussion 101 earlier today?
- MR. SCHULTZ: Ed Schultz, Chair of
- 17 Mercantile and Business. It got the public comment
- 18 cycle for 101. So the TCC had no issue with this,
- 19 and this has been approved to be in 101 and will be
- in the new document.
- 21 CHAIRMAN BUKOWSKI: Okay. Thank you. Any
- other discussion? Seeing none, we'll go to a vote.
- 23 All those in favor of accepting Comment 5000-163A,
- 24 please raise your hands. Thank you. All opposed.
- 25 Motion carries. Next item.

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1 UNIDENTIFIED SPEAKER: Can we have a
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- petition for a floor call?
- 3 CHAIRMAN BUKOWSKI: Okay. We'll do a
- 4 standing count. We're going to proceed to a vote
- 5 count. Delegates, please fill out the green forms.
- 6 According to Association bylaws, only accredited
- 7 representatives of organization members whose names
- 8 have been recorded previously with the Association
- 9 for the purpose of and prior to this meeting shall
- 10 fill out the ballot form. One accredited
- 11 representative of the organization member only will
- 12 please complete the ballot. If the organization is
- abstaining from the vote, please check the
- 14 appropriate line on the ballot.
- Okay. We have the delegate ballots. All
- those in favor, please stand. I think the standees
- 17 can be seated. All opposed please stand. Motion
- carries 41 to 25 with a lot of abstentions.
- Moving on to the next item in Chapter 3.
- 20 Anything in Chapter 3? Seeing none, Chapter 4?
- 21 Nothing in 4. Chapter 5? Nothing in 5. Chapter 6?
- Nothing in 6. Chapter 7?
- 23 MR. HIRSCHLER: Marcelo Hirschler speaking
- on behalf of the American Fire Safety Council. I
- 25 will like to move acceptance of Comment 5000-206 on

- 1 page 578. It is my comment.
- 2 CHAIRMAN BUKOWSKI: Okay. Do we have a
- 3 second? We have a second.
- 4 MR. HIRSCHLER: What this does is we spent
- 5 two and a half hours this morning discussing 90A. If
- 6 you look in the ROP for 5000, page 5000-120, Proposal
- 7 5000-307 is very long. So I urge you to look at page
- 8 5000-120.
- 9 What the Technical Committee did is take the
- 10 chapter -- the section that addresses combustibility
- of materials in plenum and extracted it from 90A. We
- 12 spent two and a half hours this morning getting to
- the conclusion that 90A doesn't know what they're
- 14 doing. So I think it would be a good idea not to
- extract material from 90A but instead to put the
- 16 requirements in there as specifically for the
- 17 Building Code.
- 18 But I want to point out, I want to make sure
- 19 that I'm not misleading the assembly. There are two
- 20 changes in here, what is in 5000. 90A 2002, that's
- 21 been around for a long time. The changes are as
- 22 follows.
- The first one addresses in part 4A. It
- 24 addresses that you would need to use specimen
- 25 preparation and mounting criteria for ASTM 231 when

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1 you test pipe installation. It was accepted by the
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- 2 Uniform Mechanical Code. It's included in ASTM.
- 3 The other change is in Section 1A where it
- 4 just simply says electric wires and cable must meet
- 5 NFPA 62 only. That does not add any change in the
- 6 sense that all other potential wires and cables that
- 7 can go into plenums. Limited combustible cables
- 8 means those cables that meet UL 424. UL 424 is a
- 9 subcategory of cables that meet NFPA 262. Because in
- 10 order to meet UL 424 or be limited combustible, you
- 11 have to first meet NFPA 262. So this doesn't do
- 12 anything without excluding any of those cables.
- 13 The rationale for doing this other than the
- 14 problems with 90A is that 90A does not apply to all
- buildings. 90A only applies to certain buildings.
- 16 And again I would like to urge you to look at the ROP
- 17 where Joe Holland made a negative and explained that
- 18 the scope of 90A is much more limited than the scope
- 19 of 5000.
- 20 And, in fact, the Technical Correlating
- 21 Committee noted that and added Comment 5000-206A
- 22 appropriately saying that fire retardant treatment
- 23 shall be implemented, which is appropriate. This is
- 24 the same as it has always been, the requirement for
- 25 materials in plenums. Thank you.

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1 MR. WILLSE: Pete Willse, Chair of the
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- 2 Building Construction Committee. If you'll note on
- 3 the Committee Statement, I first urge you folks to
- 4 reject this comment or this motion. If you read the
- 5 Committee Statement, the Technical Committee must
- 6 defer any requirements that deal with plenums to NFPA
- 7 90A. They have the experts. By their Standards
- 8 Council's policy for scoping, it is beyond our area
- 9 of expertise. We defer to NFPA 90A.
- 10 CHAIRMAN BUKOWSKI: Thank you.
- 11 Microphone 4.
- 12 MR. KOFFEL: Bill Koffel, Koffel Associates,
- 13 Consultant to the Cable and Fire Research Association
- and the submitter of the original proposal.
- 15 I'd like everybody to turn to page 78 of the
- 16 ROC, and maybe this will help point out the fallacy
- of the argument that's being presented in the
- 18 substantiation in the comment. The submitter states
- in paragraph (3), "NFPA 90A is much less widely
- 20 distributed and adopted than are the NFK and ICC
- 21 codes." It states that the scope of 90A is different
- 22 than the scope of the Building Code. But let's look
- 23 at where we are in the chapter. We are in Type 1 and
- 24 Type 2 builds. Yes, I guess I could make the
- 25 argument if I were to build a one- or two-family

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1 dwelling of Type 1 construction and put a plenum in
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- 2 it, that 90A is not going to apply. I'm not sure
- 3 there's a whole lot of those out there. And to the
- 4 extent that there are, then you go to 90B. And I
- 5 think a reasonable code official would see that
- 6 that's the appropriate application of the code.
- 7 I don't think I heard this morning that we
- 8 necessarily said the Committee didn't know what they
- 9 were doing. I think the action to return this to
- 10 committee was the fact that the membership said we
- don't know what's going on. There's too many changes
- here, and we don't know what this thing's going to
- 13 look like. If we were that concerned that the
- 14 committee didn't know what they were doing, we would
- 15 have just overturned everything the committee did and
- never sent it back to the committee. Why would we
- want a conflict in 5000 in which one paragraph is
- 18 going to say you have to comply with 90A and another
- 19 paragraph is going to give you different plenum
- 20 criteria. And we're going to have to spend another
- 21 five hours to discuss this in 5000. The simple
- 22 solution is add extra text.
- MR. HIRSCHLER: Marcelo Hirschler, speaking
- on behalf of the American Fire Safety Council. 90A
- 25 should not be -- it is not the Committee that has the

- 1 knowledge of what we need to have in plenums. The
- 2 combustibility materials in plenums should be
- 3 addressed by a building code. I understand that back
- 4 in 1980 the Standards Council decided to split the
- 5 requirements and put something in 90A because at that
- time we didn't have a building code. Now we do have
- 7 a building code, and it is correct that the Standards
- 8 Council reaffirmed that decision. But it's up to the
- 9 assembly to make the decision of who has the
- 10 understanding and the knowledge of the requirements,
- 11 whether it's the Committee of 90A or whether it's the
- 12 Building Code Committee. And I will support this
- 13 motion. Thank you.
- 14 CHAIRMAN BUKOWSKI: Any other input on this
- 15 issue? Seeing none, we'll move to a vote. All those
- in favor of accepting Comment 5000-206, please raise
- 17 your hands. Thank you. All opposed. Thank you.
- 18 The motion is defeated. Move on to the next item in
- 19 Chapter 7. Microphone 7.
- 20 MR. THORNBERRY: Rick Thornberry with the
- 21 Code Consortium. I'd like to move the comment I
- 22 submitted, 5000-202 on page 5000-76.
- 23 CHAIRMAN BUKOWSKI: Do we have a second? I
- 24 heard a second. Please proceed.
- MR. THORNBERRY: On this issue I'm

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1 representing myself. I did have some clients that
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- were very interested in this, and then they decided
- 3 they weren't going to follow through on anything
- 4 related to NFPA 5000. But I felt strongly enough
- 5 about it that I submitted this public comment.
- 6 My concern here is that what we're doing is
- 7 putting in a mandatory reference to an annex, thus
- 8 making it a mandatory part of the code. What this
- 9 comment does in my mind is fixes that issue. And the
- 10 text you see down there under Section 711 is the text
- 11 I'm asking to be deleted. The statement above it
- 12 says delete this text. Right now the text says
- 13 Annex X shall be considered an alternate method for
- 14 considering -- this is put in the appendix because we
- 15 felt it wasn't ready for prime time to be included in
- 16 the body of the code, "we" being those on the
- 17 Building Construction Committee, of which I was a
- 18 member and very active in the task group that put
- 19 this annex together.
- 20 But I'm not speaking on their behalf. What
- 21 happens is, especially in jurisdictions that's not
- 22 familiar with Annex X, when they're adopting building
- 23 codes where they are, typically they're not going to
- 24 adopt an annex unless they want it. That's the way
- 25 the codes are set up, generally speaking. It's

- 1 there. If you want it, you put it in your adopting
- 2 ordinance so you have an option. The way this is
- 3 structured, when someone adopts 5000, they
- 4 automatically adopt the annex so it automatically
- 5 becomes a part of the code without having to take the
- 6 extra step to adopt it as part of the ordinance. The
- 7 way this is read because you have the mandatory
- 8 reference back to the annex, I think this is going to
- 9 cause problems in the adoption process. For those
- 10 jurisdictions that may not want to automatically
- adopt the annex, they're going to have to be very
- 12 careful when they put their ordinance together that
- they're going to have to change this language in
- 14 7.1.1.1. That's the only way they can do it.
- 15 The way this code is structured, it makes it
- 16 more of a challenge for them to adopt the code. The
- 17 annex is something you can adopt if you want it, and
- 18 it doesn't cause you any heartache if you don't want
- 19 it. And this says you're going to have to amend your
- ordinance if you don't want it. You're going to have
- 21 to have it, and you're going to have to amend your
- 22 ordinance.
- MR. WILLSE: Pete Willse, Chair of the
- 24 Building Construction Committee. I refer to the task
- 25 group chair, Mr. Bill Koffel.

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1 MR. KOFFEL: Bill Koffel, Koffel Associates.
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- 2 I guess there's nobody else to defer it to.
- 3 Basically the task group and then
- 4 subsequently the Technical Committee looked at Annex
- 5 X and said we have three options. We could replace
- 6 Chapter 7 as we know it in the code today, and we can
- 7 put Annex X in there. And clearly there were
- 8 participants in the process that were a little
- 9 nervous about such a substantial revision to the code
- 10 and the impact it may have on various methods of
- 11 materials and construction.
- The second option would be to put it in as
- the maker of this motion is suggesting, or we have
- 14 Option A, which is in Chapter 7. And we have
- 15 Chapter 1, which is the annex.
- 16 The third option the task group looked at is
- the same option that we have used for years in 101
- and is used in 5000, which is the same option that we
- 19 have with the Fire Safety Evacuation System. Now the
- 20 text is published in a separate document that is not
- 21 a mandatory standard. So we couldn't go to the
- 22 standard. But I think the intent for years in 101
- 23 has been -- we referenced 101 in an annex note, and
- there's a reference in the annex note in the
- 25 application section of the various occupancy

- 1 chapters. So it tells the authority having
- 2 jurisdiction that the Committee thinks this is an
- 3 acceptable alternative method. And that's the
- 4 approach the task group decided to take. And we did
- 5 it for several reasons. I don't think anybody was
- 6 that uncomfortable that they said it can't be used.
- 7 And even Rick's proposal says you can use
- 8 it. It's just a different way of getting there. The
- 9 code official has to specifically adopt it. If the
- 10 code official is that concerned about Annex X, it
- 11 merely deletes it from the document. So it's an
- 12 adoption to add it to or delete it.
- 13 And lastly the task group and the Committee
- 14 is really looking for input on the use of this
- document. And I'm sure that if the only way we get
- to use it is people have to go out and legally adopt
- it, there's going to be some opposition to that.
- 18 What we have instead is the ability to -- as a design
- 19 professional, I can go to the code official or the
- 20 authority having jurisdiction and say I'm using Annex
- 21 X. It's printed in mandatory language. I think it
- offers an acceptable level of protection, equivalent
- 23 level of protection. Let's accept it under the
- 24 alternate method of Chapter 1.
- 25 MR. MCELVANEY: Joe McElvaney. I had the

- 1 great honor of being in this task force for one year.
- 2 This task force was working for two years. We had
- 3 blackouts, a hurricane, and some bad hotels in
- 4 Baltimore. I really recommend that we adopt this the
- 5 way it is. Reject Rick's proposal. I understand his
- 6 concerns. It just needs to happen, and it needs to
- 7 be put forward. Please adopt it.
- 8 MR. COLLINS: Dave Collins, American
- 9 Institute of Architects, again in opposition to the
- 10 motion on the floor. If you read the committee
- 11 statement, you can see we deliberately put this in
- 12 the context of being part of the code so that it will
- get used and will have some value out of the
- 14 tremendous amount of work that has been done,
- including Rick's effort, who was a major contributing
- 16 factor to this task group. I urge you to deny this
- motion.
- 18 CHAIRMAN BUKOWSKI: Any other input? Seeing
- 19 none, we'll move to a vote. All those in favor of
- 20 accepting Comment 5000-202. All those opposed. The
- 21 motion fails.
- Next item. Anything more on Chapter 7?
- 23 Seeing none, Chapter 8?
- 24 MR. HIRSCHLER: Marcelo Hirschler. I move
- 25 to accept my Comment 5000-314 on page 5000-126 of the

- 1 ROC.
- 2 CHAIRMAN BUKOWSKI: Do we have a second?
- 3 Yes, we have a second.
- 4 MR. HIRSCHLER: This is not the same issue
- 5 as we were talking about before. This is just a
- 6 small oversight by the Technical Committee. And I'd
- 7 like to ask for permission to explain this.
- 8 Section 816 is the section on insulation.
- 9 816.7 is insulation covering pipe and tubing as
- 10 required in Section 723.215. Taking the extract from
- 11 90A, it requires that insulation covering pipe and
- tubing if it's in plenums need to meet NFPA 2550. On
- the other hand, if it's covering pipe and tubing
- outside of plenums, it simply needs to be 25450. So
- 15 all this really is doing, although the substantiation
- 16 talks of 90A, is saying ignore that and don't worry
- 17 about it.
- 18 The actual action does nothing more than say
- insulation not in plenums is 25450. Insulation
- in plenums go to the section that deals with plenums,
- 21 which refers you to 90A, which is going to be 2550.
- 22 If you go just further to the information, you can go
- 23 to the comment immediately before that on Section
- 24 816.12, which is also my comment which also explains
- 25 that everything needs to go to Section 723.215.

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1 So this is consistent with what we had
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- 2 before. This has nothing to do with the discussion
- 3 of whether we want to agree with 90A or not. This is
- 4 just a small oversight by the Committee, and it's a
- 5 clarification that insulation and covering in plenums
- 6 has a different requirement and it's already set in
- 7 Chapter 7. Thank you.
- 8 CHAIRMAN BUKOWSKI: Thank you. Committee
- 9 response?
- 10 MR. WOOLDRIDGE: I'll defer.
- 11 MR. ROSENBAUM: Eric Rosenbaum, Chairman of
- 12 the Fire Protection Features Committee, representing
- 13 the Fire Protection Features Committee.
- 14 It was the intent of the committee when we
- 15 evaluated this proposal that 90A would cover it, and
- 16 it was the intent that it was not necessary to adopt
- 17 this amendment. So we voted to reject it. That was
- 18 the intent.
- 19 CHAIRMAN BUKOWSKI: Any other input?
- 20 MR. HIRSCHLER: Marcelo Hirschler. It might
- 21 have been the intent, but unfortunately with the
- 22 additional sentence not included, it would appear
- 23 that there is no difference between the requirement
- 24 for insulation in plenums and outside of plenums, and
- 25 there is a difference. That's why the sentence needs

- 1 to send to the section in the Building Code which
- 2 then sends to 90A that addresses plenums
- 3 specifically. Thank you.
- 4 MR. KOFFEL: Bill Koffel, Koffel Associates,
- 5 consultant to Cable Fire Research in opposition to
- 6 the motion. What you don't see are some of the other
- 7 sections in 816. And there's a current paragraph,
- 8 816.1.2(A), that says if you have the insulation
- 9 covering of pipe and tubing in plenums, you go to
- 10 NFPA 90A.
- 11 So now what I'm going to have if I accept
- 12 this, I'm going to have one paragraph that says go to
- 13 90A. I'll have another paragraph that says go back
- 14 to Chapter 7. And based upon our action just a
- 15 couple minutes ago, when I get there, it's going to
- 16 be extracted text from 90A. We don't need that
- 17 second sentence. Now the real question is is there
- any value to the four words "not installed in
- 19 plenums" when 816 says go to 90A and don't use the
- 20 rest of this section.
- 21 MR. HIRSCHLER: Marcelo Hirschler. If you
- look at page 126 at the top, you'll notice the
- 23 section that Bill Koffel just pointed out,
- 816.1.2(A), has to do with the other insulation in
- 25 general. It doesn't send you directly to plenums.

- 1 It sends you to the section that goes to Section 90A.
- 2 CHAIRMAN BUKOWSKI: Any further discussion?
- 3 Seeing none, we'll go to a vote. All those in favor
- 4 raise your hands. All opposed. Thank you. Motion
- 5 fails. Next item.
- 6 MR. COLLINS: Dave Collins, American
- 7 Institute of Architects. I would like to move to
- 8 return an identifiable part from 5000-242, Section
- 9 8.3.2. It appears on 5000-90 to 5000-92 in the ROC.
- 10 CHAIRMAN BUKOWSKI: Do we have a second? I
- 11 heard a second. Please proceed.
- MR. COLLINS: Section 832 is without context
- in the code. We know what fire barriers -- firewalls
- do. We don't know what a high-challenged firewall
- 15 does. There is no reason to install it in the 5000
- Building Code at this time. 832.61 implies
- 17 separation of buildings without any specific
- 18 statement saying that it does so. There's no
- 19 requirements for separations of combustibles for
- 20 penetrations and openings through these walls. It's
- 21 uncoordinated with NFPA roofing criteria. We just
- don't believe it's necessary to have it in the
- 23 Building Code at this time and urge you to approve
- 24 this motion. Thank you.
- 25 MR. WILLSE: Pete Willse, Chair of the

- 1 Building Construction Committee. We're in opposition
- 2 to this motion. It goes back to what we were
- 3 saying -- what I said yesterday. There are some
- 4 codes out there that do require at present time walls
- 5 to be built to the old NFPA 221 firewalls. What this
- 6 will wind up doing is bringing it all up. Give the
- other committees, such as NFPA 30A and 30B, to come
- 8 in and pick the appropriate firewall they want to do.
- 9 This is a building code. It is extracted from 221
- 10 into this document, and it should remain that way.
- 11 Thank you.
- 12 CHAIRMAN BUKOWSKI: There's a point of order
- from the Chair here. The action on this particular
- 14 section was taken in Comment 5000-256A, which was
- 15 accepted. So a better motion or a cleaner motion to
- 16 accomplish the same thing you've asked to do would be
- 17 to return or reject. Do you want to go back to ROP
- 18 or previous edition?
- 19 UNIDENTIFIED SPEAKER: I want to go back to
- 20 the previous edition. We had no high-challenged
- 21 firewall.
- 22 CHAIRMAN BUKOWSKI: So the motion would be
- 23 to return 5000-256A, and that just deals with the
- 24 high-challenged firewall section.
- 25 UNIDENTIFIED SPEAKER: Okay. Thank you.

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1 MR. DAVIS: Dick Davis, FM Global and Chair
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- of the Firewall Task Group, speaking in opposition of
- 3 this motion.
- 4 I would like to call everyone's attention to
- 5 the ROP, page 5000-154. And more specifically Log
- 6 397. You will see a proposal. One of the submitters
- 7 is Mr. Collins, and what he recommends in his
- 8 proposals is that we have three types of walls: fire
- 9 barrier walls, firewalls, and FML walls, which is an
- 10 FM Global term.
- 11 The Committee accepted this proposal in
- 12 principle with the change that we change "FML walls"
- 13 to the term "high-challenged firewalls." The
- 14 committee, the task group, was charged with getting
- some consistency between NFPA 221 and Chapter 8 of
- 16 5000, which we feel we have accomplished with the
- 17 ROC.
- The vote, by the way, was 19 out of 23
- 19 affirmative. Four people did not submit their votes.
- 20 The current draft I feel reflects Mr. Collins'
- 21 original proposal. We just changed the terminology
- 22 to "high-challenged firewalls," and the requirements
- 23 for what is now high challenged firewalls is
- 24 essentially the same requirements that were in the
- 25 previous version of 221 for firewalls. This is the

- 1 same argument we had yesterday. This is the same
- 2 argument we had three years ago. The only difference
- 3 is that we now resolve the argument. We could not
- 4 all agree on how to design a firewall because there
- 5 are different fire loss scenarios, depending on the
- 6 occupancy.
- 7 And at this time we've left it up to the
- 8 occupancy committees to define what fire loss
- 9 scenario they envision and what level of reliability
- 10 they need in a firewall. So I urge you to reject
- 11 this proposal. Thank you.
- 12 CHAIRMAN BUKOWSKI: Microphone 7.
- 13 MR. FRANCIS: Sam Francis, American Forest
- 14 and Paper Association, speaking in support of the
- 15 proposal. Just as a note, when we discussed this as
- 16 221, the objection, which you all sustained, was
- 17 that -- and you heard it again -- other projects like
- 18 30 need this sort of construction to reference.
- 19 Okay. It exists in 221. That was accomplished.
- Nowhere in the rest of the Building Code is there a
- 21 reference to or utilization of such a firewall. And
- 22 nothing frankly prevents those projects or those
- occupancy groups from referencing 221.
- 24 As the submitter of several proposals to
- other projects to reference the Building Code for

- 1 this very sort of thing, for example, the National
- 2 Electrical Code, it was completely rejected. They
- 3 said, "Hell, no" -- excuse me, I guess I'm not
- 4 supposed to phrase it that way. They said
- 5 respectfully, "No, we're going to reference 221.
- 6 Given that none of those projects are
- 7 pointing to this section and none of the other
- 8 occupancy groups are pointing to this section, it
- 9 creates a level for which there is no requirement in
- 10 the code.
- 11 And the Building Code 5000 project was
- 12 created, put together, as a complete package
- 13 envisioning not what's created here called
- 14 "high-challenged." That was created in response to
- other needs. It was created with the existing
- 16 firewall concept that Mr. Collins correctly
- 17 identified. I support his motion.
- 18 And since those who think other projects --
- 19 and I'm one because I learned my lesson -- need to
- 20 point at these kinds of things, it exists out there
- in 221, and those should not be mixed and confused.
- 22 CHAIRMAN BUKOWSKI: Thank you. Any other
- 23 input?
- 24 MR. COLLINS: Dave Collins, American
- 25 Institute of Architects. It was correctly pointed

- 1 out that I was a member of the task group. And, yes,
- 2 we put forward the original proposal. I think I may
- 3 have even made the proposal to take the language out
- 4 of 221 to put it in the Building Code.
- 5 But the main point of that whole thing was
- to correlate the documents on the subject, the entire
- 7 subject matter, not simply high-challenged firewalls.
- 8 During the ensuing debate and discussion, I came to
- 9 feel that the high-challenged firewall was not a
- 10 useful tool within the Building Code at all. It
- 11 doesn't provide any additional benefit. The standard
- 12 is in 221.
- 13 I'm opposed to it being there as well
- 14 because I think it's poorly constructed. But,
- 15 nonetheless, it's there. And if it's needed, you can
- still get it, but it doesn't belong in the Building
- 17 Code. I urge you to support my motion.
- 18 MR. WILLSE: Peter Willse, Chair of the
- 19 Building Construction Committee. The Committee vote,
- as you see in the ballot, was 18 to 3. We had looked
- 21 at, yes, this term "high-challenged" is not in the
- 22 code yet, but it's one of those, "Chicken or egg,
- which comes first?"
- 24 If you take a look at Chapter 34, the
- 25 hazardous contents occupancy, there is a way to

- 1 get -- they do have a requirement to exempt Chapter
- 2 34 if you are an aerosol warehouse that must comply
- 3 with NFPA 30B. NFPA 30B is going through a cycle
- 4 right now. They may be requiring the
- 5 high-challenged; they may not. What we're looking at
- 6 is to make it user friendly. You give them the
- 7 information in one spot instead of having them to
- 8 look in two or three spots.
- 9 MR. DAVIS: Dick Davis, FM Global, speaking
- 10 in opposition. The logic here is similar to what we
- 11 did with the alternative heightened area
- 12 requirements. This is something new to the Code. I
- 13 urge you to reject this and keep it in there and give
- 14 the opportunity for the occupancies committees to
- 15 look at it and decide perhaps to reference it.
- 16 CHAIRMAN BUKOWSKI: Any more input?
- 17 MR. MCELVANEY: Joe McElvaney. I was
- 18 honored to be on this task force too. This task
- 19 force was very split on this high-challenged wall.
- 20 It really was a toss of a coin depending upon who was
- 21 there that day. I recommend that we do not put it in
- 22 at this time.
- 23 CHAIRMAN BUKOWSKI: Seeing no one else at
- the microphone, I think we're ready to vote. All
- 25 those in favor of returning Proposal 5000-256A,

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1 please raise your hands. All opposed. Thank you.
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- 2 Motion fails. Next item. Anything else in Chapter
- 3 8?
- 4 MR. THORNBERRY: Thank you. Rick Thornberry
- 5 with the Code Consortium, and on this item I'm
- 6 representing WR Grace. I'm going to get to the
- 7 motion at this time. The identifiable part of
- 8 Comment 5000-239, which is on page 5000-88, the
- 9 identifiable part is the Committee Meeting Action.
- 10 CHAIRMAN BUKOWSKI: Okay. Do I have a
- 11 second? I heard a second. Please proceed.
- MR. THORNBERRY: This item was handled in
- 13 101, and at that time I wasn't sure what to do with
- 14 it when we got to 5000. But some people asked me to
- 15 think about it. So I said, Well, if we're going to
- 16 at least try to make the codes consistent on this
- 17 issue, then I'll move the comment and put it on the
- 18 floor for that action to occur. This was in
- 19 relationship to 101-117, which was moved with the
- 20 same wording as we're proposing here. Thank you.
- 21 CHAIRMAN BUKOWSKI: Committee response?
- 22 MR. WOOLDRIDGE: I defer this action to Eric
- 23 Rosenbaum.
- MR. ROSENBAUM: Eric Rosenbaum, Chairman of
- 25 the Fire Protection Features Committee. Similar to

- 1 101, the Committee passed this. I think it was a 9
- 2 to 8 vote. The reasons for the disagreement was
- 3 based on equivalency of performance, based on are we
- 4 allowed to. It wasn't required to be fairly called
- 5 out concerning limiting the use of glass and
- 6 sprinklers. So the committee again voted in favor
- 7 but not strongly.
- 8 MR. HIRSCHLER: Marcelo Hirschler.
- 9 Accepting this motion would be consistent with what
- 10 we did in the Life Safety Code. So I urge the floor
- 11 to accept the motion.
- 12 MR. KLEIN: Marshall Klein, Fire Protection
- 13 Engineer. I'm a member of the Fire Protection
- 14 Features Committee. The only thing consistent is the
- inconsistency of how we look at things. This was
- 16 rejected by the Committee as you see by the comments.
- I only want to point out one thing, is that
- 18 when you take a look at the equivalency here, if you
- 19 accept it -- and I'm recommending that you should not
- 20 accept this -- that your equivalency should be based
- on Chapter 5.
- 22 If you go to Chapter 5, it gets very
- 23 detailed on how you have to do any equivalency as far
- 24 as the entire building. Remember that the negative
- 25 comments made was going to the equivalency section

- 1 that does not require you to go to Chapter 5.
- 2 Sometimes you want an equivalency for a portion of
- 3 the building, not the entire building.
- 4 If you're a code official, I wouldn't think
- 5 that was something you would want if you're using
- 6 this particular section for a small portion of the
- 7 building. So I would urge you to support the
- 8 Committee and reject this Comment.
- 9 MR. THORNBERRY: Rick Thornberry again
- 10 representing WR Grace. I guess I don't interpret the
- 11 committee action that I'm suggesting be moved if
- 12 sending you to Chapter 5 is the only way to do it.
- 13 It gives you the option.
- 14 CHAIRMAN BUKOWSKI: Seeing no more speakers,
- 15 we'll go to a vote. All those in favor of accepting
- 16 5000-239, please raise your hands. Thank you. All
- 17 opposed. That one is pretty close. I think I'm not
- 18 going to call that one. We'll do a standing vote.
- 19 Delegates for organizations please fill out
- 20 the green ballot form handed to you previously, and
- 21 these will be collected. In accordance with
- 22 Association Bylaws, only accredited representatives
- of organization members whose names have been
- 24 recorded previously with the association for the
- 25 purpose of and prior to this meeting shall fill out

- 1 the ballot form. One accredited representative of
- 2 the organization member only will please complete the
- 3 ballot. If the organization is abstaining from the
- 4 vote, please check the appropriate line on the
- 5 ballot.
- 6 Those in favor please stand. Opposed.
- 7 Motion passes 50 to 34 with some abstentions.
- 8 Next item. Anything more on Chapter 8?
- 9 Chapter 8's gone. Chapter 9? Chapter 10?
- 10 Chapter 11?
- MR. LATHROP: Jim Lathrop speaking for
- 12 myself, and this is for purposes of correlation what
- we did in NFPA 101. Return proposal 5000-544 and all
- 14 related comments. 5000-544 is on page 5000-220.
- 15 CHAIRMAN BUKOWSKI: We need at least one
- 16 comment to change it.
- 17 MR. LATHROP: This is the escape device
- 18 issue.
- 19 CHAIRMAN BUKOWSKI: Okay. We have a second.
- 20 MR. LATHROP: This is for purposes of the
- 21 correlation on the action taken earlier today.
- MR. DE VRIES: Dave De Vries, Chairman of
- 23 the Means of Egress Committee. As the proposer of
- this original submittal, I will defer committee
- 25 comments to Mr. Bill Koffel.

- 1 MR. KOFFEL: Bill Koffel, Koffel Associates.
- 2 And the reason that I've been asked to represent the
- 3 Committee on this, as Dave indicated, he did have a
- 4 client interest, and I did chair that particular
- 5 portion of the meeting. I think in terms of the
- 6 Committee's position on this, and we don't have this
- 7 up on the slide, the comment would be 5000-533,
- 8 starting on page 144. Committee action is on page
- 9 145. Then you have ballot comments, both negatives
- 10 and affirmatives, and then abstention comments that
- 11 probably provide the best guidance as well as the
- 12 Technical Correlating Committee note.
- 13 I'm not going to repeat what was said in NFK
- 14 101. I think you know what the Committee's position
- is. Personally I'm not convinced that there is, and
- obviously the Committee took the same action in 101
- 17 and 5000.
- 18 CHAIRMAN BUKOWSKI: So you are supporting
- 19 the motion?
- 20 MR. KOFFEL: All I can say is the committee
- 21 ballot says what it is. What has changed is the
- action that occurred a couple hours ago in NFK 101,
- 23 and the Committee has not had a chance to respond to
- 24 that. So personally I see no reason to make a
- difference between 101 and 5000.

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1 MR. DE VRIES: Dave De Vries, Firetech
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- 2 Engineering Incorporated, speaking on behalf of CVAC,
- 3 the Safe Evacuation Coalition.
- 4 I'd like to address some of the points that
- 5 came up this morning that I did not have an
- 6 opportunity to, and the subject was on the floor with
- 7 respect to the Life Safety Code. There were several
- 8 specific points that were raised this morning. One
- 9 concerned the applicability of this language that's
- 10 contained in Section 11.13 as it was approved by the
- 11 committee. A comment was raised as to whether this
- 12 applied to buildings that were not high-rise
- 13 buildings.
- 14 In fact, the intent of the Committee and our
- intent in originally proposing this was this was
- intended to apply to all multistoried buildings,
- whether high-rise or less than high-rise in height.
- 18 The point that was raised about the fire department
- 19 access and use of ground ladders and ladder trucks,
- 20 ladder platforms, aerial lifts, and so forth from the
- 21 fire department would be a great means of
- 22 supplemental evacuation equipment if we were assured
- 23 that it was available in all situations. And, in
- 24 fact, there may be situations where it's not
- 25 available, and that is exactly why we need to

- 1 consider alternative technologies such as this
- 2 supplemental evacuation equipment.
- 3 A point was raised this morning about the
- 4 coordination between the Life Safety Code or the
- 5 Means of Egress Committee and the ASTM process that
- 6 is ongoing right now. In fact, there is a lot of
- 7 coordination going on. There are several members of
- 8 the Means of Egress Committee that are also actively
- 9 involved in the ASTM process.
- 10 One of the speakers who was here this
- 11 morning addressing you at this meeting sub-chairs
- 12 that Committee on external evacuation equipment. In
- 13 fact, NFPA has designated a representative on behalf
- of the organization to be a member of this ASTM
- 15 Committee, and that representative is actively
- 16 represented in the ASTM process.
- 17 The comments were made about the materials
- 18 that these devices are being made from. There was a
- 19 reference to combustible plastics, wood, and other
- 20 materials. I fully expect that the ASTM subcommittee
- 21 process will be addressing these issues as to
- 22 materials. I don't know that this is the appropriate
- 23 place to write a product specification or a product,
- 24 and it is within the Life Safety Code or the NFPA
- 25 Building Code. I think the appropriate place is in

1 an ASTM standard that we can eventually reference in

- 2 this document.
- And, in fact, that subcommittee at ASTM is
- 4 currently seeking advice right now on the issues of
- flammability of materials and how to go about testing
- 6 those materials on supplementary evacuation equipment
- or, as they say, external evacuation equipment.
- 8 Wrapping up, let's understand what we've got
- 9 in this proposal and what we don't have in this
- 10 proposal. What we've got is a completely new
- 11 section, 11.13. That is completely separate from the
- 12 Means of Egress provisions in Chapter 11. These
- provisions in 11.13 place limitations on how the
- 14 supplemental evacuation equipment is to be installed,
- 15 maintained, and used.
- 16 Fundamentally, it requires an evaluation
- 17 plan submitted and reviewed by the AHJ to be
- 18 implemented as part of this process. What it does
- 19 not do is replace any of the required means of egress
- 20 that are in that chapter. It gives no credit for
- 21 numbers of means of egress or capacity means of
- 22 egress.
- NFPA needs to be in a leadership position on
- this issue. This is going on elsewhere in the world,
- 25 and NFPA, being recognized as a leader around the

- 1 world in fire protection and life safety, should be
- 2 involved in this. I urge you to vote against the
- 3 motion on the floor and support the committee
- 4 position on this. Thank you.
- 5 MR. FRABLE: Dave Frable representing
- 6 myself.
- 7 The Committee did solicit public comments
- 8 during the ROC and informed the task group to revise
- 9 the original proposal based on public comments and
- 10 concerns of other TC members. The task group
- 11 addressed all the concerns raised by these
- 12 individuals. The proposed new section merely
- provides a set of minimum requirements should a
- 14 building owner propose to install these type of
- 15 systems and equipment on a building. Thank you.
- 16 MR. BRYAN: John Bryan, consultant for Drake
- 17 Maryland.
- 18 I spoke for the return of the proposal in
- 19 101. I did not make the motion at this time because,
- 20 although a member of the Life Safety Code, I have
- 21 never attended a meeting of the Building Code. So
- 22 that's why when Jim introduced me, I did not go into
- 23 detail on a lot of the issues.
- 24 But I think it is a mistake to put into
- 25 either the Building Code or the Life Safety Code

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1 minimum requirements that do not provide a criteria
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- for the AHJ to attempt to evaluate these devices.
- 3 I will emphasize again this section with the
- 4 minimum requirements are based on two things: a fire
- 5 protection engineer and the manufacturer's
- 6 instructions. I never received in 101 a copy of the
- 7 manufacturer's instructions for the use, the design,
- 8 or the application of any of these devices. I have a
- 9 whole list of recommendations for the three devices
- 10 that are in the Building Code, and 101 is never
- 11 identified. They tell you what is not allowed by the
- 12 section but not what it is. And by modifying it, it
- 13 would give the AHJ some criteria.
- I'm glad to hear -- and I mentioned that the
- 15 ASTM Committee had been formed last October. I am
- 16 saying wait until -- I'm not against that. I'm
- 17 favoring it. But until they have some criteria, I am
- 18 very concerned that the misname of this group is safe
- 19 evacuation, which, in my humble opinion, is a device
- 20 that without more information for the AHJ to evaluate
- 21 them may result in injuries to users or injuries to
- 22 members of the fire service operating at the same
- 23 situation.
- 24 There are a lot of human behavior problems
- 25 relative to the activation of the devices. There are

- 1 problems relative to how they reach the device. If
- 2 it's a stair, it should meet 101 requirements. If
- 3 it's a window, it should meet the 101 window clear
- 4 area requirement. This appears, I will repeat again,
- 5 to be a design that is liable to cause more confusion
- 6 by AHJ.
- 7 And I sincerely hope if they're put in this
- 8 country under this consideration, that we will not
- 9 injure users or others operating at the scene if this
- 10 is the only criteria that is used to evaluate them
- 11 because it is very inactively addressing the problem.
- 12 Thank you.
- 13 CHAIRMAN BUKOWSKI: Just to clarify, John.
- 14 You're speaking in favor of returning the proposal?
- MR. BRYAN: I'm speaking in favor of the
- 16 motion, and I'm also opposing what's written in both
- 17 the Building Code and 101 in this proposal. I think
- 18 it's premature. It's not fully developed. And what
- 19 is the rush? You've got a committee working in ASTM.
- 20 I have no objection. I want that, but I say wait
- 21 until you get data to make this section useful and to
- 22 avoid problems, that if you adopt it now and you know
- what's going to happen.
- 24 They've told you, every one of them that
- 25 came up here, "We need something in NFPA because it's

- 1 respected as the worldwide leader in standards." But
- what I'm saying is that what we have in this section,
- 3 in 101 and you now have in the Building Code, is not
- 4 adequate to represent the standards of NFPA by both
- 5 5000 and 101.
- 6 CHAIRMAN BUKOWSKI: I just asked for the
- 7 clarification because again you're standing at a
- 8 microphone that says you're opposed.
- 9 MR. BRYAN: Bill says it's the closest one,
- 10 and the guy back here, he doesn't have to change his
- 11 switch. Give me a break.
- 12 CHAIRMAN BUKOWSKI: We just don't want to
- 13 confuse the body. The red flags are opposed. The
- 14 green flags are in favor.
- MR. PAULS: Jake Pauls with Jake Pauls
- 16 Consulting. I am a member of the Egress Committee.
- 17 And I have to say in my 27 or so years on the
- 18 committee, I have never been so conflicted on an
- 19 issue. And you'll see that in my ROP ballot.
- 20 And if you were present at some of the
- 21 meetings where we discussed this, I basically said --
- I conveyed some of the history of people I've been
- 23 approached by who want to sell some designs, and I've
- 24 always had serious misgivings about them because my
- 25 thinking is that the bar for such devices should be

- 1 set very high.
- 2 The question I had to deal with as a
- 3 committee member was was the bar being set high
- 4 enough with the proposal we have before us, which I
- 5 am now speaking again. I am in favor of the motion
- on the floor to return. I was so conflicted that
- 7 this morning I did not vote. I was deeply upset that
- 8 the debate was cut off because the whole point of my
- 9 voting on this as a committee member was to generate
- 10 public comment. I think it's an area where we
- 11 desperately need public comment, and I would like to
- 12 see a full debate here without the debate being cut
- 13 off again.
- One of the things that troubled me and I
- 15 heard this morning, I heard some things that really
- 16 concerned me quite a bit about people with
- disabilities and their having a benefit from these
- 18 external escape devices. What troubles me
- 19 generally -- and this is a concern I've had all
- 20 through this -- is that a focus on external escape
- 21 devices will detract attention away from the features
- 22 within the building, particularly the stairway system
- 23 and the elevator system.
- I'm particularly concerned about
- 25 improvements that have to be made with the stairway

- 1 system. Some of those we've dealt with continued.
- 2 We will deal with again here. Others we will deal
- 3 with in the future as we will make improvements to
- 4 elevator systems. There's work going on right now
- 5 which is extremely exciting. So there's a lot
- 6 happening in that area.
- 7 I would not want to see any deflection of
- 8 attention on behalf of technical authorities and the
- 9 public to escape devices when we have significant
- improvements to make within the building, both in
- 11 terms of the hardware and the procedures for
- 12 emergencies.
- 13 That's why I have shifted very slightly. I
- 14 will vote in favor of the motion on the floor to
- 15 return this and hope that we can come up with a
- 16 better package in the future because I still think
- that we should set a high bar for such devices if
- 18 they are to be used at all.
- 19 I agree with Dr. Bryan that the bar has not
- 20 been set very high or very clearly with the existing
- 21 language.
- MR. HIRSCHLER: Marcelo Hirschler. I call
- 23 the question.
- 24 CHAIRMAN BUKOWSKI: It's a nondebatable
- 25 motion. We'll go immediately to a vote. All in

- 1 favor for ending debate, please raise your hands.
- 2 Thank you. All opposed. Thank you. Motion carries.
- 3 We'll go to the vote.
- 4 UNIDENTIFIED SPEAKER: I call for a count of
- 5 the vote.
- 6 CHAIRMAN BUKOWSKI: That one was very clear
- 7 to me. I'm going to rule that that passed. I'm told
- 8 you can make a motion to call for a standing count,
- 9 and we'll see if the body wants a standing count.
- 10 MR. DE VRIES: Dave De Vries representing
- 11 the Safety Evacuation Coalition. I think I have a
- 12 good idea of the sense of the body, but I'm going to
- 13 try it anyhow. I move that the vote be counted.
- 14 CHAIRMAN BUKOWSKI: Do we have a second for
- 15 that? We have several seconds for that. Is there
- 16 any discussion on that? All in favor please raise
- 17 your hands. Thank you. All opposed please raise
- 18 your hands. It's very clear that they're opposed.
- 19 Okay. So we'll now move to a vote on the
- 20 main motion. The motion is to return 5000-343 and
- 21 Proposal 5000-544. All in favor of that motion,
- 22 please raise your hands. All opposed. Thank you.
- 23 Motion carries.
- Next item on Chapter 11?
- MR. PAULS: Jake Pauls, Jake Pauls

- 1 Consulting Services speaking for myself.
- 2 Procedurally this one has some problems, but
- 3 I'm going to move acceptance of Comment 5000-324 on
- 4 page 131.
- 5 CHAIRMAN BUKOWSKI: Do we have a second? I
- 6 heard a second.
- 7 MR. PAULS: Perhaps it doesn't matter how
- 8 the assembly votes, although it would be best, I
- 9 believe, in my opinion, for the assembly to vote in
- 10 favor of this motion. The Committee may vote against
- it, which then would send it to the Standards
- 12 Council.
- The reason behind this procedure is a few
- 14 hours ago we adopted in the Life Safety Code a
- 15 requirement to basically match the performance of
- doors from stairs with the wider width of stairs,
- 17 which was accepted. And so the purpose of my motion
- is to get consistency or universality between the
- 19 Life Safety Code and NFPA 5000 on the issue of door
- 20 width from stairs that are sliding wider.
- 21 If you look at the discussion on this and
- the votes from Committee members on Means of Egress,
- 23 some Committee members said it was already dealt
- 24 with, and others said it wasn't. So I think it
- 25 should be more explicit. The only question is are we

- 1 assuring that actually happens?
- Now, the wording that was adopted for Life
- 3 Safety Code under Comment 101-67 as it was approved
- 4 by the Technical Correlating Committee is slightly
- 5 different than this Comment that you're voting on
- 6 now. The differences are largely editorial because
- 7 the method of stairwell changed late in the process.
- 8 And I think the best way of dealing with
- 9 that, because I'm not in favor of doing this on the
- 10 floor, is to send it to the Standards Council and
- 11 adopt the same language that 101 has and substitute
- 12 for Chapter 7 Chapter 11.
- So, again, the purpose of my motion is to
- 14 simply provide a mechanism for the Standards Council
- to have consistency among the two documents.
- 16 CHAIRMAN BUKOWSKI: Next is Committee
- 17 response.
- 18 MR. WOOLDRIDGE: I would like to defer
- 19 comment at this point on this motion to Mr. De Vries,
- 20 who is Chairman of the Technical Committee for Means
- of Egress.
- MR. DE VRIES: Please disregard the red sign
- 23 in front of the microphone. As Dr. Bryan pointed
- 24 out, it is the closest one.
- 25 Dave De Vries chairing the Means of Egress

- 1 Committee. You were right, sir, in pointing out that
- there is a discrepancy in the correlation. And I
- 3 understand there may need to be Standards Council
- 4 action to clarify that.
- 5 But on the substantiation of the issue, this
- 6 ties into the increased minimum stair width issue
- 7 that we talked about at length this morning in the
- 8 101 hearing. And intuitively the Committee
- 9 recognized that if you have an increased width of
- 10 stair, that the door at the exit discharge should
- 11 probably be increased proportionately to reflect the
- 12 potentially more rapid movement of people and greater
- 13 number of people that are going to be using that
- 14 stair and, consequently, address this issue in 101
- 15 increasing that width. It makes sense that this, for
- 16 correlation purposes, be done in 5000 as well.
- MS. GULGOWSKI: Erica Gulgowski from the
- 18 National Institute of Standards and Technology. I
- 19 would like to agree with the past two responses.
- 20 5000 should remain consistent with 101. But, in
- 21 addition, I'm supporting this motion. I'm in favor
- of this code change. And I reference the comments
- 23 that I made earlier today as well as the comments
- 24 that I have in the ROC regarding this issue. Using
- 25 the general hand calculations that I referred to

- 1 earlier where I varied the number of people on the
- 2 floor and number of floors for hypothetical buildings
- 3 evacuation time by at least 20 percent, specifically
- 4 for buildings above 14 stories and width for hundred
- 5 people per floor and lower where the minimum floor
- 6 dominates. So I'm in support of this.
- 7 CHAIRMAN BUKOWSKI: Any other input? Seeing
- 8 none, we'll vote. All in favor accepting Comment
- 9 5000-324, please raise your hands. All opposed.
- 10 Motion carries.
- 11 Onto the next item. Anything else in
- 12 Chapter 11?
- MR. BARLOW: Charles Barlow, Everglow. I am
- 14 a member of the Means of Egress Committee but not a
- voting participant today. Can I move on a proposal?
- 16 CHAIRMAN BUKOWSKI: Yes, you can.
- 17 MR. BARLOW: Proposal Number 531. This is
- 18 page 217 in the 5000 section, reasonably proposed by
- 19 Manny Muniz. I'd like to move that that be voted for
- 20 acceptance.
- 21 CHAIRMAN BUKOWSKI: Are you authorized by
- 22 Mr. Muniz to move this?
- MR. BARLOW: No. I guess that would be
- 24 another question. Do I need authorization to do
- 25 that?

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1 CHAIRMAN BUKOWSKI: Yes, you do need
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- 2 authorization.
- MR. BARLOW: Okay. Thank you.
- 4 CHAIRMAN BUKOWSKI: So that's an invalid
- 5 motion. Okay. Anything else? Seeing nothing, move
- 6 to Chapter 12. Anything in Chapter 12? Nothing.
- 7 Chapter 13? Chapter 14? Chapter 15? Chapter 16?
- 8 MR. MCELVANEY: Joe McElvaney, City of
- 9 Phoenix, representing myself. I'd like to move to
- 10 accept in part my proposal 5000-650 on page 270.
- 11 CHAIRMAN BUKOWSKI: Do we have a second? I
- 12 heard a second.
- MR. MCELVANEY: The part I would like to
- 14 adopt is would these systems be in accordance with
- 15 NFPA 92A?
- The reason why I'm asking for this, if you
- 17 notice the Committee Comment, they said that NFPA 90A
- 18 was a recommended practice. Well, just today we got
- 19 done approving it, making this a standard. I think
- 20 by doing this will help solve some problems, take
- 21 care of some issues.
- 22 MR. WOOLDRIDGE: We'll defer that comment to
- 23 Ralph Gerdes.
- 24 MR. GERDES: Ralph Gerdes. As Joe pointed
- 25 out, the Committee rejection was based on the fact

- 1 that it was a recommended practice, and we weren't
- 2 allowed to reference it within the body of the
- 3 standard itself. Now that 90A has become a standard,
- 4 I guess we have no objection to that.
- 5 CHAIRMAN BUKOWSKI: Thank you. Any other
- 6 input? Seeing none, we'll go to the vote. All those
- 7 in favor of accepting this part of 5000-650, raise
- 8 your hands. Opposed. Motion carries.
- 9 UNIDENTIFIED SPEAKER: I'm Chair of the
- 10 Technical Committee on Fire Alarm Systems, and I move
- 11 Comment 5000-444.
- 12 CHAIRMAN BUKOWSKI: Do we have a second? I
- 13 heard a second. Please proceed.
- 14 UNIDENTIFIED SPEAKER: I guess for brevity,
- 15 I can just refer to my statements I made during 101,
- or I could make the same statements for 5000. I was
- 17 asking for an opinion of the Chair here.
- 18 CHAIRMAN BUKOWSKI: I'm sorry. Repeat that.
- 19 UNIDENTIFIED SPEAKER: For brevity I can
- 20 refer to my comments that I made during the 101
- 21 discussion, or I can make them here again on the 5000
- 22 side.
- 23 CHAIRMAN BUKOWSKI: It's completely up to
- 24 you, sir.
- 25 UNIDENTIFIED SPEAKER: Will the Standards

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1 Council be able to refer to my comments on 101?
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- 2 CHAIRMAN BUKOWSKI: Sure.
- 3 MR. WOOLDRIDGE: I'll defer this comment to
- 4 Mr. Gerdes with respect to Assembly Occupancies.
- 5 MR. GERDES: Ralph Gerdes, Chair of the
- 6 Committee. As discussed earlier today, the Committee
- 7 has a concern about high ceiling large volume spaces.
- 8 We see the need to allow PA systems, and the hardware
- 9 really doesn't exist today to get to a voice
- 10 evacuation system for these type of buildings. Based
- on previous action, we recommend the membership
- 12 oppose this motion.
- 13 CHAIRMAN BUKOWSKI: Any other input? Seeing
- 14 none, we'll go immediately to a vote. All those in
- favor of accepting Comment 5000-444, please raise
- 16 your hands. Opposed. Motion fails. Next item.
- 17 UNIDENTIFIED SPEAKER: I move Comment
- 18 5000-446 found on 5000-200 of the ROC.
- 19 CHAIRMAN BUKOWSKI: Do we have a second? We
- 20 do have a second. Please proceed.
- 21 UNIDENTIFIED SPEAKER: Again I refer to my
- 22 previous comments made during this discussion on the
- 23 Assembly Occupancies during the 101 discussion.
- 24 CHAIRMAN BUKOWSKI: Committee response?
- 25 MR. WOOLDRIDGE: Same thing happened. A

- 1 similar motion failed during 101 committee work, and
- 2 we'll defer comments to Mr. Gerdes, Chairman of the
- 3 Assembly Occupancies Committee.
- 4 MR. GERDES: Ralph Gerdes, Chair of the
- 5 Committee.
- 6 Again, this is the same issue. Now it's
- 7 just a mere reference to compliance with NFPA 72, and
- 8 again I would urge the membership to reject this
- 9 motion and based on previous action be consistent
- 10 with 101.
- 11 CHAIRMAN BUKOWSKI: Okay. Additional input?
- 12 Seeing none, we'll take the vote. All those in favor
- for accepting Comment 5000-446. Opposed. Motion
- 14 fails.
- 15 Next item. Is there another item in this
- 16 Chapter 16? Chapter 17? Chapter 18? Chapter 18,
- 17 nothing. Chapter 19? Nothing on 19. Chapter 20?
- 18 Chapter 21? Nothing on 21. Chapter 22? Nothing on
- 19 22. Chapter 23? Chapter 23, no. Chapter 24?
- 20 Nothing for 24. Chapter 25? Nothing on 25. Chapter
- 21 26? Nothing on 26. Chapter 27?
- 22 MR. FERRY: Shane Ferry, and I move Comment
- 23 5000-533 found on page 5000-233 of the ROC.
- 24 CHAIRMAN BUKOWSKI: Do we have a second? I
- 25 have a second. Please proceed.

1 MR. FERRY: As before, this is dealing with

- voice evacuation systems in Mercantile Occupancies,
- 3 primarily covered malls. But for brevity I will just
- 4 defer to comments I made during my discussion during
- 5 the Mercantile Chapter of 101.
- 6 CHAIRMAN BUKOWSKI: Chair Committee
- 7 response?
- 8 MR. WOOLDRIDGE: A similar motion was heard
- 9 in the 101 Committee, and that action failed. And I
- 10 will defer comments to Mr. Schultz, Chairman of the
- 11 Committee on Mercantile and Business Occupancies.
- 12 MR. SCHULTZ: Ed Schultz, Chair of
- 13 Mercantile and Business Occupancy.
- 14 Yes. I'll stand on the comments I made this
- morning and urge that we continue to support the
- 16 Committee's action on this given the fact that we
- 17 want the 101 and 5000 documents to remain consistent.
- 18 Thank you.
- 19 CHAIRMAN BUKOWSKI: Any additional input?
- 20 Seeing none, we'll take the vote. All in favor of
- 21 accepting Comment 5000-533, please raise your hands.
- 22 Thank you. Opposed. Thank you. Motion fails. Next
- 23 item.
- 24 MS. STASHAK: Cathy Stashak representing
- 25 myself. I'd like to move to accept an identifiable

1 part of 5000-540 on page 5000-238. This is the same

- 2 issue as we discussed in 101.
- 3 CHAIRMAN BUKOWSKI: Do we have a second? I
- 4 heard a second. Please proceed.
- 5 MS. STASHAK: Basically the requirements for
- 6 multilevel play structures are in the Assembly
- 7 Chapters right now. So the requirements are there.
- 8 We're now seeking a lot more of these structures in
- 9 mercantile occupancies, specifically malls. And so
- 10 we're just asking that this pointer be placed so that
- 11 somebody that's dealing with this in the mall
- 12 structure will be familiar with the assembly
- occupancies and the appropriate requirements. This
- is just to make the Code user friendly.
- 15 CHAIRMAN BUKOWSKI: You can move both parts
- 16 together. You don't have to split it up.
- MS. STASHAK: I'm afraid to do that.
- 18 CHAIRMAN BUKOWSKI: You think you've got a
- 19 better shot with two pieces?
- 20 MS. STASHAK: I'd rather do it the way I did
- 21 it in 101, if that's okay.
- 22 CHAIRMAN BUKOWSKI: Other input?
- MR. HIRSCHLER: Marcelo Hirschler. I'm not
- 24 going to repeat the things I said during 101 in
- 25 support of this. Is this consistent with what we did

- 1 in 101? I would say that it is consistent with what
- 2 we did in 101, and if Mr. Schultz wants to add
- 3 anything to that, he can.
- 4 MR. SCHULTZ: Ed Schultz, Chair of
- 5 Mercantile and Business. It is consistent with what
- 6 will happen in 101. The Committee actually feels
- 7 that this needs a lot more work, but it is consistent
- 8 with 101.
- 9 CHAIRMAN BUKOWSKI: Other input? Seeing
- 10 none, we'll take the vote. All those in favor of
- 11 accepting this identifiable part in 5000-540, please
- 12 raise your hands. Opposed. Motion carries. Next
- 13 part.
- MS. STASHAK: I'm sorry, I'm very
- 15 superstitious. I move to accept identifiable part of
- 16 Comment 5000-540 on page 5000-238, the second part,
- which is 27.4.4.13.2. Do you want me to read through
- 18 that whole thing I did from 101?
- 19 CHAIRMAN BUKOWSKI: No. Don't need that. I
- 20 think everybody is with you. Second. Committee
- 21 response?
- 22 MR. WOOLDRIDGE: Similar action was taken to
- 23 approve this type of motion from 101, and I don't see
- anything wrong with that. Mr. Schultz?
- MR. SCHULTZ: Ed Schultz, Chair of

- 1 Mercantile and Business. And, yes, this is what
- 2 occurred in 101, and as a result, it probably is
- 3 appropriate.
- 4 CHAIRMAN BUKOWSKI: Additional input?
- 5 MR. HIRSCHLER: Marcel Hirschler, Member of
- 6 the Fire and Safety Council in support, same as in
- 7 101. Thank you.
- 8 CHAIRMAN BUKOWSKI: Thank you. Any other
- 9 input? Seeing none, we'll take the vote. All in
- 10 favor of this part of 5000-540, please raise your
- 11 hands. Thank you. Opposed. Thank you. Motion
- 12 carries. Next item. Microphone 7.
- 13 MR. FERRY: Shane Ferry. I'd like to move
- 14 Comment 5000-536 found on page 5000-235 of the ROC.
- 15 CHAIRMAN BUKOWSKI: I have it. Do we have a
- 16 second? We have a second. Please proceed.
- 17 MR. FERRY: Thank you again. I'll defer for
- 18 brevity, and also to ease the fingers of our court
- 19 reporter, to the comments that I made during 101.
- 20 Thank you.
- 21 CHAIRMAN BUKOWSKI: Committee?
- 22 MR. WOOLDRIDGE: Similar motion was heard in
- 23 101, and that motion failed. We'll defer comments to
- 24 Mr. Schultz, Chairman of the Mercantile and Business
- 25 Occupancies Committee.

- 1 MR. SCHULTZ: Ed Schultz, Chair of
- 2 Mercantile and Business. I'll defer to my comments
- 3 that were made during the 101 discussion and urge to
- 4 continue to keep the documents consistent and reject
- 5 the motion.
- 6 CHAIRMAN BUKOWSKI: Thank you. Other input?
- 7 Seeing none, we'll take the vote. All in favor of
- 8 accepting Comment 5000-536, please raise your hands.
- 9 Thank you. Opposed. Thank you. Motion fails. Next
- 10 item. Microphone 7.
- 11 MR. FERRY: Shane Ferry. I move Comment
- 12 5000-547 found on page 5000-240 of the ROC.
- 13 CHAIRMAN BUKOWSKI: I have it. Do we have a
- 14 second? I heard a second. Please proceed.
- MR. FERRY: Thank you. Again this is
- 16 related to voice evacuation system. If I could just
- defer to the comments made during our discussion of
- 18 101.
- 19 MR. WOOLDRIDGE: Similar motion failed
- 20 during the 101 Committee report, and I'll defer
- 21 comments to Mr. Schultz.
- MR. SCHULTZ: Ed Schultz, Chair of
- 23 Mercantile and Business. I'll again stand on my
- comments made during 101 and urge to continue the
- 25 consistency in the documents and urge to reject.

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1 CHAIRMAN BUKOWSKI: Additional comment?
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- 2 Seeing none, we'll take a vote. Motion fails. Next
- 3 item. Anything else in this chapter? This is 27.
- 4 Nothing else in 27. Chapter 28? Microphone 7.
- 5 MR. FERRY: Shane Ferry. I move Comment
- 6 5000-554 found on page 5000-243 of the ROC.
- 7 CHAIRMAN BUKOWSKI: I have it. Do we have a
- 8 second? We have a second. Please proceed.
- 9 MR. FERRY: Again this is related to voice
- 10 evacuation system in existing business and
- 11 mercantile, and I defer and stand on the comments
- 12 made during the 101 discussion.
- 13 CHAIRMAN BUKOWSKI: Thank you. Committee?
- MR. WOOLDRIDGE: I'll defer comments to
- 15 Mr. Schultz.
- MR. SCHULTZ: Ed Schultz, Chair of
- 17 Mercantile and Business. And I stand on my comments
- 18 that I made during the 101 discussion and again urge
- 19 to remain consistent with documents and defeat the
- 20 motion.
- 21 CHAIRMAN BUKOWSKI: Additional input?
- 22 Seeing none, we'll take a vote on motion to accept
- 23 Comment 5000-544. Motion fails. I've been handed a
- 24 note for a two-minute stretch break.
- 25 (A brief recess was taken.)

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1 CHAIRMAN BUKOWSKI: Anything additional on
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- 2 Chapter 28? 29? 30?
- 3 MR. FASH: This is trying to get a
- 4 clarification on actions previously today. We had
- 5 many on 831 of the ROP on that same issue. I didn't
- 6 know if that's something that has to be discussed at
- 7 the Standards Council level, or do I need to bring it
- 8 up to the body as a whole right now for a vote to
- 9 have the same type of action that was taken at the
- 10 previous ROP meeting?
- 11 CHAIRMAN BUKOWSKI: Can we get your name for
- 12 the record, please?
- 13 MR. FASH: Robert Fash, Las Vegas Fire and
- 14 Rescue.
- 15 CHAIRMAN BUKOWSKI: So do you have a motion
- 16 to make?
- 17 MR. FASH: I don't know if I need to make
- one. That's the whole point. I don't know if an
- 19 action that was taken in NFPA 101 would automatically
- carry over to 5000.
- 21 CHAIRMAN BUKOWSKI: No.
- MR. FASH: I would like to bring forward
- 23 5000-831. It's in the Report on Proposals on page
- 24 5000-333. I don't believe there was a comment made
- 25 on this.

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1 CHAIRMAN BUKOWSKI: Is there a second? I
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- 2 heard the second. The motion would be to overturn
- 3 the rejection and accept that Proposal. I don't know
- 4 if that's a proper form. And this would be on the
- 5 same basis as the action that was taken in 1?
- 6 MR. FASH: That is correct.
- 7 MR. KOFFEL: Point of information. Comment
- 8 5000-565 I think might accomplish what the maker of
- 9 this motion was intending it to do. You see a TCC
- 10 note to correlate the action on this item with the
- 11 Uniform Fire Code.
- 12 CHAIRMAN BUKOWSKI: Comment from the
- 13 Committee Chair?
- MR. WOOLDRIDGE: I have no comment. I'll
- defer to Wayne Holmes, Chairman of the Industrial
- 16 Storage and Miscellaneous Occupancies Committee.
- 17 There is a related comment on 5000-182, page 5000-70.
- 18 CHAIRMAN BUKOWSKI: Microphone 1.
- 19 MR. HOLMES: Wayne Holmes, Chairman of
- 20 Industrial Storage and Miscellaneous Occupancies. It
- 21 is correct that Proposed Comment 5000-182 actually
- 22 picked up the definition of storage facility, and the
- 23 Correlating Committee action upheld that and made no
- 24 changes to Part 3 of the Committee action by
- 25 Industrial and Storage.

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1 MR. HIRSCHLER: Point of order. That's not
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- 2 the motion that the gentleman made. He made a motion
- 3 to accept Proposal 831.
- 4 CHAIRMAN BUKOWSKI: We're trying to figure
- 5 out a way to get there, Marcelo. That is a valid
- 6 motion.
- 7 MR. HOLMES: I should be able to change the
- 8 action that was taken on the proposed motion right
- 9 now.
- 10 CHAIRMAN BUKOWSKI: We're trying to figure
- 11 that out. It appears to us what you're trying to do
- has already been done by 5000-665.
- MR. HOLMES: Thank you very much. I'll
- 14 withdraw my motion then.
- 15 CHAIRMAN BUKOWSKI: Anything else in 31?
- 16 Nothing. 32? 33? 34? 35?
- 17 MR. DAVIS: Dick Davis, FM Global, Member of
- 18 the Structures and Construction Committee but
- 19 speaking for myself.
- I would like to move to reject an
- 21 identifiable part of Comment 5000-660 located on page
- 22 5000-272 of the ROC, which is the TCC rejection of
- 23 modifications to Table 35.3 of new items F and I; in
- other words, to delete the second sentence of the TCC
- 25 statement.

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1 CHAIRMAN BUKOWSKI: Do we have a second?
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- 2 Yes, we have a second.
- 3 MR. DAVIS: Comment 5000-660 is the ASCE's
- 4 request to coordinate NFPA 5000 with the 2005 edition
- of ASCE 705. Unfortunately, the ASCE 705 document
- 6 had not been finished when the TC had their ROC
- 7 meeting, and we were forced to reject the comment.
- 8 You will note in the Technical Committee's
- 9 statement that the TC states that they would have
- 10 accepted the comment as written if ASCE 705 had been
- 11 completed in time. ASCE 705 was completed prior to
- 12 the TCC ROC meeting. At that meeting the ROC took
- 13 action to accept in part where changes to Items F and
- 14 I were rejected.
- Unfortunately, the actions taken by the TC
- creates a conflict between ASCE 705 and NFPA 5000,
- which is in conflict with Proposal 5000-942.
- 18 Additionally, the Industrial Committee met after the
- 19 Structures and Construction Committee and chose to
- 20 reject the sister comment of 5000-660A due to
- 21 conflicts in Table 35.3 in Chapter 4.
- 22 So in light of this catch 22, I recommend
- 23 that we reject the identifiable part of the action of
- the TCC note.
- 25 CHAIRMAN BUKOWSKI: Committee response.

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1 MR. WOOLDRIDGE: This motion will actually
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- 2 help with the correlation between NFPA 5000 and the
- 3 2005 edition of ASCE 705, and I'll defer any further
- 4 comments to Mr. Willse.
- 5 MR. WILLSE: Pete Willse, Chair of the
- 6 Structures and Construction. The Committee is in
- 7 agreement with the action being taken.
- 8 CHAIRMAN BUKOWSKI: Any other input? Seeing
- 9 none, we'll go to the vote. The vote is to reject
- this identifiable part of Comment 5000-660. All in
- 11 favor please raise your hands. Opposed. Motion
- 12 carries.
- Next item. Any additional items in 35? 363
- 14 37? 38? 39? 40? 41? 42? 43? 44? 45? 46? 47?
- 15 48? 49? 50? 50 at Microphone 6.
- MR. MCLAUGHLIN: Matt McLaughlin with
- 17 McLaughlin Associates representing the Refrigeration
- 18 Institute.
- 19 I would like to read a statement into the
- 20 record on Comment 5000-732 found on page 5000-302 of
- 21 the ROC.
- 22 "I intend to file an appeal to the Standards
- 23 Council on this subject. The Technical Correlating
- 24 Committee for NFPA 5000 took an action to further
- 25 modify Comment 5000-732 by including the changes

- 1 recommended by Mr. Shapiro in his explanation of
- 2 abstention. Those changes are not reflected in the
- 3 ROC TCC note. My appeal will request the Standards
- 4 Council to make the changes. Thank you."
- 5 CHAIRMAN BUKOWSKI: Thank you. Anything
- 6 else on 50? 51? 52? 53? 54? 55? Annex A? Annex
- 7 B? Annex C? Annex D? Annex E? Any other
- 8 modifications to NFPA 5000?
- 9 MR. KEY: My name is Hal Key. I'm a member
- of the Building Systems Technical Committee, and I'd
- like to read a statement into the record on ROC
- 12 Comment 5000-359A. There's going to be an appeal
- 13 filed with the Standards Council on that comment to
- 14 correct specific language extracted from ADAG
- 15 Guidelines.
- 16 MS. JOHNSON: I'm Brenda Johnson. I'm the
- 17 Chair of the Chemistry Laboratory Technical
- 18 Committee, NFPA 45, and I move to reject Comment
- 19 5000-647. It's on page 5000-269 of the ROC.
- 20 CHAIRMAN BUKOWSKI: It's a valid motion. Do
- 21 we have a second? I heard a second. Please proceed.
- MS. JOHNSON: The effect of this action
- 23 would be to accept in principle Comment 5000-912 as
- indicated in the ROP. I think it's on page 5000-369.
- 25 CHAIRMAN BUKOWSKI: Proposal 5000-912?

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1 MS. JOHNSON: Yes. That was a proposal
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- 2 brought to NFPA 5000 by the Chemistry Laboratory
- 3 Technical Committee. We went to their meeting and
- 4 made an argument in favor of it. It was accepted in
- 5 principle, and then it was changed due to some
- 6 negative comments by their committee, and I think
- 7 they were incorrect. It was Mr. Fluor who cited -- I
- 8 think he was making the 2001 version instead of the
- 9 2004 version. We had a lot of corrections to his
- 10 arguments. He cited an argument in Chapter 8 that
- 11 said that NFPA 45 would allow 31,000 cubic feet of
- 12 flammable gas in a 10,000 square foot laboratory work
- 13 unit. And it's not correct. Chapter 8 doesn't cover
- 14 flammable gases, for one thing. But Chapter 11 of it
- does. And there's a formula in there that for a
- 16 10,000 square foot lab, what would be allowed in the
- way of flammable gases is 120 cubic feet.
- 18 I think another objection that we were told
- 19 about was our Class CD Laboratories do not require
- 20 fire-rated separation. That's true except that the
- 21 2004 version of NFPA 45 requires all laboratories to
- 22 be fully sprinkler protected. And we had laboratory
- 23 research on a ten gallon spill, which is the maximum
- 24 that's allowed outside of a safety container. It
- doesn't leave the room of origin. So we thought we

- 1 brought a very good argument to NFPA 5000 to be
- 2 exempt from -- we were trying to be exempt from the
- 3 control area definition.
- 4 CHAIRMAN BUKOWSKI: Thank you. Committee
- 5 response?
- 6 MR. WOOLDRIDGE: I'll defer comment to
- 7 Mr. Holmes, Chairman of the Industrial Storage and
- 8 Miscellaneous Occupancies Committee.
- 9 MR. HOLMES: Wayne Holmes, Chairman of
- 10 Industrial Storage and Miscellaneous Occupancies.
- 11 Our Technical Committee has worked very hard to
- 12 coordinate and correlate with other Technical
- 13 Committees who has the responsibilities for flammable
- 14 materials in part. We did this in part with the NFPA
- 15 45 Technical Committee. We appreciate the input they
- 16 gave us.
- 17 As a result of their input, you'll see in
- 18 Proposal 5000-912 our proposal which we did accept at
- 19 that time based on the input from NFPA Technical
- 20 Committee. At the time of our meeting on comments,
- 21 we did learn further that Class C and D laboratories
- 22 did not meet the separation requirement of Chapter
- 23 34. And thus you'll see our action on Comment
- 5000-647, where we actually went back and rejected
- 25 our previous action. We stand behind our action in

- 1 the ROC.
- 2 CHAIRMAN BUKOWSKI: Any other input?
- 3 MR. SHAPIRO: Jeff Shapiro on the Committee.
- 4 I'm a member of the Technical Committee. I represent
- 5 the Chlorine Institute, although the public comment
- 6 is not of interest to my client. I did this on my
- 7 own.
- 8 We felt that we had worked with the people
- 9 of the 45 Committee at the meeting to work out a
- 10 compromise, and what we ended up in the ROP phase was
- 11 not a compromise, and we found some holes in it. And
- 12 we thought it was best to just reject the entire item
- and hope to work with the 45 Committee at a future
- 14 meeting. But the Committee was unanimously against
- making the changes that were recommended.
- 16 CHAIRMAN BUKOWSKI: Thank you. Any other
- 17 input? Seeing none, we'll go to the vote. All those
- in favor of rejecting Comment 5000-647, please raise
- 19 your hands. Opposed. Thank you. Motion fails.
- 20 Anything else on 5000? Seeing none, thank you so
- 21 much, Mr. Wooldridge.
- 22 Sorry. Back to the main motion. It's been
- 23 so long. So one more vote. The main motion is to
- 24 accept NFPA 5000 as amended. Any comment or input on
- 25 that? Seeing none, all in favor please raise your

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     hands. Thank you. Opposed. Thank you. Motion
     carries. Now we're done.
 2
              This officially concludes the TC session of
     the meeting. I now declare this part of the meeting
 4
 5
     officially closed.
 6
                   (Thereupon the proceedings
 7
                   were concluded at 5:45 p.m.)
                    * * * * *
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1	CERTIFICATE OF REPORTER
2	STATE OF NEVADA )
3	SS
4	COUNTY OF CLARK. )
5	I, Jane V. Efaw, certified shorthand
6	reporter, do hereby certify that I took down in
7	shorthand (Stenotype) all of the proceedings had in
8	the before-entitled matter at the time and place
9	indicated; and that thereafter said shorthand notes
10	were transcribed into typewriting at and under my
11	direction and supervision and the foregoing
12	transcript constitutes a full, true and accurate
13	record of the proceedings had.
14	IN WITNESS WHEREOF, I have hereunto affixed
15	my hand this, 2005.
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19	Jane V. Efaw, CCR #601
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2	NFPA 2005 JUNE ASSOCIATION TECHNICAL MEETING
3	TECHNICAL COMMITTEE REPORT SESSIONS
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10	REPORTER'S TRANSCRIPT OF PROCEEDINGS
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15	Taken at Mandalay Bay Resort & Convention Center
16	3950 South Las Vegas Boulevard Las Vegas, Nevada
17	On Thursday, June 9, 2005
18	8:00 a.m.
19	
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23	
24	Reported by: Jane V. Efaw, CCR #601, RPR
2.5	

1	Thursday, June 9, 2005; Las Vegas, Nevada
2	PROCEEDINGS
3	* * * * * * * *
4	
5	CHAIRMAN PAULEY: Good morning, ladies and
6	gentlemen. My name is Jim Pauley, and I have the
7	distinct pleasure and privilege of being a member of
8	your Standards Committee. I now declare that a
9	quorum exists and reconvene the Technical Committee
10	Report Session of the 2005 Annual Association
11	Technical Meeting. To assist me is Leona Attenasio
12	Nisbet of the NFPA Staff who is serving as Staff
13	Coordinator. I'd also like to introduce Casey Grant,
14	Secretary of the Standards Council; Phil DiNenno,
15	Chair of the Council; and Maureen Brodoff, NFPA Vice
16	President and General Counsel. This session will be
17	recorded by Laurie Webb & Associates of Las Vegas,
18	Nevada.
19	First, let me address our safety issues.
20	Let's take a minute to note the exits from this room.
21	Now that you have noted the closest exit to you, I
22	would like to inform you the fire alarm signal for
23	the Mandalay Bay Resort and Convention Center is a
24	slow whoop along with flashing strobe lights followed
25	by a voice announcement.

As with any organization, we have certain

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rules and protocols. First of all, recording devices
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 3
      are not allowed to be used during the Technical
 4
      Report Session. I'd like to call your attention to
 5
      the Guide for the Conduct of Participants in the NFPA
 6
      Codes and Standards Development Process. As a
 7
      participant in the process, you should review this
      Guide. I'd also like to call your attention to the
 8
 9
      NFPA Convention Rules. The Convention Rules set the
10
      process to be followed today. Copies of both
      documents are contained in the NFPA Directory which
11
      is available at the NFPA Registration Desk. The
12
      Reports will be taken in the order printed in the
13
14
      Program on pages 66 to 68.
               I'd like to say a few words about the
15
      actions that can be taken and the voting procedures.
16
      At this session you are being asked to adopt certain
17
18
      actions proposed by NFPA Technical Committees. These
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24 The primary regulations governing the NFPA 25 codes and standards development process, including

review and comment prior to October 1st, 2004.

actions are contained in the 2005 NFPA Report on

Proposals and the NFPA 101 and NFPA 5000 Report on

Proposals and in the 2005 NFPA Report on Comments.

The documents in the ROP's were subjected to public

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1 processing of Reports at Association Meetings, are
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- 2 the Regulations Governing Committee Projects. These
- 3 regulations are published in the NFPA Directory.
- 4 All proposed amendments must be brought here
- 5 to the Association meeting. Any motion ruled out of
- 6 order by the Chair, in accordance with the
- 7 Regulations and Convention Rules, may be filed as an
- 8 appeal with the Standards Council.
- 9 In accordance with the change approved by
- the Board of Directors on November 10th, 2001 to
- 11 4-5.9 of the Regulations, if a quorum is challenged
- 12 and found to be no longer present -- and a quorum is
- 13 considered to be 100 members -- the session must be
- 14 terminated without further action on the Reports.
- 15 The remaining documents shall be forwarded directly
- to the Council without recommendation. Any motions
- 17 to amend or return the Report that have passed prior
- 18 to the loss of a quorum shall be processed and
- 19 forwarded to the Council.
- 20 Any appeal based on action by the
- 21 Association at this meeting must be filed with the
- 22 Standards Council within 20 days of today. That is,
- 23 by June 30th, 2005. Any amendment accepted at this
- 24 Meeting that fails to pass committee ballot will
- automatically be docketed as an appeal on the

1 Standards Council agenda in accordance with Section

- 2 1-6.1(b) of the Regulations.
- 3 The votes cast in this Technical Session
- 4 today and the discussions that lead to that voting
- 5 are an integral and important part of the NFPA
- 6 consensus process. The Technical Session is the
- 7 forum where the membership considers the Reports
- 8 prepared by the NFPA Technical Committees concerning
- 9 proposed new or revised NFPA codes and standards.
- 10 Through the motions, debate and voting at these
- 11 sessions, the membership makes recommendations to the
- 12 Standards Council. The Standards Council, under NFPA
- 13 rules, is the official issuer of all NFPA codes and
- 14 standards.
- 15 The majority vote of the persons here today
- 16 is for the sole purpose of making a recommendation to
- 17 the Standards Council on the disposition of the
- 18 Report.
- 19 The Standards Council will meet on July 25th
- 20 to the 28th, 2005 to make a judgment on whether or
- 21 not to issue a document based on the entire record
- 22 before the Council including the valuable discussion
- 23 and vote taken at this NFPA meeting.
- 24 Under limited circumstances, following
- 25 action by the Standards Council, a petition may be

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1 filed with the Board of Directors. Any such petition
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- 2 must be filed within 15 days of the Council action in
- 3 accordance with the Regulations Governing Petitions
- 4 to the Board of Directors from Decisions of the
- 5 Standards Council. That is, by August 13th, 2005.
- 6 With respect to voting procedures, the
- 7 Regulations state that voting at NFPA meetings shall
- 8 be limited to the following:
- 9 (1) Those present who are designated
- 10 representatives of Organization Members. That is,
- 11 those with yellow ribbons attached to their badges,
- and (2) Those present who are Voting Members of the
- 13 Association. That is, those badges with a black dot.
- 14 If you are not a member of either of these
- groups, the Chair asks that you refrain from voting.
- 16 You need not be a member of an NFPA Section in order
- 17 to vote. You must, however, be a Voting Member of
- 18 record of the Association. Only Voting Members of
- 19 record should be seated in the front sections of the
- 20 room. Those seated in the back sections will not be
- 21 counted.
- 22 Voting will be undertaken in the following
- 23 manner:
- 24 There will be no voice votes. The first
- 25 vote will be by raising of hands. If that is not

- 1 conclusive, we will proceed to the written
- 2 organization ballot and the standing count of regular
- 3 voting members.
- I want to say at the outset that I will not
- 5 cast a vote. Therefore, in the event of a tie vote,
- 6 the issue automatically fails.
- 7 Once a report is open for discussion, anyone
- 8 in the room has the privilege of participating. The
- 9 Chair asks -- and I want to emphasize -- that you
- 10 preface your remarks with your name and company or
- 11 organization affiliation. Please, again, this is
- 12 very important that the first thing when you come to
- the mike is you state your name and your company or
- 14 organization affiliation. I would also ask that you
- 15 state at the beginning of your remarks whether you
- 16 are in support of or in opposition to the motion
- 17 being debated. Please be aware that no one
- 18 participating in the floor motions and debate at this
- 19 meeting is authorized to act as an agent of or speak
- 20 on behalf of the NFPA, and views expressed during
- 21 motions and debate, including those expressed on
- 22 behalf of NFPA Technical Committees or other entities
- 23 operating within the NFPA system, do not necessarily
- 24 reflect the views of the NFPA.
- 25 I must insist that each speaker limit their

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1 remarks to not more than five minutes on any given
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- 2 subject before the assembly and that you avoid
- 3 duplicate presentations of technical material. Given
- 4 the size of the agenda and the amount of material we
- 5 have to get through, we will start out with five
- 6 minutes per speaker, but it is my plan to limit the
- 7 time as appropriate should it become necessary.
- 8 The Chair reserves the right to hear any new
- 9 speaker before yielding the floor to anyone wishing
- 10 to address the same issue a second time.
- If you intend to speak to a motion, please
- go to a mike with a green card if you are going to
- 13 support it and go to a mike with a red card if you
- 14 are not. This will assist the Chair in managing the
- 15 session. Also, I want to ask this of the assembly.
- 16 If you are not speaking at a microphone or you do not
- intend to speak, please refrain from standing or
- 18 huddling around the microphones. It will make it
- 19 much easier on the Chair to find those speakers who
- 20 are wishing to speak to an issue.
- 21 If you intend to make a motion to amend a
- 22 Report, please state your name and affiliation, the
- 23 Proposal or Comment Number, and the page in the ROP
- or ROC where the Proposal or Comment is published.
- 25 Motions that are in order at this meeting

1 are described in the NFPA Convention Rules that are

- 2 available at the NFPA Registration Desk. I do need
- 3 to clarify the matter of a motion of "Return a
- 4 Proposal and Related Comment." This motion is in
- 5 order only when the given proposal has been modified
- 6 by action taken by the Technical Committee to
- 7 "Accept," "Accept in Principle," or "Accept in Part"
- 8 a comment. That is, a change that has been made
- 9 between the ROP and ROC. In this case, I would ask
- 10 that the person making the motion identify the
- 11 comment or comments that modified the proposal in
- 12 question.
- 13 Each of you has been asked to fill out and
- 14 return to us a white card for each report on which
- 15 you intend to make a motion. The purpose of this
- 16 request is that in the event of a cloture motion on a
- 17 particular Committee Report, the Chair will make an
- announcement, as a point of information, of the
- 19 number of motions that are outstanding prior to
- 20 voting on the cloture motion. If a cloture motion
- 21 passes, no one, including the Chair, will be allowed
- 22 any further discussion.
- Now that we have summarized the rules, let's
- 24 proceed.
- 25 The first report this morning is that of the

- 1 Committee on Air Conditioning. Here to present the
- 2 two parts of the Committee's report is the Committee
- 3 Chair Jeff Mattern of FM Global of Newport,
- 4 Pennsylvania. Mr. Mattern.
- 5 MR. MATTERN: Thank you, Mr. Chair. It's a
- 6 pleasure to be here.
- 7 Mr. Chair, ladies and gentlemen, the
- 8 Technical Committee on Air Conditioning is presenting
- 9 two documents for adoption.
- 10 The first document is NFPA 90A and can be
- found on pages 90A-2 through 90A-121 of the 2005 June
- 12 Association Technical Meeting Report on Proposals and
- on pages 90A-2 through 90A-338 of the Report on
- 14 Comments. The Committee proposes for official
- 15 adoption a partial revision to NFPA 90A, Standard for
- 16 the Installation of Air Conditioning and Ventilating
- 17 Systems.
- 18 The ballot statements can be found on pages
- 19 90A-1 of the ROP and on page 90A-1 of the ROC.
- 20 Mr. Chair, I move adoption of the
- 21 Committee's report on NFPA 90A. Thank you.
- 22 CHAIRMAN PAULEY: Thank you, Mr. Mattern.
- 23 You have heard the motion. Is there any discussion?
- 24 Microphone Number 7.
- 25 MR. HIRSCHLER: Marcelo Hirschler. I yield

1 the floor to my Brother Jim Dollard of the National

- 2 Brotherhood of Electrical Workers.
- 3 MR. DOLLARD: Thank you, Mr. Chairman. My
- 4 name is Jim Dollard representing the National
- 5 Brotherhood of Electrical Workers. I would like to
- 6 make a motion for the full body. I would like to let
- 7 everyone know and flip over to the next page that the
- 8 motion is written there. I will now make the motion.
- 9 I move to return to Committee Proposal 90A-46 and
- 10 associated Comments 23A-142, 149, 150, 157, 159, 162,
- 11 163, 167, 456, 550, 565, 578, 579, 602 and 611.
- 12 CHAIRMAN PAULEY: There is a motion to
- 13 return Proposal 90A-46 and a series of comments that
- 14 was mentioned. I want to emphasize at this point
- 15 because of the list of comments, there is a handout
- 16 up on this table. If you do not have that, you can
- get a copy on this table that lists I believe the
- 18 series of comments that was just made. That is the
- 19 motion on the floor. Is there a second? There is a
- 20 second. Mr. Dollard, please proceed.
- 21 MR. DOLLARD: Thank you, Mr. Chairman. And
- 22 good morning everybody and thanks for attending.
- I would first like to point out to you in
- 24 the discussion that acceptance of this motion by the
- 25 body present here today will essentially return

- 1 Chapter 4 of NFPA 90A to previous edition text. In
- 2 this handout that is provided to you by NFPA
- 3 additional motions are listed. If this proposal is
- 4 accepted, then there's holes left in the 90A
- 5 document. And to provide suitability for this
- document, we would then move the comments, and they
- 7 are listed there for the benefit of this body.
- 8 Proposal 90A-46 is based solely on the
- 9 elimination of NFPA 262 cable. In essence, this
- 10 Committee acted with zero technical substantiation.
- 11 There is no technical substantiation to support this
- 12 change. As a representative of labor, I am here in
- 13 the code-making process for safety in the workplace.
- 14 If this were a safety issue, we would support it
- 15 unanimously. Dozens of public comments were
- 16 completely ignored. The ANSI rights were guaranteed
- to the submitter of proposals, and comments were
- 18 completely ignored.
- 19 It is significant to note that in the ROC
- stage, in the comment stage, both representatives of
- 21 research and testing did not support this issue.
- 22 Both ETO and UL did not support this issue. There
- 23 consists a Standards Council directive for this
- 24 Committee, the 90A Committee, to establish a single
- 25 minimum for cable. What this Committee did is they

- 1 did not achieve what the Standards Council wanted.
- 2 The Standards Council wanted harmonization. The
- 3 result of the 90A meeting is elimination without
- 4 substantiation the Standards Council directive if
- 5 this motion is successful and subsequent actions can
- 6 be easily met with a TIA.
- 7 And just to give you a road map, that TIA
- 8 would look similar to Comments 565 and 571 in your
- 9 ROC. Once again, I would like to point out to this
- 10 membership that NFPA consensus standards must be
- 11 built on solid technical substantiation. There is no
- 12 technical substantiation. Some arguments that you
- 13 will hear from the proponents of this issue is going
- 14 to surround NFPA 13. While the proponents of this
- issue would just love to own part of the purview of
- 16 NFPA 13, they give an example of a fine print note
- 17 which was added to the 2005 National Electrical Code
- in Chapter 8. A fine print note is informational
- 19 only.
- 20 As Chairman of the code making panel of the
- 21 National Electrical Code, I'm intimately familiar
- 22 with the NEC style manual. They will tell you the
- 23 fact that NFPA 13 is mentioned in a fine print note
- that we have finally achieved correlation between the
- 25 two documents. That's false. NFPA 13 is an

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1 installation document. It's referenced in a fine
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- 2 print note in the National Electrical Code along with
- dozens and dozens of other NFPA standards.
- 4 The one thing you won't here today is
- 5 substantiation. If we allow this to occur, I can go
- 6 to the National Electrical Code in this next cycle
- 7 and propose that we eliminate copper and aluminum
- 8 because silver and platinum has a lower specific
- 9 resistance. Wouldn't I first have to propose that
- 10 copper and aluminum is causing a problem. The net
- 11 result is going to be a loss of wiring methods of the
- 12 National Electrical Code. You will not wire
- 13 buildings five, six years from now the way you do
- 14 now. You want to use FC cable or AC cable. The cost
- 15 to the industry would be extreme and the net benefit
- 16 in safety is zero.
- 17 This is all about consensus standard
- 18 building on solid technical substantiation. There's
- 19 zero technical substantiation. I urge this body to
- 20 support the motion on the floor. Thank you,
- 21 Mr. Chairman.
- 22 CHAIRMAN PAULEY: Mr. Mattern, would you
- like to comment?
- MR. MATTERN: I'll let Mike Dillon speak in
- opposition to the motion on the floor.

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1 MR. DILLON: This is a wee bit more than
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- 2 trying to do the whole thing at once. There's a
- 3 series of things, and I believe each should be
- 4 considered on its own merit.
- 5 CHAIRMAN PAULEY: You're asking to consider
- 6 the proposal and the associated comments that were
- 7 listed separately?
- 8 MR. DILLON: Yes.
- 9 CHAIRMAN PAULEY: I'm going to rule that
- 10 point out of order. Within our rules, the motion
- 11 that is acceptable is to return a proposal and
- 12 associated comments. The Chair does recognize that
- 13 it may be a complex motion, and I would encourage the
- 14 body to listen closely to the debate because of that
- 15 point out of it. But dividing the motion that was
- 16 made on a proper motion would not be in order.
- 17 MR. DILLON: Very well. I was hoping to try
- 18 to reduce the debate as opposed to extend it.
- 19 At any rate, to go to some of the points,
- 20 first off, as a member of the 90A Committee since
- 21 1980 I believe is when I first went on, we have been
- 22 debating this essential issue for materials
- 23 throughout that entire period of time. We started
- 24 out with a very simple requirement that either had to
- 25 be noncombustible or limited combustible. One by one

- 1 we visited with particular products or needs that
- 2 came before the committee, and each got an exception.
- 3 The exception became so long in the document that
- 4 they were almost a page by themselves. We've tried
- 5 to simplify that over time, and we were given other
- 6 standards to use and told that these were the
- 7 equivalent, for instance, in the use of cable. In
- 8 that instance we were told that 262 was the
- 9 equivalent of 255 and would get us where we were. In
- 10 later years we came to understand that that was not
- 11 all together accurate.
- 12 When we did that, then we went back and
- 13 that's where the debate started now. Some of the
- 14 stuff that was just mentioned is all together
- 15 incorrect or inaccurate. The NFPA 90A Committee or
- 16 the Air Conditioning Committee has no desire to step
- 17 into NFPA 13's business whatsoever. We were simply
- 18 pointing out the fact that if you allow that, you'd
- 19 be required to sprinkler.
- 20 So we simply said inside of 46, which is the
- one on the floor right at the moment, that if you had
- 22 sprinklers up there in that plenum, then you can use
- 23 any cable that you want. And you'll find that
- 24 particular one on that page. You can have any kind
- of material up there in cable if you've got that.

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1 We have not addressed the issue of EMT with
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- 2 set screw couplings. We have not taken on the issue
- 3 of MC cable or any of those other issues. This was
- 4 simply for plastic jacked-up inside plenums which is
- 5 continually growing.
- 6 For those who attended some of the issues,
- 7 the educational sessions, there were a number of
- 8 presentations made on 69 West Washington on the MGM
- 9 and others where others did modeling that showed what
- 10 happens up inside of plenums and how it contributes
- 11 not only to the spread of smoke and also concealed
- 12 from those that would take action.
- The fact that it's even occurring for some
- 14 time, it's a tremendous undivided volume. It's not
- 15 the same as anywhere else. If you go to NFPA 5000,
- 16 you'll see in 8.14 it requires that you divide the
- 17 spaces above the ceiling in spaces not greater than
- 18 3,000 square feet unless you have a protected plenum
- 19 area as we have inside of 90A.
- 20 If you take away all those protections, what
- 21 you end up is undivided areas in Type 1 buildings.
- You can have an acre up above the ceiling with no
- 23 protection, no division, nothing to keep anything
- 24 from spreading from one place to another.
- 25 Please, I beg the body to oppose this

- 1 motion. We spent almost 60 hours in Quincy in the
- 2 last one going over the comments. We did not run
- 3 roughshod over everybody. It cost us sleep. It cost
- 4 us time. We ate through the meetings. This has gone
- 5 on long enough.
- 6 CHAIRMAN PAULEY: Thank you. Microphone
- 7 Number 3, please.
- 8 MR. DANIEL: My name is Mike Daniel. I'm
- 9 Chair of the Healthcare Sessions Standards Review
- 10 Committee, and I'm representing the section on this
- 11 particular issue. At our Executive Board on
- 12 Wednesday morning, we voted to support the motion on
- 13 the floor to return this particular issue to
- 14 Committee. We feel that no convincing technical
- 15 substantiation has been provided either to limit the
- 16 use of certain types of cable or to justify the
- 17 additional expense of a newly proposed cable.
- 18 As such, I strongly urge you to support the
- 19 motion on the floor, thereby returning the proposal
- 20 and related comments to Committee. Thank you.
- 21 CHAIRMAN PAULEY: Microphone Number 7,
- 22 please.
- 23 MR. BILL: Robert Bill, FM Global.
- 24 Currently at FM Global we certify cables for use in
- 25 occupancies without sprinklers using our own small

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1 scale test methodology. However, as a result of our
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- 2 risk program, we have looked at many other types of
- 3 cables that are certified through other tests. In
- 4 particular, we have found that the plenum cables that
- 5 have been developed under NFPA 262 are quite
- 6 comparable to what we call our Group 1 cable, the
- 7 cables for use in occupancies without sprinklers.
- 8 In addition to this, we also have no
- 9 significant loss record that is attributable to the
- 10 current plenum cables. I hope that you will all
- 11 remember in our deliberations the other day the lack
- of loss history was in some instances considered
- decisive. So I hope you will be consistent.
- 14 Finally, as yesterday, we continue to
- 15 believe that NFPA 262 is a very good test for wiring
- 16 cable. The Fire Test Committee was given excellent
- international round-robin data, and as a result of
- 18 that, it revised 262. And we believe that it is very
- 19 repeatable and reproducible among testing labs. So
- 20 it is the appropriate standard for wire and cable.
- 21 So, once again, FM Global supports the motion on the
- 22 floor.
- 23 CHAIRMAN PAULEY: Thank you. Microphone
- Number 5, please.
- 25 MR. TABROWSKI: Good morning. I'm Paul

- 1 Tabrowski, Innovative Technology Services. In our
- forum Monday morning, we discussed this issue and
- 3 agreed to support the motion on the floor and the
- 4 subsequent comments.
- 5 UNIDENTIFIED SPEAKER: I'm in support of the
- 6 motion on the floor. With regard to comments on NFPA
- 7 90A being based on sound substantiation, there is
- 8 none, the need for this change based on law,
- 9 statistics, the increased costs associated with it.
- 10 And based on some of these concerns, we as the
- 11 membership support this proposal.
- 12 CHAIRMAN PAULEY: Back to microphone Number
- 13 5, please.
- 14 MR. MORITZ: Good morning. John Moritz
- 15 representing the American Fire Safety Council. I'm
- 16 also a member of Technical Committee 90A. And I was
- on the negative side of 90A-46, and I would like to
- 18 make some comments for the record with regard to the
- 19 statement that's already in the record.
- I have three key points contained in my
- 21 comments to the negative on Proposal 90A-46 and
- 22 Comment 90A-125 as well as others. One of the
- 23 statistics presented in my comment to the negative of
- 24 90A-46 were omitted in the ROP content. The
- 25 statistics were subsequently presented in the Comment

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1 90A-125 and indicate no fire risk or fire hazard
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- 2 presented in concealed spaces. Plenum spaces are a
- 3 subset of concealed spaces. And thus the statistics
- 4 presented indicate no fire risk or fire hazard
- 5 presented by wiring cable in concealed spaces.
- 6 The proponents of 90A-46 have consistently
- 7 berated the concealed space data provided by NFPA,
- 8 but since their preparation in 1999 those same
- 9 proponents have failed to provide any data count to
- 10 the NFPA statistics.
- 11 Secondly, as mentioned in my comment to the
- 12 negative, the cables that are being looked to be
- eliminated by 90A-46, the 262 cables require a one
- 14 megawatt fire or greater to cause fire spread. By
- 15 the time we have a one megawatt fire in a building in
- 16 a room, the contents of the room are gone. We're
- 17 talking about the space up top. We already know that
- data is showing the fire spread is limited.
- The proponents of 90A-46 also throw out
- 20 three significant high-rise fires. The Rockefeller
- 21 Center, the Alexis Nihon, and the First Interstate as
- 22 mentioned in my comment to the negative of Comment
- 90A-125. None of these fires have any relation to
- 24 wire and cable at all with regard to source
- 25 propagation. Thank you.

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1 CHAIRMAN PAULEY: Microphone 7, please.
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- 2 MR. STENARO: George Stenaro, AFC Cable
- 3 Systems representing the National Electrical
- 4 Manufacturers Association, and I'm speaking in
- 5 support of the motion on the floor. We believe
- 6 there's insufficient substantiation for severely
- 7 limiting the use of wiring performance. While people
- 8 that understand the Committee's concern over
- 9 abandoned cables, substantiation has not been
- 10 provided that would indicate that the change in
- 11 performance requirements will provide a corresponding
- 12 safer environment where cables and plenum spaces
- 13 become involved in a building fire.
- 14 In addition, sufficient questions have been
- 15 raised on the suitability of test method used to
- 16 establish the new requirements especially with
- 17 regards to the acceptability in testing wire and
- 18 cable products. NEMA supports the motion on the
- 19 floor.
- 20 CHAIRMAN PAULEY: Thank you. Microphone
- 21 Number 8, please.
- MR. KEY: My name is Hal Key. I'm with the
- 23 Mesa, Arizona Fire Department. I'm speaking in
- 24 opposition to the motion. One of the previous
- 25 speakers indicated it would take a one megawatt fire

- 1 to get these cables burning. We've got a very good
- 2 example. A year and a half ago in Chicago in the
- 3 Cook County Administration Building where there was
- 4 an excess of a one megawatt fire that propagated
- 5 through the ceiling space to the rest of that space
- 6 and ended up with several deaths.
- 7 Now with additional combustible materials in
- 8 that return plenum, that increased the load that was
- 9 there. And when the investigators came in, they saw
- 10 that everything in the room was burnt and completely
- 11 consumed along with what was in the ceiling space.
- So I urge your support in not supporting
- 13 this motion.
- 14 CHAIRMAN PAULEY: Microphone Number 5,
- 15 please.
- MR. CARSON: My name is Chip Carson. I'm a
- 17 consulting fire protection engineer, and I'm
- 18 representing the Vinyl Institute. I'm speaking in
- 19 favor, in support, of this motion. I first spoke
- 20 against this issue back in 1999 at the NFPA meeting
- 21 in Baltimore when this issue was proposed and changed
- 22 to 90A. Then I said it was bad code. I use that
- 23 term again today. This is simply bad code. We don't
- 24 change codes just because we can. We change codes
- 25 because there's technical reasons, a substantiation.

1 There's a fire history. There's some other reason to

- 2 change code. Not just because we can.
- 3 And there were several comments in the ROC
- 4 which were acted upon by the Committee which were
- 5 rather interesting, and I'm not sure what the
- 6 Committee meant. There were several comments --
- 7 there's about five or six of them -- where the
- 8 commenter said to continue rejecting the proposal.
- 9 And the committee voted to reject that comment. I'm
- 10 not sure what you're supposed to do with that.
- 11 So there's some really interesting questions
- 12 what the committee intended to do. But I'm in
- 13 support of this motion. Again, this is bad code.
- 14 And we don't change code just because we can. We
- change code because of some substantiation, either
- 16 technical or fire record, indicating there's a
- 17 problem.
- 18 CHAIRMAN PAULEY: I do want to ask the body.
- 19 The handouts are gone off the table. How many people
- 20 are looking for a copy of the handout that was up
- 21 here? Okay. Just a few. If anybody has any extras
- 22 that you picked up extras and can redistribute those
- for us, that would be helpful to those people who
- 24 were looking for it.
- 25 Microphone Number 4, please.

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1 MR. KOFFEL: Bill Koffel, Koffel Associates,
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- 2 consultants to Fire Research Association.
- 3 Ladies and gentlemen, if the motion before
- 4 you did what they're telling you it did, we voted
- 5 earlier in this week not to oppose it. They are
- 6 telling you that this is consistent with the 2002
- 7 language. It is not. They are telling you that they
- 8 want to return to the requirements of 2002. They do
- 9 not. All we need to do is look at the session
- 10 yesterday where there was an attempt to totally
- 11 eliminate limited combustible cable from the market
- in the discussion on 255, which this body did not
- 13 support the motion.
- 14 Up until yesterday and up until we were able
- to see the details, we were not going to oppose it.
- 16 We were going to say let it go, let the committee
- 17 deal with this again. But what is before you is not
- 18 what they are telling you is before you. What is
- 19 before you is not what they told the Electrical
- 20 Session before them. And they didn't give them the
- 21 details, nor did they give the Healthcare Session all
- the details. They said this is in consistency with
- the 2002 edition. I will offer it is not.
- 24 And due to time, I will give you a couple of
- 25 quick examples. There are definitions in Marcelo's

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1 printout 3309, 3314 and 3315. Those do not exist in
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- 2 the 2002 edition of the standard. They do not exist
- 3 in the NFPA preprint of this standard in the verbiage
- 4 that's there. So are we achieving compliance with
- 5 the 2002 edition? Or as Mike Dillon said, are we
- 6 trying to redo the Committee's work here?
- 7 Now, there's a difference between those no
- 8 substantiation and substantiation I don't agree with.
- 9 And that's what we really have here. There's pages
- 10 and pages of substantiation. I can't believe that
- 11 this Technical Committee would have achieved
- 12 consensus on an issue like this with all the public
- 13 comments with no substantiation.
- 14 So regrettably we are forced now to oppose
- 15 24 of the 26 actions that they are asking you to do.
- 16 Now think about that. One person has put together a
- 17 package to overturn 26 proposals and comments. Some
- 18 of which only have one negative vote on them. All of
- 19 which have achieved consensus. The consensus
- on 90A-46 were 15 in favor, 5 opposed.
- Now as Chip Carson said, there's confusion.
- 22 I'll offer there's confusion with this package
- 23 because they can't correct everything. There are
- 24 errors -- well, I won't say errors, but there are
- 25 references in this package that was handed out,

- 1 Marcelo's preprint, that reference sections that do
- 2 not exist if you do what he's asking you to do. And
- 3 I'll give you a specific example.
- 4 If I go to his preprint, if I go to 43313,
- 5 he's referring to Section 644. I challenge you to
- find Section 644 in the NFPA preprint. It doesn't
- 7 exist. So what we have is a whole bunch of appeals
- 8 that have to come to the council to try to refine us
- 9 even further.
- 10 Comment 90A-131 on page 68, which was my
- 11 comment to support the proposal, the Committee
- 12 accepted. Proposal 46, the Committee accepted that
- 13 with a successful ballot. Comment 138, which was a
- 14 comment submitted by the Technical Correlating
- 15 Committee, the National Electrical Code to support
- 16 Proposal 90A-46, the Committee accepted that proposal
- 17 or that comment.
- 18 And those aren't on this list. So now what
- 19 do we do with those comments? Those comments have
- 20 gone through the committee to accept the proposal.
- 21 No substantiation. Mike Dillon has already addressed
- 22 that to some degree. You can look at the Committee
- 23 comment to some degree. They talk about the issues
- 24 associated to cable.
- 25 Now let's address the comment to eliminate

1 262 cable. It's a false statement. What you have to

- 2 do is look at the preprint, and you will see
- 3 referencing to 262 cable. Is it trying to be
- 4 eliminated? No. Did they try to eliminate 262
- 5 combustible cable yesterday? Yes. The Committee
- 6 states that what they want to do is achieve
- 7 consistency with the National Electrical Code and
- 8 NFPA 1. So the NEC Technical Correlating Committee
- 9 is saying it doesn't if you accept our comment, or at
- 10 least they supported the proposal if you accept our
- 11 comment. And that comment was accepted, which
- 12 further revised 46.
- With regard to NFPA 13, no, the Committee
- 14 did not fully coordinate with NFPA 13. We have been
- 15 working with the sprinkler industry. We are
- 16 developing language to submit to the Council to
- 17 achieve the language stated in the ROC, which would
- 18 also mean it's consistent. There are some issues
- 19 with plenums and cable and plenums in NFPA through
- 20 the type print note. That language will be submitted
- 21 to the Council by an appeal, and it will, in fact,
- 22 maintain consistency with NFPA 13.
- Now, if the Council upholds our appeal,
- there is absolutely no impact in the market because
- 25 all we are doing is referring to the issue of

- 1 combustible loading in plenum, which is in NFPA 13.
- 2 And if you put combustible cable in plenum to achieve
- 3 combustible loading, you have to sprinkler the space.
- 4 And that's where we're going to take this issue. One
- 5 simple change to coordinate with 1 versus 26
- 6 different actions to try to supposedly take us back
- 7 to previous text even though we don't do it.
- 8 Now, you heard the maker of the motion say,
- 9 Well, what the committee did, they didn't establish a
- 10 single minimum. Well, let me think about this. The
- 11 Council says we need to revise 90A to achieve a
- 12 single minimum. The Committee thinks they did that.
- 13 The maker of the motion doesn't think they did that.
- 14 So they're going to tell you to go back to the
- 15 language.
- This membership has voted to say, yes, there
- 17 is a use for limited combustible cable. There is a
- 18 use for 262 cable. The 90A Committee has defined
- 19 those uses, and they have done nothing. If our
- 20 appeal is accepted, they will have done nothing to
- 21 affect the marketplace because the restriction is
- 22 already in NFPA 13.
- Now you're going to hear I suspect because
- 24 they told the Healthcare Section that's not a true
- 25 statement. It's in 13. It's been there. It's in

- 1 the handbook on NFPA 13, the Sprinkler Committee.
- 2 And they balloted through the ROP to further clarify
- 3 this issue as taking the handbook language and put it
- 4 into the body of the document. So they may tell you
- 5 it's not in 13, but the Sprinkler Committee is
- 6 telling you it is. The editor of the handbook is
- 7 telling you it is. And many other people are telling
- 8 you that it is. So we will get consistency with
- 9 acceptance of our appeal.
- 10 I encourage you to defeat this motion, not
- 11 overdo the hours and hours of Committee effort that
- 12 went into getting this consensus.
- 13 MR. DOLLARD: Mr. Chairman, I have a point
- of information for the body. It's a point of order,
- 15 point of information, Mr. Chairman. I would like to
- 16 point out to this body that the documents that they
- 17 received --
- 18 CHAIRMAN PAULEY: Please state your name
- 19 again for the record.
- 20 MR. DOLLARD: My name is Jim Dollard. This
- 21 is a complicated issue. You have two handouts. One
- is a preprint, and no one has complained what that
- is. That is what the NFPA document would like look
- 24 today if we were to accept the committee report as
- offered to us by the Chair Jeff Mattern.

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1 CHAIRMAN PAULEY: I realize you have some
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- 2 information for the body. I'm going to ask you to
- 3 make those during your comments because it's not a
- 4 point of order on what we have on the floor, and I
- 5 have some microphones in order that I need to take.
- 6 I also want to clarify a point about the
- 7 motion that is on the floor. That in accordance with
- 8 the regulations when you have a return of a proposal,
- 9 related comments to that proposal are also returned.
- 10 So in this particular case, comments that also relate
- 11 to the material covered by this proposal would also
- 12 be part of the return. That's in that case, and that
- is in accordance with 4-5.6 of the regulations. So I
- 14 want to clarify that for the body with respect to all
- of the comments that impact this material. My next
- 16 microphone Microphone 4.
- 17 MR. KOFFEL: Bill Koffel, Koffel Associates.
- 18 The proposal is return specific comments. That's why
- 19 we went through the list of documents. He has not
- 20 identified return all comments associated with that
- 21 proposal.
- 22 CHAIRMAN PAULEY: I recognize your point.
- 23 I'm going to read to you specifically from the
- 24 regulations on returning a portion of the report in
- 25 the form of a proposal and related comments. And the

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1 statement is, "If other comments relating to the
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- 2 portion of the report being return have resulted in
- 3 revisions, these are also returned. If no previous
- 4 text exists, then the section is deleted.
- 5 MR. LLOYDS: Richard Lloyds speaking for
- 6 myself. I would like to ask staff what is this
- 7 preprint? If we accept the standard proposal R-46
- 8 that Mr. Chairman Mattern made, is this what we're
- 9 going to get?
- 10 CHAIRMAN PAULEY: The preprint is as
- interpreted of the ROP and ROC as voted on today
- 12 existing from the committee. So this is the preprint
- 13 that you are looking at as the document stands today
- without any amendments. Microphone Number 5.
- MR. OWEN: My name is Richard Owen. I'm a
- 16 principal voting member on 90A. I'm employed by the
- 17 City of St. Paul, Minnesota, but I'm speaking on
- 18 behalf of myself. Not to belabor this issue more
- 19 than necessary, but this proposal received many
- 20 negative comments during the comment stage. Then the
- 21 panel attempted another rewrite at the comment stage
- 22 which failed to get the majority vote, which then
- 23 returned us to where we are now.
- 24 This would seem to indicate that even the
- 25 committee recognized problems with 46 since it has

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1 attempted a rewrite. So it should not stand. It
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- 2 should be returned. In my opinion, there was not
- 3 adequate substantiation. There may have been in past
- 4 cycles, but we should look at what was presented to
- 5 us this time, not a lifetime history of 90A. There
- 6 was not adequate substantiation to warrant such a
- 7 change. And most of the information that was
- 8 presented, in my opinion, was anecdotal information.
- 9 There's also referencing to three different
- 10 fires in the comment stage. And when examining the
- 11 NFPA reports on those fires, I could not find any
- 12 reference to the low vault cable which is part of the
- 13 problem -- part of the question. There were comments
- 14 that did have quite a bit of data that actually
- 15 opposes this change.
- 16 As it stands, if you would remodel an
- 17 existing unsprinklered high-rise building, you would
- 18 be allowed to use the present 262 plenum cable which
- 19 proponents of this 255 standard say is not adequate.
- 20 However, a single-story strip mall with sprinklers
- 21 will require the 255. The application of this in the
- 22 proposal is not logical and would really be a problem
- 23 for the final enforcement of this document. Thank
- you, Mr. Chair.
- 25 CHAIRMAN PAULEY: Thank you. Microphone 7,

- 1 please.
- 2 MR. HORTON: My name is Pat Horton, LCB
- 3 Consulting. I'm representing the UC Conduit
- 4 Committee, and we are in support of the proposal.
- 5 This standard as revised has many unanswered
- 6 questions, and these questions need to be answered
- 7 prior to revising 90A.
- 8 As Mr. Dollard said, I do not believe that
- 9 the direction of the Standards Council was met.
- 10 There was not a single minimum that was established.
- 11 Mr. Koffel said that not accepting method 255 was
- 12 eliminating limited combustible cable. That is not
- true because limited combustible cable would pass
- 14 262. The other cables would not pass 255.
- As far as NFPA 13 is concerned, NFPA 13
- 16 needs to look at their issues. And it may say you
- 17 can't put unlimited combustibles up there, but it
- 18 doesn't say -- the primary developers and promoters
- 19 of this particular cable are the same people who came
- 20 to you in the '80s and said, "Oh, this 262 cable is
- 21 great. This is what you need up here. It's
- 22 perfectly safe." Now they are telling you that it is
- 23 dangerous and that it is unsafe. They were the
- developers of UL-910, which became the NFPA 262 test,
- 25 and they know the issues.

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1 And 255 does not have to be the one that's
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- 2 used. We actually probably agree with the analysis
- 3 that maybe neither one of them are safe. But that's
- 4 beside the point. One of them may have less fire
- 5 load backup. The one that they're trying to put in
- 6 now has other hazards that need to be looked at and
- 7 have not been looked at.
- 8 You may have read recently that the primary
- 9 producer of the raw material for Teflon has been just
- 10 settled with the EPA on allegations of health
- 11 problems that they have ignored for over 20 years.
- 12 Also the U.S. Justice Department of Environmental
- 13 Crimes has requested information on the same issue.
- 14 Those are things that this Committee needs to be
- aware of, needs to look at, needs to know what
- 16 they're putting up there. Because even though teflon
- 17 requires a very high fire in order to emit things
- 18 that we would not want in our buildings, certainly a
- 19 building fire would do that and could even affect the
- 20 surrounding area.
- 21 We all have been seeing things on TV besides
- these issues that I have just said, and the 255
- 23 cables are made with an FEP insulation and an FEP
- 24 jacket. This is teflon. With the cloud placed on
- 25 the NFPA 262 test cables, owners are already having

- 1 to spend a potential of billions of dollars to remove
- 2 cables if this issue keeps going on and decisions are
- 3 made here and this motion is defeated because of
- 4 miscalculations and because we were assured that 262
- 5 was all right. We don't want to see the same thing
- 6 happen years from now. Let's not jump out of the
- 7 frying pan into the fire and then years from now be
- 8 told that we have to take out 255 cables because of
- 9 the issues that I have just mentioned. We hate to
- 10 see us do that. I think we need to look closer at
- 11 appropriate testing of plenum cables, appropriate
- 12 uses of plenum cables, and I urge you to vote yes on
- 13 this motion.
- 14 CHAIRMAN PAULEY: I'm looking for new
- 15 speakers on the issue. Microphone 8.
- 16 MR. PERI: Thank you, Mr. Chair. My name is
- 17 Frank Peri. I'm with Communications Design
- 18 Corporation. I am a member of the 90A Committee, and
- 19 I'm here representing myself.
- I want to address the issue of technical
- 21 substantiation because I've heard it for three, maybe
- 22 four years now that there is no hard statistical
- 23 information that we have a problem in our plenum
- spaces, and after a while you sort of get numb.
- There's statistics being floated around on both

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1 sides. So I try to command something like from a
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- 2 common sense point of view. If there's no problem in
- 3 plenum spaces, then why do we have a requirement to
- 4 remove abandoned cable in the electrical code? Why
- 5 are sprinklers required in NFPA to sprinklers above
- 6 ceiling spaces that have combustible loading? If we
- 7 don't have a problem, we don't need sprinklers.
- 8 Sooner or later you have to conclude that there's a
- 9 problem with combustibles in plenum spaces. If you
- 10 go and examine the reports on those fires that are
- 11 represented here today and that are in the
- 12 substantiation from the committee, you don't have to
- 13 be a rocket scientist to figure out that those fires
- 14 were essentially electrical in nature, not from low
- 15 voltage cabling. But where is the low voltage cable?
- 16 It's next to the power cable. So common sense would
- 17 tell you you don't put combustible cables next to a
- 18 potential fire ignition source. Common sense.
- 19 As far as the testing requirements are
- 20 concerned, we heard from Factory FM Global that their
- 21 tests essentially say 262 cable is fine. Well, the
- 22 fact of the matter is we don't reference those as any
- 23 yardsticks for measurements.
- 24 As far as cost is concerned, we do cabling
- 25 design projects. The vast majority of the cost of

- 1 the cabling project is labor, not the cable itself.
- 2 And I'm not going to get into cost, but I think the
- 3 statements made concerning costs in the industry are
- 4 way overexaggerated.
- 5 Finally, I'd like to conclude that the cable
- 6 design we're talking about, 255 cable, is not a new
- 7 introduction to the industry. This is a cable design
- 8 and has cable requirements that were the initial part
- 9 of NFPA 90A. We're not inventing something new.
- 10 We're trying to get back to something we had in the
- 11 first place, which Mr. Dillon expressed.
- 12 So the fact of the matter is, the bottom
- 13 line is, no, we don't have to change the code because
- 14 we can. We should change the code because we should.
- 15 CHAIRMAN PAULEY: Again I'm looking for
- 16 people who have not had an opportunity to speak to
- 17 the motion. Right now I have microphone 7, 8, and
- 18 then 2. Microphone 7, please.
- 19 MR. OTEY: Mr. Chair, my name is Harry Otey
- 20 representing myself. What was the previous question?
- 21 CHAIRMAN PAULEY: That motion is not
- debatable. Is there a second? There is a second.
- 23 We will move to end debate. All those in favor on
- the motion to end debate please raise your hand.
- Those opposed. The motion passes.

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1 We now have a motion on the floor which will
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- 2 immediately go to the vote. That is to return
- 3 proposal 90A-46 and the associated comments. All
- 4 those in favor and associated comments please raise
- 5 your hand. Those opposed. The motion passes.
- 6 We are now back to the main motion on the
- 7 floor, which is to accept a partial revision of NFPA
- 8 90A. Is there any further discussion? Microphone
- 9 Number 7.
- 10 MR. HIRSCHLER: Thank you, Mr. Chairman.
- 11 Marcelo Hirschler speaking for the Plenum Cable
- 12 Association.
- 13 As stated in the handout as follow-up to the
- 14 previous motion, we will be making a number of
- motions to accept a number of comments. These
- 16 comments were made by myself and Michael Callahan,
- and I'll make a motion on the first one of those that
- 18 was made by me, which was to accept Comment 90A-97,
- 19 and I so move.
- 20 CHAIRMAN PAULEY: So the motion is to accept
- 21 Comment 90A-97; is that correct?
- MR. HIRSCHLER: That is correct.
- 23 CHAIRMAN PAULEY: So there is a motion to
- 24 accept Comment 90A-97. Is there a second? There is
- 25 a second. That motion is in order. Is there a

- 1 discussion? Please proceed.
- 2 MR. HIRSCHLER: What this does is eliminate
- 3 the new definition of plenum fan room, which is
- 4 included by Proposal 90A-42. I'd like to explain to
- 5 you what all of these nine motions are going to do.
- 6 All of these nine motions are going to clean up these
- 7 new definitions that were included by the Committee
- 8 that are not consistent with what was in 90A 2002.
- 9 Thank you.
- 10 CHAIRMAN PAULEY: Thank you. Microphone 3,
- 11 please.
- 12 MR. DOLLARD: Thank you, Mr. Chairman. My
- 13 name is Jim Dollard representing the IBEW. I rise in
- 14 support of the motion on the floor. I would first
- 15 like to offer some information to the body. I
- 16 attempted to do that on the last motion, and the
- 17 Chair was correct in asking me to waive my turn. I
- did not get my turn on the previous question.
- 19 You have two handouts. One is a preprint
- 20 which is essentially what this document would look
- 21 like if we did nothing. When you look at the other
- 22 document that has all of these motions on it, you
- 23 have a detailed Chapter 4 list. You're certainly not
- 24 going to find some of the text because you're looking
- 25 at apples and oranges. I rise in support of this

- 1 motion. This is going to help us make Chapter 4
- 2 suitable for NFPA 90A.
- 3 We just got done hearing an hour of talk
- 4 about this in saying Chapter 4 was a mess, and they
- 5 wanted to send it back to the committee to look at
- 6 and to study. Now we're going to hear a bunch of
- 7 proposals to fix Chapter 4. I say reject all the
- 8 proposals. Let the committee work together to solve
- 9 it. The committee is the expert. Let them do the
- 10 business. Reject all these proposals you're getting
- 11 here, and let's move on, please.
- 12 CHAIRMAN PAULEY: Thank you.
- MR. HIRSCHLER: Marcelo Hirschler speaking.
- 14 Let me explain. None of these nine comment motions
- 15 that will be made are on Chapter 4. They are made to
- take out of Chapter 3 and Chapter 6 and the Annex
- 17 things that were incorporated as a result of the
- 18 actions of the committee so as to make the standard
- 19 consistent again with the way it was in the 2002
- 20 edition. This motion on the floor right now, 90A-97,
- 21 eliminated a new definition that was added by the
- 22 committee into Chapter 3, not Chapter 4, plenum fan
- 23 room. Then the next one is going to add the new
- 24 definition, apparatus casing plenum room. And they
- 25 changed the definition of ceiling cavity and raised

- 1 floor. That's what these motions do. Chapter 4, the
- 2 body has voted to return Chapter 4 exactly the way it
- 3 was in the 2002 edition. There will be no action
- 4 further here on this floor on Chapter 4. And none of
- 5 the proposed motions, including the one that we're
- 6 debating now, is on any item specifically on
- 7 Chapter 4. Thank you.
- 8 MR. DILLON: Michael Dillon speaking in very
- 9 strong opposition to the motion on the floor. One of
- 10 the problems that the Committee found in going
- 11 through the arguments and the comments and the
- 12 proposals that were coming was that there appeared to
- 13 be an extraordinarily high degree of misunderstanding
- of what the word "plenum" as it applies to air
- 15 handling systems was in buildings.
- 16 While most of us like myself who design air
- 17 conditioning systems throughout time have always
- 18 known what it is because it's a common term of art
- 19 within our industry. We didn't see where there was
- 20 any confusion. So we decided that the one thing we
- 21 should do is sit down and carefully define what
- 22 plenums were and where they were and what they're
- used for so that the confusion would go away.
- 24 I sat down with the representative from
- 25 ASHRAE, which was Judge Buckley and another member of

- 1 the committee. I, in fact, used to be on the
- 2 Standards Committee, and I am fully aware of what
- 3 plenums really are. We sat down and wrote carefully
- 4 a document that would give us the different plenums,
- 5 the reasons for them, what they exist of, and remove
- 6 the confusion.
- What this proposal would do would be to take
- 8 you back to that same level of confusion. And even
- 9 more insidious than that, it would actually insert
- 10 language that is not the same as the language that's
- 11 in the 2002 edition. I heartedly hope that everyone
- will take the time to understand this is a complex
- issue. We did. We'll be glad to do it again. But
- 14 please don't try to do an ICC, write the code on the
- 15 floor here now. Thank you.
- 16 CHAIRMAN PAULEY: Mr. Chairman, would you
- 17 like to comment on this motion on the floor?
- 18 MR. MATTERN: The Committee tried to come to
- 19 a better level of understanding in 90A to help the
- 20 end user, and we feel that the use of these terms and
- 21 the definitions that are provided are integral to the
- 22 understanding of the use of this standard. So I
- 23 would request that you support the committee effort
- in this regard.
- 25 CHAIRMAN PAULEY: Thank you, Mr. Chairman.

- 1 Microphone Number 8, please.
- 2 MR. KADOO: My name is Dave Kadoo. I'm with
- 3 Alpha Gary Corporation. We manufacture materials for
- 4 all these different types of cables, plenum cables,
- 5 262 riser cables. And I think the gentleman who
- 6 stood up at the mike just a few moments ago
- 7 articulated that we're in the position now where
- 8 we're looking at all these different proposals that
- 9 were reviewed, commented on, rejected, or accepted.
- 10 And now we're actually participating as the Technical
- 11 Committee of 90A, and I don't think that is
- 12 appropriate. I think because of the complexity of
- 13 this issue, a lot of these proposals, a lot of these
- 14 motions, are being made in support of one position or
- another. And I think they all need to be
- 16 reconsidered by the committee.
- 17 However, I want to bring up at this point
- that our interest in this is the fact that NFPA 13
- 19 is, in fact, being adopted now, the 2002 edition, in
- 20 local jurisdictions. The State of Massachusetts just
- 21 in July of last year adopted it, and now they are
- 22 enforcing it. And the record shows in Massachusetts
- 23 a number of citations by the fire services and the
- 24 fire inspection groups that have, in fact, rejected
- 25 and cited the installation of plenum cables without

- 1 sprinklers, and they have offered the fact that NFPA
- 2 13 provides for a different number of methods to
- 3 alleviate the situation. So the record in
- 4 Massachusetts is that they are enforcing this now.
- 5 And it's NFPA 1.
- 6 So what is happening here, from what I can
- 7 see, is there's an attempt to eliminate one of the
- 8 options. It happens to be the lowest cost option and
- 9 a very safe option that has been tested and approved
- 10 and listed by UL for a number of years called limited
- 11 combustible cable. It's an option.
- 12 But this dilemma that NFPA 1 has in
- 13 conjunction with what 90A is trying to accommodate
- 14 and understand is real. So this group needs to
- 15 understand that I think the Committee is just simply
- 16 trying to put the language together to help bring
- 17 solutions. Thank you.
- 18 MR. DOLLARD: My name is Jim Dollard
- 19 representing the IBEW, principal member on NFPA 90A.
- 20 I agree with the previous speaker. I am not and will
- 21 never be a fan of writing code on the floor. This is
- 22 a suitability issue. The NFPA 90A Committee will be
- 23 balloted on suitability. When we take an entire
- 24 chapter in this stage on the floor of this Annual
- 25 Meeting and we return it to previous text, there is

- 1 implications throughout the documents. One of the
- 2 implications is definitions. We've got several cases
- 3 where if we don't make these move, terms in Chapter 4
- 4 will not be defined, and there will be definitions
- 5 that don't exist. We need to do this. It's
- 6 suitability.
- 7 One of the previous speakers said we spent
- 8 60 hours on this. We did, and we didn't get it
- 9 right. Now we need to fix it. It's all about
- 10 suitability. It's not about writing code on the
- 11 floor.
- 12 MR. DUSZA: Tom Dusza, Schirmer Engineering,
- 13 Technical Committee Member of 90A, and I'm speaking
- in opposition. And I think it's been very well said
- 15 by many. Please return it to us. We put a lot of
- 16 time and effort into it. We want to get this right.
- 17 Thank you.
- 18 MR. HIRSCHLER: Marcelo Hirschler speaking
- 19 for the American Fire Safety Council. I just want to
- 20 reiterate and make clear what Jim Dollard just said
- 21 what we're doing with these motions. These motions
- 22 have nothing to do with whether we want or don't want
- 23 to eliminate limited combustible cable. When the
- 24 floor returned to the Committee 90A-46, you still
- 25 have a requirement inside there that it says the

1 cables shall be limited noncombustible or unlimited

- 2 noncombustible. In fact, just so the body
- 3 understands, it is my intention to make after we
- 4 complete the action, not on this particular motion
- 5 but after we complete the action on the floor, it is
- 6 my intent to recommend to the committee to make it
- 7 very clear that limited combustible cable is a subset
- 8 of those cables that meet NFPA 262. What we're doing
- 9 here is suitability. That's all. Thank you.
- 10 MR. LAUGHLIN: Mike Laughlin. I call for
- 11 the previous question.
- 12 CHAIRMAN PAULEY: There is a motion on the
- 13 floor to move the previous question. Is there a
- 14 second? There is a second. We'll proceed
- immediately to the vote. All in favor raise your
- 16 hand. All opposed. The motion passes.
- 17 We'll move immediately to the motion that's
- on the floor, which is to accept Comment 90A-97. All
- 19 those in favor of this motion please raise your hand.
- 20 Those opposed. The motion passes. Further motions
- 21 on NFPA 90A?
- 22 UNIDENTIFIED SPEAKER: Can I have a floor
- vote, please?
- 24 CHAIRMAN PAULEY: I'll grant your request
- 25 for a floor vote on that particular issue. We will

- 1 go back to this motion that was to accept Comment
- 2 90A-97. We will do a standing count. For that
- 3 standing count I'm going to ask that we need to make
- 4 sure that the organizational delegates fill out a
- 5 green ballot form that's been handed to you
- 6 previously. These will be collected by NFPA staff.
- 7 Only accredited representatives of organization
- 8 members whose names have been recorded previously
- 9 with the Association for the purpose and prior to
- 10 this meeting shall fill out this ballot form. One
- 11 accredited representative of the organization member
- only will please complete the ballot. If the
- organization is abstaining from the vote, please
- 14 check the appropriate line on the ballot. I'll give
- them a moment to collect these organizational
- ballots, and then we'll do a standing count.
- 17 I'm not going to call for a standing vote of
- 18 the individual voting members. You must have a black
- 19 dot on your badge to be counted. Those of you voting
- on the motion to be counted, please stand. You may
- 21 be seated. Those of you voting against the motion
- 22 please stand. The motion passes by a vote of 184 to
- 23 104.
- 24 We will now proceed back to the main motion
- 25 on the floor.

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1 MR. WOODEN: My name is Dale Wooden. I
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- 2 represent the American Society of Healthcare
- 3 Engineering and American Hospital Association. I
- 4 move to accept Comment 90A-691 on page 90A-328 of the
- 5 ROC.
- 6 CHAIRMAN PAULEY: So the motion is to accept
- 7 Comment 90A-691. I notice you are the submitter of
- 8 that comment. Is there a second on the motion?
- 9 There is a second. Please proceed.
- 10 MR. WOODEN: This has nothing to do with
- 11 plenums. This Comment calls for the rejection of
- 12 Proposal 90A-197. This current section of 90A
- 13 addressing installation of smoke dampers where smoke
- 14 ducts passes, this proposal extends this requirement
- to also include smoke partitions to this proposal.
- 16 Smoke barriers and smoke partitions are not the same.
- 17 Smoke barriers are continuous from floor to floor
- 18 extending above the ceiling and through the
- 19 interstitial space. Smoke partitions are permitted
- 20 to terminate if the underside of the monolithic or
- 21 suspended ceiling do not extend through the
- 22 interstitial space. While the existing
- 23 requirement is there is no opening to protect in a
- 24 smoke partition. In fact, there is no wall above the
- 25 ceiling. I'll say that a different way. Since there

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is no wall being protected, these newly required
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- 2 dampers will have no wall opening to protect. Smoke
- 3 partitions are a relatively new concept that first
- 4 appeared in the 2000 edition of the safety code.
- 5 There's a lot of confusion between smoke barriers and
- 6 smoke partitions. But I urge the acceptance of this
- 7 comment to reject this unneeded requirement to return
- 8 to the language to apply only to smoke barriers.
- 9 MR. GALE: My name is Mike Gale. I'm Chair
- 10 of the Healthcare Section Codes Review Committee. At
- 11 your meeting Wednesday morning we voted to accept the
- 12 comment. This is a new proposed requirement for
- which no technical substantiation has been provided
- 14 to make the same level of smoke resistance. In fact,
- smoke partitions are even allowed to stop at the
- 16 underside of a suspended ceiling under certain
- 17 conditions. It's not practical to require a damper
- in a duct when there's not even a requirement for a
- 19 wall assembly.
- We feel this is an excessive requirement
- 21 that is not justified by the fire record. As such, I
- 22 strongly urge you to support the motion on the floor
- 23 to accept the comment. Thank you.
- 24 CHAIRMAN PAULEY: Mr. Mattern, would you
- like to comment?

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1 MR. MATTERN: I'll defer to Mr. Dillon.
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- 2 MR. DILLON: Mike Dillon, Dillon Consulting
- 3 Engineers, a principal on the committee. There is no
- 4 requirement in 90A as we voted through the committee
- 5 to install dampers in walls that aren't there. If
- 6 you don't have a wall, you don't put the damper in.
- 7 It's that simple.
- 8 MR. HIRSCHLER: Marcelo Hirschler speaking
- 9 on behalf of the American Fire Safety Council. We
- 10 are fully in support of the motion. The Technical
- 11 Committee has not presented any technical
- documentation as to why there is the need for these
- 13 additional smoke dampers to be included anywhere.
- 14 Please support the motion. Thank you.
- MR. FRABLE: Dave Frable in support of the
- 16 motion on the floor. As the previous speakers in
- 17 support of the motion stated, no technical
- 18 substantiation has been provided. The effect of this
- 19 code change will be a substantial cost in both
- 20 construction, operating and maintaining costs
- 21 associated with the installation of smoke dampers in
- 22 smoke partitions. We feel that the only prudent
- 23 action for the membership to take at this time is to
- 24 support the motion on the floor. Thank you.
- MR. VAN BECELAERE: My name is Bob Van

- 1 Becelaere. I represent Ruskin Manufacturing, and I'm
- 2 a member of the Technical Committee. What you're
- 3 saying here is that if there's a wall, there needs to
- 4 be a smoke damper in it if the wall there is to
- 5 protect smoke. So if you turn this down and they
- 6 build a wall, then you can leave a hole in the wall
- 7 without a damper in it. It doesn't make sense. The
- 8 Committee had the right motion on this. Please
- 9 support the committee. Thank you.
- 10 CHAIRMAN PAULEY: Is there any further
- 11 discussion? Mr. Mattern, would you like to comment?
- 12 MR. MATTERN: It was not the intent of the
- 13 committee to create an onerous responsibility here to
- 14 provide dampers where you have no wall. If you put a
- wall up, though, the Committee felt it's important
- that we subdivide that wall to prevent the transfer
- 17 of smoke.
- 18 CHAIRMAN PAULEY: Any further discussion?
- 19 Seeing none, we will proceed to the vote. Microphone
- 20 Number 3.
- 21 MR. ERICKSON: Douglas Erickson. In many
- 22 cases we put a wall up, and that wall is being put up
- 23 for privacy issues. It's not being put up to resist
- 24 the passage of smoke. In this case what would end up
- 25 happening is we would have to put a smoke damper in

- 1 this even though we have met the requirements of the
- 2 code only to take it up to the suspended ceiling. We
- do it for sound attenuation. We do it for privacy.
- 4 We don't do it for controlling the smoke within that
- 5 environment. Therefore, if this goes through, we
- 6 will be putting dampers in places where dampers are
- 7 not necessary. Thank you.
- 8 MR. HICKMAN: Palmer Hickman, IBEW. We
- 9 support the motion. We see no technical
- 10 substantiation.
- 11 MR. DILLON: Mike Dillon, Dillon Consulting
- 12 Engineers, a practicing engineer who designs systems.
- 13 I don't put dampers in privacy separations. I don't
- 14 put them there for sound purposes. I put sound
- dampering devices for that. For a smoke partition,
- 16 that's all we're talking about. If you build a smoke
- 17 partition to stop smoke from going from one room to
- 18 another. If you don't have a damper in that hole,
- 19 then you're not going to do anything by closing any
- 20 door down below.
- 21 CHAIRMAN PAULEY: Thank you. Is there any
- 22 further discussion? Seeing none, we will proceed to
- 23 a vote. The motion on the floor is to accept Comment
- 90A-691. All those in favor please raise your hands.
- Those opposed. The motion passes.

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1 We're back to the main motion on the floor
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- 2 to accept a partial revision of NFPA 90A. Microphone
- 3 Number 3, please.
- 4 MR. DOLLARD: Thank you, Mr. Chairman. My
- 5 name is Jim Dollard representing the IBEW. And I
- 6 would like to move acceptance of Comment 90A-9
- 7 written by Michael Callahan. Both NFPA and I have a
- 8 copy of a letter giving me the right to do so.
- 9 CHAIRMAN PAULEY: The motion is to accept
- 10 Comment 90A-9. We do have the record of you being
- 11 able to make this motion on file. Is there a second?
- 12 There is a second. Please proceed.
- 13 MR. DOLLARD: Thank you, Mr. Chairman. I
- 14 would like to inform the body that this is the second
- of nine comments that were tied to the original
- 16 proposal. The first thing that we dealt with today,
- which was essentially the return of Chapter 4 to
- 18 previous edition. What this does, accepting this
- 19 comment, is it incorporates into NFPA 90A definitions
- 20 that have always been used, including air handling
- 21 unit plenum, apparatus casing plenum, duct
- 22 distribution plenum, and raised floor plenum. I will
- 23 not belabor this body with additional discussion.
- 24 This is a suitability issue, and I urge you to
- 25 support the motion on the floor.

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1 MR. DILLON: Michael Dillon, Dillon
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- 2 Consulting Engineers, for the last time on this
- 3 issue. They can debate it the rest of the evening.
- 4 As a practicing engineer in the HVAC and
- 5 refrigeration world, I would beg this body to please
- 6 not allow the views of an unrelated industry, an
- 7 unrelated manufacturing interest in that industry, to
- 8 redefine what it is that we practice in our side of
- 9 the world. I'm not going to tell you how to define a
- 10 wire. I don't want other people to define ducts and
- 11 plenums for me. This is absurd. This is like Lewis
- 12 Carroll. We're stepping through the looking glass.
- 13 Please stay with the definitions that are defined by
- 14 the American Society of Refrigeration and Air
- 15 Conditioning Engineers. The votes are the way they
- 16 are because of the righteousness in the way we
- 17 proceeded.
- MR. HIRSCHLER: This is Mr. Hirschler in
- 19 support of the motion. Just so you understand, the
- 20 comment can be found on that page. These definitions
- 21 are identical to what's been there for a long time in
- the requirement section of Chapter 4 and 90A for many
- 23 years.
- 24 Furthermore, these exact definitions were
- 25 proposed by the Chairman of 90A Jeffrey Mattern, as a

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1 representative of the Committee, to the National
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- 2 Electrical Code for incorporation to the electrical
- 3 code. I repeat these exact five definitions were
- 4 proposed by the Chairman of the Air Conditioning
- 5 Committee responsible for 90A, Mr. Jeffrey Mattern,
- 6 to the National Electrical Code in representation of
- 7 the 90A Committee. So these definitions are what we
- 8 always used for these plenums. I urge you to support
- 9 the motion. Thank you.
- 10 CHAIRMAN PAULEY: Mr. Mattern, would you
- 11 like to comment?
- MR. MATTERN: The definitions that we carry
- 13 to the NEC were the result of a Committee action,
- 14 Committee work, and we'll stick by those definitions.
- 15 CHAIRMAN PAULEY: Is there any further
- 16 discussion on this motion? Seeing no one at the
- microphones, we'll proceed to a vote. The motion is
- 18 to accept Comment 90A-9. All those in favor please
- 19 raise your hand. Those opposed. The motion passes.
- 20 MR. LUDWICK: Good morning. Jim Ludwick,
- 21 Air Products and Controls. I move to reject ROP
- 22 90A-217, page 90A-120.
- 23 CHAIRMAN PAULEY: Your motion is to reject
- 24 proposal 90A-217; is that correct?
- MR. LUDWICK: Yes, sir.

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1 CHAIRMAN PAULEY: I do want to ask
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- 2 Microphone 8 for a clarification on your proposal.
- 3 You're asking to reject 90A-217. Can you identify a
- 4 comment that subsequently modified that proposal?
- 5 MR. LUDWICK: Comment 90A-706.
- 6 CHAIRMAN PAULEY: Is that the one that would
- 7 have modified it?
- 8 MR. LUDWICK: Yes, sir.
- 9 CHAIRMAN PAULEY: Now, in this case I
- 10 believe a motion to reject this proposal wouldn't be
- 11 appropriate. You can make a motion to return the
- 12 proposal.
- MR. LUDWICK: That's fine.
- 14 CHAIRMAN PAULEY: Which would return the
- 15 proposal and associated comments. Do you have the
- 16 page number for the particular comment? The comment
- 17 you gave us appears to be a rejected comment, which
- in that case would not have modified the proposal.
- 19 In order for this to be a proper motion to
- 20 return, we've got to return a proposal. We also have
- 21 to have a comment that would have modified that
- 22 proposal.
- MR. LUDWICK: I'd like to modify my motion
- 24 to return Chapter 6 in its entirety back to
- 25 Committee.

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1 CHAIRMAN PAULEY: In order to do that, you
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- 2 need to identify the proposal and the associated
- 3 comments that would accomplish that action. If you
- 4 would like, Staff can try to work with you to get
- 5 this clarified. I cannot take a motion to simply
- 6 return Chapter 6 because we are referring everything
- 7 to proposals and comments the Committee acted on.
- 8 MR. WOODEN: Dale wooden, the American
- 9 Society for Healthcare Engineering. I move to accept
- 10 Comment 90A-686 on page 90A-327 of the ROC.
- 11 CHAIRMAN PAULEY: So the motion is to accept
- 12 Comment 90A-686. The motion is valid. Is there a
- 13 second? There is a second. Please proceed,
- 14 Microphone Number 6.
- MR. WOODEN: This comment is to reject
- 16 Proposal 90A-194. This proposal changed the
- 17 requirements for fire dampers into and out of
- 18 enclosures to now require a combination. The effect
- of this proposal is to require smoke damper
- 20 protection at all shafts. This includes small
- 21 openings into shafts from bathrooms exhausted into
- 22 stacked multistoried buildings. Mandating
- 23 combination fire smoke dampers at points where ducts
- 24 penetrate shaft walls is not justified. The cost to
- install these combination dampers during new

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1 construction as well as to replace existing fire
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- 2 dampers during renovation will be substantial. The
- 3 Technical Committee accepted this proposal even
- 4 though there was no evidence submitted.
- 5 In addition, this revision is in direct
- 6 conflict with Life Safety Code Section 8.5.4.3, which
- 7 specifically accepted smoke dampers where ducts
- 8 penetrate floors that service smoke barriers. I urge
- 9 that this Comment be accepted, to reject this new
- 10 requirement, thereby returning the section to fire
- 11 dampers only.
- 12 CHAIRMAN PAULEY: Mr. Mattern, would you
- 13 like to comment?
- 14 MR. MATTERN: I'll defer to Mr. Dillon.
- MR. DILLON: Michael Dillon, Dillon
- 16 Consulting Engineers. It is simply a matter of
- 17 physics. If you have a vertical chimney in a
- building and you have a difference in temperature
- 19 between the inside and the outside, you will get
- 20 transfer up that chimney. There are a number of ways
- 21 you can handle that problem without the use of a
- 22 smoke damper in small ducts such as bathroom exhaust.
- 23 But if you don't have a fan operating, you don't have
- 24 a way of directing it, and you don't have a method
- 25 for making it go up. In those instances, you can

- 1 have exactly what happened at the West Chase Hilton
- 2 fire many years ago and have the smoke go down the
- 3 bathroom ducts and kill the people on floors below
- 4 where the fire was.
- 5 MR. GALE: My name is Mike Gale. I'm Chair
- of the Healthcare Committee. On Wednesday morning we
- 7 voted to support the motion on the floor to accept
- 8 the comment. This is a proposed new requirement.
- 9 Once again we feel there's no technical
- 10 substantiation that's been provided to justify the
- 11 change. The end result will be a significant
- 12 financial impact that should not be imposed on
- 13 building owners without clear technical
- 14 justification. We feel this is again an excessive
- 15 requirement that is not justified by the fire record.
- 16 As such, I strongly urge you to support the motion on
- 17 the floor to accept the comment. Thank you.
- 18 MR. HIRSCHLER: Marcelo Hirschler. I'm
- 19 strongly in support of the motion. Again the
- 20 Technical Committee upgraded the requirements,
- 21 thereby increasing the cost for installation from
- fire damper to fire smoke damper. No technical
- 23 justification was presented that there is any kind of
- 24 loss record that justifies that. Please, I urge the
- 25 body to support this motion. Thank you.

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1 MR. VAN BECELAERE: Bob Van Beezler
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- 2 representing Ruskin Manufacturing. I'm against this
- 3 motion. I am also on the Technical Committee. There
- 4 were several fires -- classic in Las Vegas is the MGM
- 5 Grand -- where people were killed on the 13th floor
- due to smoke movement in the building. It's physics.
- 7 You can't stop smoke from moving. Smoke dampers
- 8 protect the people, not the property.
- 9 MR. KOFFEL: Bill Koffel, Koffel Associates.
- 10 And I'm speaking for myself, and regrettably I have
- 11 to oppose this. Here's the risk of what's happening
- 12 here this morning. We are totally rewriting this
- document. What has not been said is that what's in
- 14 the current standard doesn't require these dampers,
- 15 but it does require the fans to shut down based upon
- 16 detection of smoke at the fan. And previous speakers
- 17 have addressed that. That's in this edition of the
- 18 standard.
- 19 So, in essence, you will have nothing that's
- 20 going to shut down the HVAC system if smoke gets into
- 21 that duct work. Somewhere this has to stop. The
- 22 Committee tried to develop a reasonable document, and
- 23 there are interests here that are opposed to that
- 24 every time. Now we're merely totally rewriting this
- 25 document. And I would challenge that none of us will

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1 know what it looks like at the end of the day.
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- 2 CHAIRMAN PAULEY: Thank you. Is there
- 3 further discussion?
- 4 MS. LOVELL: Good morning. My name is
- 5 Vickie Lovell. I'm the building code consultant for
- 6 the Air Movement Control Association. I'm also a
- 7 member of the Technical Committee for Fire Protection
- 8 Features. We represented the Air Movement and
- 9 Control Association on this item in a number of
- 10 venues, and this is my first opportunity to speak to
- 11 this group this morning.
- But I would like to call this body's
- 13 attention to the fact that building code trends have
- 14 changed. And while it's easy to examine this
- 15 document in the context of just the historical record
- of fire and smoke movement in modern construction,
- it's important to note that many fire resistive
- 18 barriers and many other fire protection features have
- 19 been eliminated in modern construction for economic
- 20 incentive and various reasons. So this document
- 21 becomes, in effect, almost a document that serves a
- 22 multiple purpose. In addition to moving air and
- 23 conditioning the building for ventilation, it also
- 24 becomes a very effective tool now for managing and
- 25 containing smoke. So many other fire resistive

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1 assemblies and items have been eliminated.
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- 2 It now becomes very essential that we
- 3 address the number-one killer three times out of four
- 4 that affect fire injuries and fire deaths, and that's
- 5 the containment of smoke. Now, the building owners
- 6 have said and other organizations have said that this
- 7 is an impressive cost, but in many respects it's
- 8 quite a simple and more economical means to address
- 9 the smoke issue.
- 10 So we encourage the membership now to
- 11 support the committee to not look at the document in
- 12 the context by itself but to look at the context of
- more modern building codes where many other items
- 14 have been stripped out, including engineered smoke
- 15 control and a number of other features that could
- 16 eventually change the fire record in the future.
- 17 CHAIRMAN PAULEY: Is there any further
- 18 discussion on this motion? Seeing no one at the
- 19 microphones, we will proceed to a vote. The motion
- on the floor is to accept Comment 90A-686. All those
- in favor please raise your hand. Those opposed.
- We're going to have to go to a standing
- 23 count on this. I would ask the organizational
- 24 delegates to fill out their ballot cards. The
- 25 organization delegates are the ones with the yellow

- 1 ribbon.
- 2 We'll proceed to a standing vote count. All
- 3 those in favor of the motion on the floor accepting
- 4 Comment 90A-686 please stand. Remain standing,
- 5 please. You may be seated. All those opposed to the
- 6 motion please stand. Thank you. You may be seated.
- 7 The motion passes 109 to 66. We will proceed back to
- 8 the main motion on the floor.
- 9 MR. DOLLARD: Once again my name is Jim
- 10 Dollard representing the IBEW, and I move acceptance
- of Comment 90A-93 by Michael Callahan. And once
- 12 again I am holding a letter from Michael Callahan,
- and NFPA has once again given me the right.
- 14 CHAIRMAN PAULEY: The motion is to accept
- 15 Comment 90A-93. Is there a second? There is a
- 16 second.
- 17 MR. DOLLARD: Once again, this issue is
- 18 helping us clean up 90A after the first motion on the
- 19 floor today, the return of Proposal 90A-46. There
- 20 was nine comments. This is the third of nine.
- 21 Essentially what this action will do, accepting
- 22 90A-93, will return the definition of plenum to
- 23 previous text. I will not belabor this point
- 24 anymore. Thank you.
- 25 CHAIRMAN PAULEY: Is there further

- 1 discussion?
- MR. HIRSCHLER: Marcelo Hirschler speaking,
- 3 and I support the motion on the floor. Let me just
- 4 explain for the audience and make it simple. First
- of all, the comment can be found on page 90A on the
- 6 proposal. The new definition proposed by the
- 7 committee, which is a very lengthy definition of
- 8 plenum, changes completely the definition of plenum
- 9 that has been accepted for many years in not only 90A
- 10 but 5000, 101, and NEC. And I will read you the
- 11 definition of plenum that is accepted throughout the
- 12 NFPA system. "Plenum is a compartment chamber in
- 13 which one or more air ducts --
- 14 CHAIRMAN PAULEY: Mr. Hirschler, please slow
- down for the court reporter.
- MR. DILLON: Michael Dillon, Dillon
- 17 Consulting Engineers. I lied. I'm back up one last
- 18 time because I didn't see anyone else go. The
- 19 definition for plenum that is in there is the correct
- 20 technical definition for what a plenum is. It
- 21 doesn't matter if people have been using the wrong
- one for a long time in 1642 BC in the Arcadian text.
- 23 In the Epic of Gilgamesh they use used the wrong
- 24 definition for "Ishtar" too. This doesn't matter.
- 25 The idiosyncratic definition by others in an industry

- 1 they are not related to is absurd.
- 2 CHAIRMAN PAULEY: Thank you. Further
- 3 comment?
- 4 MR. DOLLARD: My name is Jim Dollard. One
- 5 last comment. This is all about suitability. This
- 6 is about getting this document ready for 2005.
- 7 CHAIRMAN PAULEY: Thank you. Is there any
- 8 further discussion?
- 9 MR. STARKS: My name is Daniel Starks. I'm
- 10 from Harbor View Medical Center, and I'm speaking for
- 11 myself. I think one of the difficulties in a roomful
- of experts is we all think we're experts on
- 13 everything. I think in this case that the people who
- 14 are experts on the definition of a plenum are the
- 15 people who are on the committee for considering what
- 16 a plenum is. And I think while we all have our own
- opinions in this case, we defer to the experts on the
- 18 committee to define "plenum" and not attempt to
- 19 overturn their judgment.
- 20 RANDY: Randy from the Electrical Section
- 21 calling to question.
- 22 CHAIRMAN PAULEY: There's been a motion to
- 23 move the previous question in debate. Is there a
- 24 second to that motion? I do hear a second. All
- 25 those in favor of ending debate on this motion raise

- 1 your hand. Those opposed. The motion passes.
- 2 We will move to the motion on the floor
- 3 which is to accept Comment 90A-93. All those in
- 4 favor of that motion, please raise your hand. Those
- opposed. The motion passes. We're back to the main
- 6 motion on the floor. Microphone Number 2, please.
- 7 MR. DUSZA: Tom Dusza, Schirmer Engineering
- 8 corporation. I'm a principal on the Technical
- 9 Committee for 90A, and I'm asking for a motion to
- 10 return the entire document back to Committee. I
- 11 don't think I need to say anymore. I think we all
- 12 heard enough and let's do it. Let's have the
- 13 committee look at it. Let's not continue with this
- 14 on the floor.
- 15 CHAIRMAN PAULEY: I was going to ask for a
- 16 second, but I heard one before I asked. So that
- 17 motion is moved.
- 18 UNIDENTIFIED SPEAKER: Speaking strongly on
- 19 the motion by the actions taken today principally
- 20 what was done in definitions, how it was done in the
- 21 dampers issue. Because when you look at that in
- 22 association with what we did in Chapter 6, you have
- 23 made this document fatally flawed. It cannot
- 24 possibly go to its purpose. If you need its purpose
- 25 any longer the way it is set up, this is a useless

- 1 defective document. It must be returned to
- 2 Committee. You either have to go with what the
- 3 committee did, or it has to go back to committee.
- 4 This is not benefiting anything NFPA does. This is
- 5 really bad.
- 6 MS. HORTON: Could you please explain to us
- 7 what will happen if it is returned as far as timing
- 8 is concerned in reviewing it again? Will there be an
- 9 interview for new proposals, or will you just go back
- and examine everything that's been submitted thus
- 11 far?
- 12 CHAIRMAN PAULEY: Would you please identify
- 13 yourself for the record?
- MS. HORTON: And for the record, my name is
- 15 Pat Horton. 90A-2, 90A-121 ROP, 90A-2, 90A-338 ROC.
- 16 CHAIRMAN PAULEY: Because with us, as we
- 17 look at this, there's a bit of complexity to this.
- 18 So give us a few moments. We wanted to get you the
- 19 specific language in the regulation. This is in
- 20 4-7.3 of the regulation. When a technical report is
- 21 returned to the TC, the TC may request action in
- 22 preparing its Amended Report on Comments. Unless
- 23 there was an appeal to the Council, the action the
- 24 Technical Committee could request that they go back
- 25 to their comment phase of the document.

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MS. HORTON: Would that mean immediately, or
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     would that mean at the next cycle?
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- 3 CHAIRMAN PAULEY: The regulations speak
- 4 specifically to immediately. There could be time for
- 5 new proposals. As I said, in the regulations the
- 6 committee may make the recommendation to go back to
- 7 the comment phase. The committee may make that
- 8 recommendation. There may only be a recommendation
- 9 to go back to the public proposal phase.
- 10 At this point that's not a decision that's
- 11 made by this body at this meeting. That's the
- 12 committee discussions that will occur taking into
- account this meeting and ultimately the 13
- 14 recommendations that will go back to council. I will
- 15 now go back to Microphone Number 4.
- 16 UNIDENTIFIED SPEAKER: I strongly oppose
- 17 this motion. As you heard, what this will do is
- return it to the committee and probably get back to 18
- 19 the comment stage without new proposals. We were
- 20 very careful when we drafted the motions that we've
- 21 been making to tie those items what we believe that
- 22 the committee has been inconsistent or has acted
- 23 without proper justification. We do not believe that
- 24 there is any justification to return the entire
- 25 document to committee and then have the committee get

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1 back into a comment stage. And we would just be
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- 2 prolonging the agony. I urge the body to reject --
- 3 to defeat this motion and then finish the action and
- 4 get a new edition of 90A out.
- 5 MR. ERICKSON: Douglas Erickson with the
- 6 American Society for Healthcare Engineering and the
- 7 American Hospital Association. I strongly urge this
- 8 body not to return this document to committee. We
- 9 are dealing with one issue here, and that is plenum
- 10 rated cable. This has been before the 90A Committee
- for three cycles now, and we are going to go ahead
- and return a lot of good work that was accomplished
- within the 90A Committee other than plenum-rated
- 14 cable. A lot of work was done with regards to
- 15 testing, placement of dampers. We heard a lot of
- 16 good discussion with regards to whether or not it's a
- 17 fire smoke damper. I don't believe the correct
- 18 action of this body would be to take it back to the
- 19 committee once again, of which I serve on 90A, and
- 20 ask us to revise or look at the entire document. If
- 21 it's only the plenum-rated cabling issue that we're
- 22 concerned with, return that portion back, but leave
- 23 all the other good work that was accomplished by that
- 90A Committee intact. Thank you, Mr. Chairman.
- 25 CHAIRMAN PAULEY: Microphone Number 7,

- 1 please.
- 2 MR. MCELVANEY: Joe McElvaney. I'm in
- 3 support of this motion. Let's face it, folks. We've
- 4 been hearing for the last six, seven times, it always
- 5 goes back to the committee and then the Standards
- 6 Council. Let's stop talking about it. Let those
- 7 folks have their meeting, figure out what's going to
- 8 happen, and move on.
- 9 MR. DOLLARD: My name is Jim Dollard with
- 10 the IBEW, principal member of NFPA 90A. I strongly
- 11 urge the body not to support this motion. I rise in
- 12 opposition. As a previous speaker said, the document
- 13 would be fatally flawed. This is all about the
- 14 elimination of NFPA 262 cables. And this body has
- 15 turned that around with the first motion we had
- today, which was to return a proposal 90A-46. The
- 17 rest of this document, a lot of hard work was done,
- 18 and I do not want to see that hard work thrown out.
- 19 I strongly urge this body to vote against this
- 20 motion. Thank you, CHAIRMAN PAULEY.
- 21 UNIDENTIFIED SPEAKER: We're writing on the
- 22 floor. We're not doing it in an orchestrated manner.
- 23 I think it's important to give the committee the
- 24 opportunity to go back and redo this.
- Now responding to the comment about where we

- 1 go, whether it be the proposal or the comment stage.
- 2 The committee will make that decision. We have a lot
- 3 of good work that the committee has done. We have a
- 4 very strong foundation for enhancing the quality of
- 5 the 90A standard, but obviously it needs some more
- 6 work. And I support the motion of the committee
- 7 member who made that in order to take this back and
- 8 do some more work on it.
- 9 MR. ROCKUS: Dick Rockus. We're rewriting a
- 10 code on the floor. We didn't just work on 96. We
- worked on Chapter 6. We've had three proposals go
- 12 for that. It's not just the plenum cable issue. The
- document needs more work. Support the committee.
- 14 Let's stop trying to do it on the floor.
- 15 MR. HICKMAN: Palmer Hickman. I'd like to
- 16 call to question.
- 17 CHAIRMAN PAULEY: The motion's been moved to
- 18 end the debate. Is there a second? There is a
- 19 second. We will move immediately to end the debate.
- 20 Those in favor to end the debate. Those opposed.
- 21 The motion passes.
- We will move to the immediate motion on the
- 23 floor. That motion is to return the 90A report to
- 24 the committee. All those in favor of that motion
- 25 please raise your hand. Those opposed. We will go

- 1 to a standing vote.
- 2 I'm going to ask you to please now stand.
- 3 Those of you in favor of the motion to return the
- 4 report, please stand and remain standing. Those
- 5 opposed to the motion to return the report, please
- 6 stand.
- 7 The motion passes 152 to 136. That will
- 8 conclude our report on 90A. Mr. Mattern, thank you.
- 9 MR. MATTERN: 90B?
- 10 CHAIRMAN PAULEY: At some point we had two
- documents we were doing. I now remember that.
- 12 Please proceed.
- 13 MR. MATTERN: The second document is NFPA
- 90B and can be found on page 90B-2 of the ROP. Since
- there were no public comments, this document is not
- 16 included in the ROC.
- 17 The Committee proposes for official adoption
- 18 a partial revision to NFPA 90B, Standard for the
- 19 Installation of Warm Air Heating and Air Conditioning
- 20 Systems. The ballot statement can be found on page
- 21 90B-1 of the ROP.
- Mr. Chair, I move adoption of the
- 23 Committee's report on NFPA 90B.
- 24 CHAIRMAN PAULEY: You've heard the motion to
- 25 adopt a partial revision of 90B. Is there any

- 1 discussion? Microphone Number 9.
- 2 MR. DILLON: Michael Dillon. I'm in strong
- 3 support of the motion. Please let's get it over
- 4 with. But I would also request that the Standards
- 5 Council urge the Chairman to continue his good work
- 6 until he gets it right.
- 7 CHAIRMAN PAULEY: And, Mr. Mattern, I won't
- 8 ask you to comment at this point.
- 9 MR. MATTERN: I will comment at the end.
- 10 CHAIRMAN PAULEY: Is there any further
- 11 discussion? Seeing none, we'll move immediately to
- 12 the vote.
- The motion is to accept the report on 90B.
- 14 Those in favor. Those opposed. The motion passes.
- Mr. Mattern, any final comments?
- MR. MATTERN: Just one. As many of you
- 17 know, I'm retiring at the end of this year. And I
- 18 want to really take the opportunity to thank the NFPA
- 19 for being able to be involved in the critical
- 20 consensus making process. And I've been involved
- 21 since 1968. And the highlights, of course, were my
- two terms on the Standards Council and serving on
- 23 many committees, and I thank you for that
- 24 opportunity.
- 25 CHAIRMAN PAULEY: Before we take up our next

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1 report, we'll take a two-minute comfort break.
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- 2 (A brief recess was taken.)
- 3 CHAIRMAN PAULEY: Our next document will be
- 4 NFPA 1. The next report this morning is that of the
- 5 Technical Committee on the Uniform Fire Code. Here
- 6 to present two parts of the Committee's report is
- 7 Committee Member Anthony Apfelbeck of Altamonte
- 8 Springs Building and Fire Safety division, Altamonte
- 9 Springs, Florida.
- 10 MR. APFELBECK: Good morning, Mr. Chair,
- 11 ladies and gentlemen. The Technical Committee on
- 12 Uniform Fire Code is presenting two documents for
- 13 adoption. The first document is NFPA 1 and can be
- 14 found on pages 1-2 to 1-101 of the 2005 June
- 15 Association Technical Meeting Report on Proposals and
- on pages 1-2 to 1-38 of the Report on Comments.
- 17 The Committee proposes for official adoption
- 18 a partial revision to NFPA 1, Uniform Fire Code. The
- 19 ballot statements can be found on page 1-1 of the ROP
- and on page 1-1 of the ROC. Mr. Chair, I move to
- 21 adopt a partial revision.
- 22 CHAIRMAN PAULEY: You've heard a motion to
- 23 adopt a partial revision.
- 24 UNIDENTIFIED SPEAKER: I move to accept my
- 25 Comment Number 60 on page 16 of the ROC.

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1 CHAIRMAN PAULEY: So the motion is to adopt
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- 2 Comment 1-60?
- 3 UNIDENTIFIED SPEAKER: Yes. This was
- 4 submitted by the Technical Committee.
- 5 CHAIRMAN PAULEY: The motion is in order.
- 6 Please proceed.
- 7 UNIDENTIFIED SPEAKER: It will not be as
- 8 contentious as the last debate that we just got
- 9 through hearing. The Technical Committee on
- 10 Emergency Power Supply Systems submitted this to the
- 11 NFPA Committee. With NFPA 1 being a retroactive
- document for the Uniform Fire Code and for the Fire
- 13 Service, we felt as if we needed to have this Item
- 14 Number 10 added to the laundry list. Talking about
- the on-site fuel storage requirements for the
- 16 standard by power systems shall be in accordance with
- 17 recognized NFPA documents such as 110, 37, 30, 99,
- 18 and 20.
- 19 One of the problems we foresee is with this
- 20 MAQ table going into NFPA. We may have a fire
- 21 official saying, "You are outside of the requirements
- of the MAQ table," and we will have to try and comply
- 23 with that, find a waiver, variance, et cetera. So
- 24 what this does is simply say within the Uniform Fire
- 25 Code that you shall follow the on-site fuel storage

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1 requirements of NFPA 110, 37, 30, 99, and 20. I see
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- 2 no reason why this should not have been added to the
- 3 document.
- 4 CHAIRMAN PAULEY: Mr. Apfelbeck, do you have
- 5 a comment?
- 6 MR. APFELBECK: I would like to defer to our
- 7 Chair.
- 8 MR. JAMES: My name is Bob James. I'm the
- 9 Chair of the Hazardous Material Section of NFPA 1.
- 10 During the discussions of this item, one of the
- 11 things we had to look at is obviously the hazardous
- 12 material. And the hazardous material in this case
- 13 happened to be combustible liquids. It's clearly
- 14 stated just because you adopt this code doesn't mean
- 15 that all the hazardous material sections come into
- 16 play. There would have to be a change of occupancy
- 17 to trigger it or an immediate risk to life is how it
- 18 basically says in Section 10. So I don't believe
- 19 that this adoption of the document will automatically
- 20 trigger that.
- 21 The other point I wanted to make is the
- 22 comment of the maximum allowable quantity. That's a
- 23 term we do use. That's to identify the level of
- 24 which a normal occupancy can handle the hazardous
- 25 material. That doesn't mean the maximum you can have

- in the building. What happens when you use
- 2 combustible liquids in this case, whether it's for
- 3 emergency power, whether it's for some other
- 4 operation, it doesn't really matter. It's still a
- 5 hazardous combustible liquid.
- 6 What we do allow is if you feel the need to
- 7 have more than the table allows, then you have to
- 8 start adding protection features to offset that
- 9 increase. So it's not like another model code that
- 10 changes your occupancy on you. This one in this case
- just adds protection features, and there really isn't
- 12 a high end for combustible liquids.
- So again I don't feel it was necessary to
- 14 completely take this out of the document or
- unregulate it because there's other good things in
- 16 the general section of Chapter 60 that are important
- 17 to deal with combustible liquids.
- 18 CHAIRMAN PAULEY: Thank you.
- 19 MR. PETERKIN: Jim Peterkin, a member of the
- 20 Healthcare Section Review Committee. The Healthcare
- 21 Section met yesterday and voted to support this
- 22 motion. We feel that although the maximum level
- 23 quantities require you to take potentially additional
- 24 steps if you exceed those quantities. What we're
- 25 saying is that if you meet existing NFPA standards,

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1 why should there be a conflict between the two codes?
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- 2 So we strongly support this motion.
- 3 CHAIRMAN PAULEY: Further discussion?
- 4 MR. SHAPIRO: My name is Jeff Shapiro. I'm
- 5 speaking on my own behalf. I'm a member of the NFPA
- 6 1 Committee, and I'm speaking in opposition to the
- 7 motion on the floor. I think it's very important to
- 8 point out that if you read the proponent's
- 9 substantiation for this, it was fairly clear to the
- 10 Committee that there was a misunderstanding that the
- 11 proposal and the proponent did not really have a
- grasp on how the code applies to hazardous materials.
- 13 There was an assumption in what we read that
- 14 there is a high-end limit associated with maximum
- 15 allowable quantity, and that's not the case. There
- is no limit in the Uniform Fire Code on how much
- 17 material you're allowed to have. The Uniform Fire
- 18 Code simply increases the level of protection. And
- 19 we think it's appropriate to regulate flammable and
- 20 combustible liquids in buildings equivalently. We
- 21 did not see the reason -- the level of protection
- 22 being provided by the other documents that one
- 23 provides.
- So I would encourage you to reject the
- 25 motion on the floor. I think it's important to treat

- 1 these materials that are in generator tanks similar
- 2 to any other combustible liquid in the building and
- 3 provide the same level of protection.
- 4 MR. KROUZ: Dick Krouz speaking for myself
- 5 and as a member of the NFPA 1 Committee. The
- 6 proposal, the comment as written, proposes compliance
- 7 with a number of codes including NFPA 30. The NFPA
- 8 30 Committee is in the ROP process right now. The
- 9 NFPA 30 Committee has agreed to make their quantity
- 10 limitations comparable to those of NFPA 1 and NFPA
- 11 5000. So in effect accepting this comment would kick
- 12 you back to 30. 30 would kick you back to one.
- 13 Everything's the same. There's no reason to change
- 14 this. As the previous speaker has proposed, this is
- 15 not a limitation. This is not a limitation of
- 16 quantity. It's a protection issue. Thank you.
- 17 MR. ERICKSON: Douglas Erickson, American
- 18 society for Healthcare Engineering. This is not just
- 19 one proponent. This is an entire Committee that was
- very confused by what was going on with NFPA 1.
- 21 There's 22 members that were confused about what the
- 22 maximum allowable quantity would be for this
- 23 generator set. We have rules and regulations that
- 24 speak about 660 gallons. Those are interval tanks.
- 25 They have been working well for many, many years. By

- 1 adding Item Number 10, all we're doing is trying to
- 2 become consistent with all of the other standards of
- 3 the NFPA. If you don't like what 99 has done, if you
- 4 don't like what 110 has done, if you don't like what
- 5 37 has done, then why would someone do anything
- 6 differently.
- 7 I agree with Mr. Shapiro. If you look and
- 8 dive into one far enough, you probably will come up
- 9 with the right answer. The problem is many times
- 10 authorities in jurisdiction, many times owners,
- 11 designers, etcetera don't dig that deep.
- 12 CHAIRMAN PAULEY: Is there further
- 13 discussion?
- 14 MR. SHAPIRO: Jeff Shapiro again speaking on
- 15 my own behalf. Just to point out, the problem is the
- 16 way this is written. It becomes a carte blanche
- 17 exception to everything that follows. That's why it
- 18 doesn't work.
- 19 CHAIRMAN PAULEY: Any further discussion?
- 20 Seeing none, we'll move to the vote. The motion on
- 21 the floor is to accept Comment 1-60. All those in
- 22 favor accepting that comment please raise your hand.
- 23 Those opposed. The motion fails.
- 24 Moving back to the main motion on the floor
- on NFPA 1. Is there any further discussion?

- 1 Microphone Number 7.
- 2 MR. THORNBERRY: My name is Rick Thornberry
- 3 with the Code Consortium. I'm representing the
- 4 American Pyrotecnhics Association. I'd like to move
- 5 a comment we submitted, and it's Comment 1-13 on page
- 6 1-4 of the ROC.
- 7 CHAIRMAN PAULEY: There's a motion to accept
- 8 Comment 1-3. Is there a second? There is a second.
- 9 Please proceed.
- 10 MR. THORNBERRY: The concern I have here is
- 11 that I don't necessarily object with what the code is
- 12 trying to do regarding triggering a sprinkler
- 13 requirement for mini-storage buildings. My problem
- 14 with this issue is how one defines a mini-storage
- 15 building. And the Committee wrestled with it a fair
- 16 amount and came out with a proposal that still leaves
- it very undesirable in my mind as that definition
- 18 being unique to mini-storage buildings.
- 19 And our concern is it captures all kinds of
- 20 warehouses, not just mini-storage buildings. And in
- 21 the case of my client, the American Pyrotechnics
- 22 Association, when they lease a warehouse space in a
- 23 warehouse where it may be leased to several different
- tenants, it's going to be captured. The sprinkler
- 25 threshold is going to drop 2500 or 3500 square feet.

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1 Whereas NFPA 5000, for example, would have only
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- 2 required that building to be sprinkled at 2500 square
- 3 feet under the storage requirements under NFPA 5000.
- 4 So this is going to capture a lot of warehouse
- facilities that was never intended to capture. In
- 6 Item 1 of that definition, I don't see that as a
- 7 unique issue. You're going to find that in any
- 8 warehouse that's leased out to any one tenant.
- 9 And I also have a question as to what is a
- 10 fire resistant rated barrier. That's not a defined
- 11 term. We have defined terms in the building code for
- 12 fire barrier, for example, or firewall. This doesn't
- tell you what kind of wall it is. So how do you
- 14 build this wall? The way I read it, it doesn't even
- have to go up to the roof. There's no requirement.
- 16 It just says fire rated. Any tenant can lock up
- their warehouse space they're leasing out, and it's
- 18 not always going to be assessable to the tenant of
- 19 the building. That was Item 2.
- 20 And then Item 3, I don't see it as being
- 21 unique. I see a mixture of terms throughout this
- 22 that mixes up storage occupancy, storage facility
- 23 unit. It's not going to get us where we need to go,
- 24 and I urge you to accept this comment and get rid of
- 25 this definition.

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1 MR. APFELBECK: The Technical Committee
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- 2 looked at this issue very in-depth.
- 3 MR. LATHROP: Jim Lathrop speaking on behalf
- 4 of myself. As the task force that worked on this
- 5 definition, this was not an easy project. We put the
- 6 attached group together, including Mr. Everett. If
- 7 you take each of the individual items as just
- 8 mentioned, it doesn't look like it makes a lot of
- 9 sense.
- 10 But the requirement here is that you have to
- 11 meet all of these provisions. And when you add them
- 12 all together, it does make quite a bit of sense as
- far as the fire resistance rated barrier. We're not
- 14 requiring that barrier. We're saying if you don't
- have something like that, that's what's being
- 16 intended here. Is it a perfect definition? No. If
- 17 you're trying to define a term like "corridor,"
- 18 that's a hard thing to do. I encourage you to oppose
- 19 the motion on the floor.
- 20 MR. FASH: Mr. Fash. I participated in the
- 21 task group to better define mini-storage. The issue
- 22 that I have as a fire official is trying to do
- 23 inspections on these mini-storage facilities.
- 24 They're usually not available for inspection.
- 25 They're usually locked up by the tenant or the

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1 homeowner who are using these facilities. We found a
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- 2 number of items in there that would normally not be
- 3 allowed in storage warehouses that you would see in
- 4 these mini-storage facilities. We found propane
- 5 storage, flammable liquid storage, a number of
- 6 hazardous materials that you would not normally find
- 7 that we would normally allow in a normal storage
- 8 warehouse that would be open to plain view for the
- 9 inspectors going through the facility. Not only does
- 10 it protect the owner of the property and the
- 11 business, but it protects -- we're not proposing the
- 12 exception of fire rated barriers so they can segment
- the building up in smaller sections. We're just
- 14 trying to have a matchable solution with these type
- 15 of facilities. Thank you.
- MR. HOLMES: Wayne Holmes, Chairman of the
- 17 Technical Committee on Industrial Storage and
- 18 Miscellaneous Occupancy for NFPA 5000. We have a
- 19 similar issue with the definition of a mini-storage
- 20 facility, which will come up later when we discuss
- 21 NFPA 5000. That's under Comment 5082. That included
- 22 a proposal by the Technical Committee industrial
- 23 storage for a mini-storage facility. That was also
- 24 addressed by the Technical Correlating Committee for
- 25 NFPA 5000. We do have an alternative definition when

- discussing NFPA 5000.
- 2 UNIDENTIFIED SPEAKER: In some places we
- 3 build warehouses and they sublease it. That's called
- 4 a mini-storage. By this definition it could be a
- 5 hundred-thousand-square-foot warehouse subdivided and
- 6 leased by somebody else.
- 7 UNIDENTIFIED SPEAKER: NFPA 1 is an extract
- 8 document. So this is sort of a moot point talking
- 9 about this. Whatever action is taken either way, it
- 10 will revert back to whatever happens in 5000. I urge
- 11 you to vote against this proposal and let it ride to
- 12 5000. Do your talking there. Thank you.
- 13 CHAIRMAN PAULEY: Further discussion?
- 14 Microphone Number 7, please.
- MR. THORNBERRY: Rick Thornberry again
- 16 representing the American Pyrotechnics Association
- 17 responding to a couple of comments. I don't think
- 18 it's a moot point. I think we need to deal with it
- 19 here. Albeit Mr. Holmes indicated that there's a
- 20 comment that deals with that. But as I understand
- 21 that comment, it's saying let's use the definition.
- 22 This is a real problem. An example is this could
- 23 capture the storage lockers in the basement of an
- 24 apartment building. Is that necessarily intended to
- 25 do that? The annex note says, well, maybe it is

1 meant to capture that. The annex note says you don't

- 2 need to worry about a basement in an apartment
- 3 building where they've got storage of vehicles.
- 4 They're exempt for some reason by the annex note.
- 5 But the other types of storage facilities you would
- find for multiple tenants would not be included. I
- 7 think it's regulated by definition. We need
- 8 something in the code that's a lot clearer. It's not
- 9 a requirement, but it's being used to determine what
- 10 a mini-storage facility is.
- 11 MR. HIRSCHLER: Marcelo Hirschler speaking
- 12 for myself, and I'm opposed to the motion. I think
- 13 the committee worked quite hard, and it developed a
- 14 definition of its own. That's a definition from
- 15 NFPA 1. It does not say in the accepted comment that
- 16 this will be an extract of 5000. It does not say,
- no, the definition of NFPA will be the definition
- 18 that is contained in the NEC. I think the definition
- 19 that you have there is an appropriate one. And it
- 20 addresses an issue that the AHJ now can regulate if
- 21 the AHJ wants if NFPA 1 does not regulate.
- 22 Second, with regard to the private garages,
- 23 we want to make sure that we don't regulate people's
- 24 garages individually. We're talking of storage
- 25 facilities, not people's single individual garages.

- 1 Thank you.
- 2 MR. SHAPIRO: Jeff Shapiro speaking on my
- 3 own behalf, and I am a member of the NFPA 1
- 4 Committee. And I can share with the audience that
- 5 the committee really struggled with this. And we
- 6 went through a number of iterations and came up with
- 7 something that we felt was well-enough written that
- 8 it was worthy of going into the code and that it
- 9 needed to go into the code now because this is
- 10 recognized as a significant hazard to emergency
- 11 responders that have no idea what are in these
- 12 facilities. And I think it's important that we do
- 13 something.
- 14 Is this perfect? Absolutely not. Is
- anything else you're going to do here today or
- 16 yesterday perfect? Absolutely not. But it's a whole
- 17 lot better than we currently have. So I would
- 18 encourage to reject the motion on the floor and
- 19 support the committee.
- 20 CHAIRMAN PAULEY: Any further discussion on
- 21 this motion?
- 22 MR. QUICK: My name is Ken Quick. I
- 23 represent Culver City Fire Department in California
- 24 and the South Bay Fire Prevention Officers. I'm
- 25 objecting to this. We are finding in our city that

- 1 we remove several businesses because of the current
- 2 business environment. We have small businesses
- 3 trying to actually move their organizations into
- 4 these types of facilities. And they bring employees
- 5 who actually work in these buildings. We responded
- 6 to alarms. They've come out of the building, and
- 7 that's how we found them.
- 8 So we need a facility that will allow us to
- 9 at least provide minimum protection for our
- 10 firefighters, and those that don't know can't do
- 11 this.
- 12 CHAIRMAN PAULEY: Any further discussion?
- 13 Seeing no one at the microphones, we'll move the
- 14 motion on the floor, motion on Comment 1-1. All
- those in favor of that motion, please raise your
- 16 hand. Those opposed. The motion fails. We're back
- 17 to the main motion on NFPA 1. Is there any further
- 18 discussion?
- 19 We'll move to the motion on the floor to
- 20 accept partial revision of NFPA 1. All those in
- 21 favor of that motion, raise your hand. All those
- 22 opposed. The motion passes. Thank you,
- 23 Mr. Apfelbeck.
- MR. APFELBECK: I have a second document.
- 25 The second document is NFPA 230 and can be found on

- 1 pages 230-2 to 230-15 of the ROC. The Committee
- 2 proposes the withdrawal of NFPA 230, Standard for the
- 3 Fire Protection of Storage.
- 4 The ballot statements can be found on page
- 5 230-1 of the ROP and on page 230-1 of the ROC.
- 6 Mr. Chair, I move for the adoption of the
- 7 Committee's report on NFPA 230.
- 8 CHAIRMAN PAULEY: You heard a motion to
- 9 accept the committee report. Is there any
- 10 discussion? Seeing none, we'll move immediately to
- 11 that motion. All those in favor to accept the
- 12 committee report, please raise your hand. Those
- opposed. The motion passes. Thank you,
- 14 Mr. Apfelbeck.
- 15 The next report this morning is that on the
- 16 Committee on Safety to Life. James Quiter of
- 17 San Francisco, California is here to speak on behalf
- 18 of the committee.
- 19 MR. QUITER: Thank you, Mr. Chair, ladies
- 20 and gentlemen. The report of the Technical Committee
- on Safety to Life is presented for adoption.
- 22 NFPA 101 was submitted to letter ballot of the
- 23 Technical Correlating Committee that consists of 11
- voting members. The ballot results can be found on
- 25 pages 101-1 to 101-8 of the 2005 June Association

- 1 Technical Meeting Building Code Committee and Safety
- to Life Committee Reports on Proposals on NFPA 5000,
- 3 Building Construction and Safety Code, and NFPA 101
- 4 Life Safety Code and on pages 101-1 to 101-7 of the
- 5 2005 June Association Technical Meeting Report on
- 6 Comments. NFPA 101 can be found on pages 101-9 to
- 7 101-254 of the ROP and on pages 101-8 to 101-191 of
- 8 the ROC.
- 9 The committee proposes for official adoption
- 10 a partial revision to NFPA 101, Life Safety Code.
- 11 The ballot statements can be found on pages 101-1 to
- 12 101-8 of the ROP and on pages 101-1 to 101-7 of the
- 13 ROC.
- Mr. Chair, I move adoption of the
- 15 Committee's report on NFPA 101.
- 16 CHAIRMAN PAULEY: Thank you. I do want to
- note that we will act on the code in chapter order,
- 18 starting at Chapter 1 through Chapter 42. We will
- 19 then take the annexations. Motions will be taken on
- 20 the Safety to Life Code in chapter sequence starting
- 21 with Chapter 1. After the discussion on the 42
- 22 chapters and their annexations, motions will be on
- 23 order of the entire document. It is likely in order
- 24 to coordinate if some of you will be making similar
- 25 substantiation on each of these documents. In order

- 1 to maximize the efficiency and not waste time in what
- will be a long session, I would request when you make
- a motion on NFPA 101 and you intend to repeat in
- 4 substantiation on NFPA 5000, please state that for
- 5 the information of the body at the time you make your
- 6 motion on NFPA 101. It is my hope that by informing
- 7 the body in this way you the body can, if you wish in
- 8 the interest of time, limit debate on repetitive
- 9 motions either through cloture motions or otherwise
- 10 as you the body deem appropriate.
- Now you have heard a motion to adopt a
- 12 partial revision of NFPA 101. Is there any
- 13 discussion on Chapter 1? Seeing no one at the
- 14 microphones, is there any discussion on Chapter 2?
- 15 Again proceeding on. Any discussion on Chapter 3?
- 16 Microphone Number 7, please.
- 17 MR. THORNBERRY: Thank you, Mr. Moderator.
- 18 Rick Thornberry with the Code Consortium. I wish to
- move to accept Comment 101-21 on page 101-12 in the
- 20 ROC.
- 21 CHAIRMAN PAULEY: Motion is to accept Motion
- 22 101-21. Is there a second? There is a second.
- 23 Please proceed.
- MR. THORNBERRY: What this comment does is
- 25 take the language that's currently in NFPA 5000 for

- 1 the definition for anchor building and puts it into
- 2 NFPA 1. So the two documents are consistent. I
- 3 think this is the right approach to time, and the
- 4 definition I think is much more succinct, clearer,
- 5 and limiting than what was proposed by the Technical
- 6 Committee. The Technical Committee left it wide open
- 7 to allow basically any occupancy to occur in an
- 8 anchor building as long as it was low or moderate
- 9 hazardous contents. This ties it to the specific
- 10 occupancies that would be printed based on what would
- 11 have been allowed in traditional malls for many years
- 12 upon which the mall requirements and the code were
- developed. I don't think we want to have that
- 14 definition for anchor building expanded beyond those
- 15 traditional occupancies until a further study has
- 16 been done to determine the technical ramifications of
- 17 increasing the types of occupancies that could be
- 18 allowed in these anchor buildings. So we urge you to
- 19 support this comment. Thank you.
- 20 CHAIRMAN PAULEY: Mr. Quiter, would you like
- 21 to comment?
- 22 MR. QUITER: I was going to defer to the
- 23 Technical Committee. I'm looking for Ken Bush, who
- 24 is going to represent the committee.
- 25 MR. BUSH: I'm the Chair of the Mercantile

- 1 and Business Occupancy Committee. Actually, this has
- been addressed. You'll see a similar change in NFPA
- 3 5000. This definition that is in the 5000 document
- 4 actually got in there through a glitch in the system
- 5 and old definition that was picked up in the last
- 6 cycle and did not get caught. If you look at the
- 7 Section of the Mercantile Occupancy that covers
- 8 malls, we've gotten very explicit that when greater
- 9 flexibility is restricted, there are more restricted
- 10 requirements extended to these anchor stores, such as
- 11 actually having actual firewalls spray the anchor
- 12 store from the covered mall building. So this has
- 13 been addressed in the mall section.
- 14 MR. LATHROP: Jim Lathrop speaking for
- 15 myself. If this was accepted, it would prohibit
- 16 hotels from being attached to a mall, which is a
- 17 fairly common arrangement nowadays.
- 18 MR. THORNBERRY: Rick Thornberry. It was
- 19 indicated that there was modification being proposed
- 20 to NFPA 5000 to address the definition of anchor
- 21 buildings and that's true. And it's found on page
- 22 5000 -65 as comment 5000-163A. However, the final
- 23 action on that is on hold. It was directed by the
- 24 Technical Correlating Committee to put this on hold
- 25 so it would be considered for further discussion in

- 1 the next revision cycle.
- 2 CHAIRMAN PAULEY: Is there any further
- 3 discussion on this motion? Seeing no one at the
- 4 microphones, we'll move to a vote. The motion on the
- 5 floor is to accept Comment 101-21. All those in
- favor of that motion, please raise your hand. Those
- 7 opposed. The motion fails. We are back to further
- 8 discussion on Chapter 3.
- 9 Seeing no one at the microphones, we will
- 10 move on to Chapter 4. Seeing no one at the
- 11 microphones, we will move on to Chapter 5. No
- 12 discussion on Chapter 5. We will move on to
- 13 Chapter 6. Moving on to Chapter 7. Microphone
- 14 Number 1, please.
- 15 MR. BRYAN: My name is John Bryan. I'm a
- 16 member of the Means of Egress Committee of 101, and
- 17 I'm speaking as an individual and not representing
- any of the following professional, commercial, or
- 19 financial relationships with any company, commercial
- 20 trade, or professional association proposing or
- 21 opposing supplemental evacuation equipment. Thank
- 22 you.
- I want to move the motion that Section 713
- in the report of comments titled Supplemental
- 25 Evacuation Equipment, including the annex and related

- 1 statements, be returned to the Means of Egress
- 2 Committee for further study. This action and the
- 3 annex note can be found in the Report of Comments
- 4 under Comment 101-78, which starts on page 101-38.
- 5 The material to be returned to committee is found in
- 6 the Committee Action section of the Comment, which
- 7 appears on page 101-39 and 101-40 of the Report on
- 8 Comments.
- 9 CHAIRMAN PAULEY: So your motion is to
- reject an identifiable part of Comment 101-78; is
- 11 that correct?
- MR. BRYAN: Right.
- 13 CHAIRMAN PAULEY: Is there a second to that
- 14 motion? There is a second. Please proceed.
- MR. BRYAN: The justification for this
- 16 motion is due to the lack of specific information and
- 17 description of the devices involved in this list
- 18 under 7.13.1, the right-hand column on page 39. I
- 19 would ask that you people look at that. There are
- 20 subnotifications from parentheses 1 through 9. I
- 21 will address them as quickly as possible within the
- 22 five-minute limitation. Is that okay?
- 23 CHAIRMAN PAULEY: That is. I do want to
- 24 clarify for the body that the identifiable part is
- 25 7.13.1. Please proceed.

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1 UNIDENTIFIED SPEAKER: Right. The first
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- 2 thing is it applies to high-rise buildings without
- 3 consideration of Section 3327.7, which is the
- 4 definition for high-rise buildings in 101. And
- 5 they're applying this without consideration of that
- 6 definition to non-high-rise buildings. Previously in
- 7 101 the Committee has considered the fire department
- 8 service with aerial equipment and aerial platforms
- 9 where there are external devices for non-high-rise
- 10 buildings. In effect, they're saying this is better.
- 11 I disagree.
- 12 The next item in here that I disagree with
- is the fact that ASTM -- and I realize this is not
- 14 an NFPA Committee -- has established a Committee EO6,
- on performance of buildings, the Subcommittee EO6.77.
- 16 The scope of the subcommittee is the development and
- 17 maintenance of standards for terminology,
- 18 specifications, performance practices, and test
- 19 methods for high-rise buildings, multiple occupants,
- 20 evacuation devices for evacuation of persons who
- 21 cannot use the primary evacuation routes in a safe
- 22 manner. And this committee was formed and is
- 23 operational. There's no coordination as of this time
- 24 between this means of egress request for requirement
- 25 with that Committee. I think it should be

- 1 correlated.
- 2 The other problem is they indicate that
- 3 certain devices are not included under this section.
- 4 But they did not tell you what is included, which are
- 5 platform-based devices, slides and chutes, and
- 6 controlled descent devices. None of those are
- 7 defined in Chapter 3 of 101 or in this section.
- Finally, as a summary I've listed these.
- 9 And if you want to look on page 40 on the
- 10 justification of my negative in the left-hand column
- 11 starting at the bottom, I've summarized those. I
- 12 will summarize now Section 7.13.1. If retained in
- 13 the Life Safety Code with the present text, it will
- 14 create multiple problems of application for the AHJ.
- 15 This section appears incomplete, premature, and
- 16 urgently needs further study by the Means of Egress
- 17 Committee hopefully with liaison to the ASTM
- 18 Subcommittee EO6.77 on high-rise building external
- 19 evacuation devices. Thank you.
- 20 CHAIRMAN PAULEY: We were looking at the
- 21 comment, and I do want to clarify this motion that
- 22 may make it clear for the body. The comment in
- 23 question of 101-78 appears in the committee action
- that the only action that they took was on 7.13.1.
- 25 With that being stated, I believe if I

- 1 understood your motion correctly, you are wanting to
- 2 return this to committee rather than reject it. And
- 3 in this case I believe it would be to return Comment
- 4 101-78 in its entirety, which I believe if you're
- 5 agreeable with that will make the motion easier for
- 6 the body to be able to follow because there is not an
- 7 identifiable part. The entire comment is the
- 8 identifiable part in this case, if that's acceptable
- 9 to you.
- 10 UNIDENTIFIED SPEAKER: Oh, sure.
- 11 CHAIRMAN PAULEY: I believe that would be
- the appropriate motion to return Comment 101-78.
- 13 UNIDENTIFIED SPEAKER: That's okay. Sure.
- 14 CHAIRMAN PAULEY: Let's proceed on with the
- 15 discussion. Mr. Quiter, would you like to comment?
- 16 MR. QUITER: I'm going to defer to David
- 17 De Vries, Chairman of the Means of Egress Committee.
- 18 MR. DE VRIES: Ladies and gentlemen, I was
- 19 the developer and submitter of the original proposal
- on this subject. And I would like to speak to this
- 21 issue from the floor and not as Chairman of the Means
- of Egress Committee. Therefore, with your
- 23 indulgence, I will call on Mr. Bill Koffel, who was
- 24 the previous Chair of the Committee on Means of
- 25 Egress, to speak on behalf of the Committee.

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1 MR. KOFFEL: Bill Koffel, Koffel Associates.
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- 2 Again, the reason for appearing is to represent the
- 3 committee, as the Chairman indicated. During the
- 4 deliberations of this issue, during the proposal
- 5 period and comment period, he did step down and ask
- 6 me to chair the meeting in that regard.
- 7 I see we're still struggling on the overhead
- 8 to get the motion. I just want to make sure that I
- 9 have the motion correct because what I originally
- 10 heard was to return the section as it was in the ROP
- and all related comments. That's what's up there
- 12 now, is to return the appropriate and all related
- 13 comments. I think that's what he wants because it
- 14 will take all the text for this section out in the
- 15 document in this edition of the code as compared to
- 16 at one point in time we were talking about doing
- 17 something with this comment which would put us back
- 18 to ROP.
- 19 So can I just get a clarification that the
- 20 intent of this motion is to eliminate the section and
- 21 any related text definitions, annexes, and whatever
- that's affiliated with this section?
- 23 CHAIRMAN PAULEY: That's correct. And
- that's what we interpret the motion to be as well,
- 25 which is why on the screen you do see to return the

- 1 proposal and the comment.
- 2 MR. KOFFEL: Okay. Thank you. As you can
- 3 see, if you look through the ROP and the ROC on this
- 4 issue, it had considerable discussion. And clearly
- 5 through the ballot statements, a lot of different
- 6 thoughts were expressed by the Egress Committee. We
- 7 spent considerable time in the proposal period
- 8 looking at the proposal, having a task group get
- 9 together. They generated a new committee proposal
- 10 that was accepted by the Committee.
- 11 And if you look at a number of the ballot
- 12 comments, it basically says the Committee is putting
- 13 us out there for input from the public. And we did
- 14 receive some input from the public. Again, we looked
- 15 at it during the comment period, had a task group
- look at it over the night, and come back with the
- 17 action that you see in Comment 101-78.
- 18 You also notice that the Correlating
- 19 Committee looked at this item, and you see a
- 20 Correlating Committee note at the beginning of
- 21 Comment 101-78 on page 38. And that Correlating
- 22 Committee note basically references my ballot
- 23 comment. And I'll probably summarize at least my
- 24 perspective of the Committee on this item based on my
- 25 ballot comment.

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1 This is an interesting situation because
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- 2 basically what we're doing is putting a set of
- 3 requirements in the Life Safety Code and then saying
- 4 we give you absolutely no credit for that. So, in
- 5 other words, we are going to regulate something that
- 6 a building owner might want to put in their building.
- 7 Now, that's the first issue that I had to look at.
- 8 Should we go down that path.
- 9 And I think in looking at that, basically I
- 10 came to the conclusion that there is a benefit to
- 11 this. Even though there's no credit given in the
- 12 code, there's a benefit to having language in there
- 13 that the authority having jurisdiction can use to say
- 14 that this device is acceptable or this device is not
- 15 acceptable.
- 16 And I understand the issue related to the
- 17 fact that we don't yet have the ASTM standard, but
- 18 the scenario we have right now is that if somebody
- 19 were to propose to put one of these devices on a
- 20 building, we'd have nothing in the code to regulate
- 21 it and sure enough the fire official basically saying
- this is creating some hazard, and I'm going to use
- 23 some general duty clause in the code. They have no
- 24 way to regulate it. Now at least in the code we're
- 25 saying we don't give you any credit for it. But

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1 we're going to say if you put it there, there are
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- 2 certain things you have to do so that in a fire
- 3 emergency hopefully we are not creating an unsafe
- 4 condition. We are putting something in a code that
- 5 may create a hazard. I think that's the real issue
- 6 that the Committee dealt with. And I think what you
- 7 have to deal with on this issue is, one, should we
- 8 put something in the code and then give it absolutely
- 9 no credit? And, two, assuming that you're willing to
- 10 do that, is there a benefit from this? Do we at
- 11 least give the code official, the authority having
- jurisdiction, something to use to control the type of
- devices that may go on these buildings?
- 14 CHAIRMAN PAULEY: Is there further
- 15 discussion on the motion?
- MR. BRYAN: I have several problems with
- 17 this argument. Number one is what you're
- 18 recommending is inadequate. You're not telling the
- 19 AHJ anything specific. As an example, you have no
- 20 information giving the committee other than this
- 21 requires a fire protection engineer to be consulted
- in the design.
- 23 It also requires you to follow the
- 24 manufacturer's instructions. I would not insult
- 25 either one of their capability, but it doesn't give

- 1 you anything specific. Let's take the chute. Did
- they go to Japan and look at their experience? I
- 3 talked to Dr. Jen in November of last year. Their
- 4 chutes are different. But with this all you can tell
- is there's no material requirement. There's no way
- 6 to slow or retard the descending people in the chute.
- 7 Tokyo never allowed them above ten stories. They're
- 8 talking about people going down a chute 40, 50, 60
- 9 stories. I'm not an engineer. I'm a psychologist.
- 10 You aren't going to get me in a chute going down 40,
- 11 50, 60 or even 20 stories.
- 12 Secondly, they no longer use them because of
- 13 what? As he said, people were injured by bumping
- 14 into each other. They didn't even look at our
- 15 experience. And the rest of it, they give you no
- 16 data. You see a lot of these platform devices which
- 17 are made of plastic sides, wooden floors. They don't
- 18 tell you how they're attached to the building. They
- 19 don't tell you what sort of plastic. Flames come out
- 20 of windows. You saw it at the World Trade Center
- 21 here yesterday. These things are going to run down
- the building on the outside. Not for me. I'm
- 23 telling you it's incomplete. We spent hours. We put
- 24 diagrams in the annex section of 101 on how to
- 25 measure the clear width of a doorway. You have a

- device to carry people on the outside of the
- 2 building, and we don't know whether the cables are
- 3 properly designed. We don't know the capability of
- 4 flames spread that are covering the building or
- 5 anything. I'm very sorry I never fought the
- 6 committee before, but I'm going to fight them on this
- 7 because I don't think these minimum requirements are
- 8 what the code requires. And it's our responsibility
- 9 as code committee members. I'm ashamed of this being
- 10 in the code at this time and forum.
- 11 CHAIRMAN PAULEY: Please state your name for
- 12 the record.
- MR. BRYAN: John Bryan.
- 14 CHAIRMAN PAULEY: Microphone Number 7.
- MR. MCELVANEY: Joe McElvaney speaking for
- 16 myself. I have to agree with the good doctor.
- 17 Parentheses Number 3 says use of the device including
- 18 emergency responding personnel. Basically you can't
- 19 get hurt when you use this device at all. Well,
- 20 sooner or later something is going to break or fail.
- 21 We all know that. It happens out there. How are we
- 22 going to comply with this? So I move that you reject
- 23 this thing and send it back to the committee.
- 24 CHAIRMAN PAULEY: Further discussion?
- 25 MR. BUSH: My name is Ken Bush, and I'm a

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1 member of the Technical Committee. We should note
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- 2 that every proposal and comment that was submitted
- 3 was given thorough consideration. The task force
- 4 used these comments to make further recommendation.
- 5 The task group considered the technical aspect of
- 6 these devices and recognized their value. The task
- 7 group sought to codify a level of performance in
- 8 order to standardize these levels for the
- 9 manufacturers, the users, the designers, and the
- 10 authorities having jurisdiction.
- 11 Likewise, it would recognize that a lack of
- 12 current testing and certification of these devices
- 13 prevent their recognition to satisfy the requirements
- 14 for the number, the capacity, or the location of
- 15 means and egress. It was always understood that work
- is underway on building performance to develop
- 17 standards for these products and provide further
- 18 guidance on this issue. Citing the levels of global
- 19 recognition of these devices of this type, it was
- 20 felt that the recognition or the incorporation of
- 21 these devices is the current correct action for this
- 22 code to take at this time, and I urge your support of
- 23 the Technical Committee's action.
- 24 CHAIRMAN PAULEY: Thank you. Further
- 25 discussion?

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1 MR. SIMONE: I'm Dr. Simone. I'm CEO of
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- 2 Escape Rescue Systems speaking in opposition of the
- 3 motion. I'm a manufacturer and developer of access
- 4 systems, and I'm here representing various other
- 5 manufacturers. I'm also the Chair of the ASTM AL-77
- 6 charged with developing product standards for
- 7 evacuation devices. A high-rise situation may
- 8 develop that we can't plan for, and there are quality
- 9 products now available that can create new and
- 10 flexible options for evacuations in emergencies.
- 11 These are more mature than ever, and the products are
- 12 being defined and tested to very extreme conditions.
- 13 People in distress, high winds, extreme temperatures,
- 14 water emergent and heat resistant, overloading,
- 15 emergency braking, etcetera. And it is specifically
- 16 the standards organizations that are in their
- 17 definition of specifications standards addressing
- 18 these particular issues.
- 19 By going to the outside surface of the
- 20 building while continuing to improve decor, we can
- 21 provide credible and reliable options for quick and
- 22 safe evacuation and in some cases responder access to
- 23 meet both the foreseeable and unforeseeable emergency
- 24 situations. This need is being recognized as we sit
- 25 here by markets, regulators, and policy bodies

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1 worldwide. We have information which we'll be happy
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- 2 to share on some 250,000 devices of various types
- 3 sold to date around the world, mostly in Asia and a
- 4 fair number in Europe. Many regulators and policy
- 5 bodies have decided to explore, pursue, and bring to
- 6 life external evacuation. The Standards Institute of
- 7 Israel, the fire commission there, the Department of
- 8 Homeland Security in Israel, the French and Spanish
- 9 Fire Authorities, as well as standards developers in
- 10 other places such as ASTM in this country and in a
- 11 preliminary way ISO and also in New York City.
- 12 However, for all this development code level
- 13 guidance is required to help to find a path so that
- 14 we do not end up with dangerous insulations of unfit
- 15 solutions in a haphazard and unprofessional manner.
- 16 In our opinion NFPA is precisely the body to provide
- 17 such guidance. Indeed in almost every instance where
- 18 we have found policy interest, this question has come
- 19 up. And what guidance can we get and receive from
- 20 NFPA on this issue?
- Just eight weeks ago I was in a meeting with
- the fire commissioner of Istanbul, which is one of
- 23 the top ten cities in the world in terms of high-rise
- 24 population. And his second question was what
- 25 quidance can we receive from the NFPA and has the

- 1 committee approved language and does it cover all
- 2 bases completely. Probably not. But waiting for a
- 3 totally defined solution and waiting for standards as
- 4 written is not the way invasion is introduced
- 5 anywhere on any issue in the world. The committee
- 6 has spent a year on this. Future feedback will
- 7 likely improve the code as you do or as the NFPA does
- 8 on an ongoing basis. Because the area is new and
- 9 there are certain uncertainties.
- 10 The Committee did the right thing in our
- 11 opinion by defining these solutions as supplementary
- 12 equipment, not displacing any existing requirement.
- 13 Based on all this, we ask for your support on the
- 14 Technical Committee's action by voting against the
- 15 motion that is now on the floor.
- 16 CHAIRMAN PAULEY: Further discussion and
- 17 comment?
- 18 UNIDENTIFIED SPEAKER: I'm Chief of Rescue
- 19 and Fire Fighting Service. I'm the Chairman of the
- 20 Special Evacuation Means from High-rise Building Task
- 21 Force of the Fire and Rescue Commission Ministry of
- 22 Interior of Israel. I was also responsible for
- 23 security at government facilities including Ben
- 24 Gurion International Airport. I am here today also
- 25 to speak in opposition to the motion. The special

- 1 task force recognizes that single accidental or
- 2 malicious acts such as a blast from a bomb or
- 3 contamination by chemical or biological acts can
- 4 prevent the use of stairs or elevators making
- 5 evacuation difficult or impossible.
- 6 Consequently, Israel has been -- the special
- 7 task force has worked closely with engineers,
- 8 scientists, manufacturer professionals, and the
- 9 Standard Institute of Israel. In our analysis we
- 10 concluded we needed a standards conclusion.
- 11 Nevertheless, Israel looks at NFPA for guidance and
- 12 direction as we did in Terminal 3 in Israel when we
- built the new terminal and we adopted the NFPA in
- 14 performing standards for external evacuation devices.
- 15 We encourage support of the Technical Committee by
- 16 your vote against the motion. Thank you.
- 17 MR. JENETTE: My name is Joseph Jenette, and
- 18 I'm here on behalf of Easter Seals New York speaking
- 19 in opposition of the opposition. The Easter Seals is
- the oldest and largest nonprofit organization.
- 21 Easter Seals has been in the forefront for
- 22 accessibility advocacy for decades. As the original
- 23 secretariat for the standard on accessibility that is
- 24 referenced in the Life Safety Code and the NFPA
- 25 Building Code, Easter Seals has promoted universal

- 1 design concepts and construction that facilitate the
- 2 use of buildings for the broadest range of people,
- 3 including those that use mobility aids and other
- 4 devices. And we found ways to let everyone in. But
- 5 not until recently did we really focus on ways to get
- 6 everyone out.
- 7 Now across the country and especially in
- 8 New York with all its high-rise buildings,
- 9 comprehensive safety and all-inclusive evacuation
- 10 procedures are more important than ever, especially
- 11 for the 54 million people in the United States with
- 12 disabilities. Most safety plans, however, do not
- 13 address the specific needs of people with
- 14 disabilities, older adults, those who might have a
- 15 temporary injury or illness, or women who may be
- 16 pregnant, for example. With the automatic recall of
- 17 elevators and the inability to traverse, disabled
- 18 people are now left behind when others are
- 19 evacuating. This is not acceptable, and our goal is
- 20 to ensure that no person is left behind. When
- 21 technology comes along, we support it.
- I had the opportunity to see and try out
- various forms of supplemental emergency evacuation
- 24 systems and apparatus from personal controlled decent
- 25 devices to platform evacuation systems designed for

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1 massive evacuations. During their demonstrations, I
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- 2 had colleagues evacuating from a high-rise building
- 3 in a controlled evacuation with ease. I with the
- 4 intuitiveness of stepping onto an elevator, the
- 5 systems that I tried were effective and will save
- 6 lives, especially those people with disabilities when
- 7 employed in an emergency. The action of the
- 8 committees that defined is the right action. We
- 9 therefore ask that you vote to support the committee
- 10 and vote against the motion.
- 11 Now with my remaining time, I would like to
- 12 read a letter from Alexander Wood, the Executive of
- 13 the Disability Network of New York City.
- 14 "Dear NFPA Members: I write to express in
- 15 support of disability for the inclusion of language
- of the Life and Safety Code to establish basic
- 17 criteria for the installation of external evacuation
- 18 equipment that meets the needs of people with
- 19 disability. The DNNYC is a coalition of
- 20 organizations and individuals who share the common
- 21 interest to work together on policy change with the
- 22 goal of improving the ability for people with
- 23 disabilities to participate. With legislation we
- 24 have made improvements, but we now have the goal of
- assuring safe egress from those persons with

- 1 disabilities. This particularly is an issue with
- 2 multistory buildings. And as demonstrated in the
- 3 World Trade Center evacuation, by establishing basic
- 4 criteria for the voluntary installation that includes
- 5 a requirement for accommodating persons with
- 6 disabilities, the NFPA is taking a great step
- 7 forward. The DNNYC urges the NFPA to include the
- 8 criteria for external evacuation systems and please
- 9 stand by us in support of persons with disabilities.
- 10 Thank you. Alexander Wood."
- 11 UNIDENTIFIED SPEAKER: I call to question.
- 12 CHAIRMAN PAULEY: There's been a motion to
- 13 end debate on this issue. Is there a second on that
- 14 issue? There's a second. The motion passes.
- We'll now move to the motion on the floor,
- which is to return Proposal and Comment 101-78. All
- 17 those in favor of that motion, please raise your
- 18 hand. Those opposed. We're going to have to move to
- 19 a standing count, organizational delegates turning in
- 20 your green card, and then we'll move to a standing
- 21 count.
- We'll now move to a standing vote. All
- those in favor to return the proposal and comments,
- 24 please stand. You may be seated. All those opposed
- 25 to the motion, please stand. You may be seated. The

- 1 motion passes. 109 to 66.
- 2 We'll now move back to a discussion on
- 3 Chapter 7. Any further discussion on Chapter 7?
- 4 MR. FRABLE: Dave Frable, U.S. General
- 5 Services Administration. I would like to make a
- 6 motion to accept Comment 101-44, 101-56, 5000-335,
- 7 and 5000-322.
- 8 CHAIRMAN PAULEY: So Comment 101-44 and
- 9 Comment 101-107. And for the body, you indicated
- 10 this same issue will come up on 5000.
- 11 So the motion on the floor is to accept
- 12 101-44. Is there a second to that motion? There is
- 13 a second. Please proceed.
- MR. FRADEL: Requirements in NFPA 101 are
- 15 based on sound technical documentation. However, in
- 16 this case the arbitrary threshold numbers for number
- of occupants and the arbitrary corresponding stair
- 18 width have not been based on any technical or
- 19 research data that demonstrates how effective the
- 20 change may be without the benefit of sound technical
- 21 analysis that clearly demonstrates the need -- the
- 22 increased costs associated with increasing the width
- of the exit stairways cannot be justified.
- 24 There are a few other concerns that we have
- 25 with this issue. As I stated earlier, the intent of

- 1 the proposed code change is to only address
- 2 counterflow issues encountered by the fire department
- 3 of ascending stairwells in buildings. It has nothing
- 4 to do with the stairway capacity or decreasing the
- 5 evacuation speed of occupants evacuating a building
- 6 and to improve the viability. Therefore, we feel
- 7 that the intent of this proposal has no relevance to
- 8 the goals of NFPA 101 since this proposal only
- 9 addresses issues relative to the safety of
- 10 firefighters and emergency responders.
- 11 Another issue of concern that deals with the
- 12 proposal infers that the only evacuation strategy in
- 13 high-rise buildings is total building evacuation as
- 14 opposed to other evacuation strategies currently used
- 15 throughout the country, such as selective evacuation
- 16 strategies. We definitely disagree with this
- inference to that strategy that all high-rise
- 18 buildings need to utilize total building evacuation
- 19 strategies.
- 20 Last but not least, I have spoken to several
- 21 fire department personnel across the country, and all
- 22 the fire department personnel that I have spoken to
- 23 say that they're more concerned with -- this is not a
- 24 high priority for them. In addition, recently there
- 25 was an evacuation journal of a six-story building in

- 1 Washington D.C. in which we invited the fire
- 2 department to come in and basically video counterflow
- 3 issues on stairwells. That data has not been
- 4 analyzed yet. But based on my personal observation
- of the scene or of the incident, the added width of
- 6 the stairway -- and let me step back. That stairwell
- 7 that we did the videotaping was 57 inches nominal
- 8 width between handrails. The proposal requires 56
- 9 inches clear width between handrails. And what I
- 10 noted or observed during that test was that the added
- 11 width of the stair did not -- some of the occupants
- 12 still interfered with the fire department even though
- the width of the stair was larger than a nominal
- 14 width.
- 15 Furthermore, I asked representatives of the
- 16 Washington D.C. Fire Department, and they stated that
- 17 when they ascend stairs, they are slow and methodical
- 18 since they have to be cognizant of all their
- 19 surroundings. In addition, they stated that all bets
- are off with regard to the width of the stairwell
- 21 when they are descending the stairwell, which will
- 22 not affect this issue. In lieu of wider stairs, they
- 23 stated they still believe that the only way to
- 24 address all of these issues is incorporate stairs in
- 25 buildings for fire department access only. I believe

- 1 that more research is needed in this area for the
- 2 inclusion of these requirements in NFPA 101. Based
- 3 on all these concerns, we feel that the proposed code
- 4 change has not been based on any sound technical
- 5 documentation and is still too premature to be
- 6 considered at this time. We feel that the only
- 7 prudent action for the membership to take is to
- 8 support the motion to retain the current exit
- 9 stairway at this time.
- 10 CHAIRMAN PAULEY: Mr. Quiter, would you like
- 11 to comment?
- 12 MR. QUITER: I'll defer to David De Vries,
- 13 Chairman of the Egress Committee.
- MR. DE VRIES: Thank you. David De Vries,
- 15 Chair of the Means of Egress Committee.
- 16 Comment 101-44 and its related proposal
- 17 101-107 and other comments that were addressed by the
- 18 Means of Egress and Occupancy Committees asked for a
- 19 change to increase the minimum width of stairs. As
- 20 it is right now within Chapter 7 of the Life Safety
- 21 Code, we established several means -- several
- 22 criteria for measuring stairs. One is a fundamental
- 23 minimum width. As it's measured right now in the
- 24 2003 edition, a typical minimum width of a stair
- 25 would be 44 inches nominal width. That 44 inches

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1 allows a projection into that width to accommodate
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- the handrails. The original proposal looked at a new
- 3 means of measuring it, which was the clear width
- 4 between handrails. This was actually problematic for
- 5 those of us who are used to measuring stairs as the
- 6 nominal width and not between handrails.
- 7 And there was some confusion. I believe the
- 8 proponent of the motion or the maker of this motion
- 9 may have been confusing between handrails and nominal
- 10 width of stairs. The language as it's been approved
- 11 by the Committee thus far and which is before you for
- 12 consideration today is to increase the nominal width
- of a stair to 56 inches where that stair serves a
- 14 cumulative occupant load in excess of 2000 people.
- 15 If you look at the occupant load on each individual
- 16 floor in a multistory building, add them all up, and
- 17 where you have an accumulation of 2000 or more, the
- 18 stairs serving that population have to be 56 nominal
- 19 width.
- 20 The Committee reviewed and acted on a lot of
- 21 information on this subject, and we recognized that
- the single significant factor that we were addressing
- 23 was the issue of counterflow. There were reports in
- 24 the World Trade Center evacuation, also reports in
- 25 the Cook County Administration fire, both of which

- 1 involved flee evacuations of the building where there
- were issues of counterflow. We believe the original
- 3 submitter of the proposal had merits in asking for an
- 4 increase in the minimum width when it serves a high
- 5 cumulative load. And we move the proposal ahead as
- 6 well as subsequent comments.
- 7 I would like to point out just for
- 8 clarification that this action by the committee does
- 9 not change the occupant load calculations and
- 10 capacity width based on a capacity need. You still
- 11 look for what is the largest load served by that
- 12 stair on a floor-by-floor basis, and you go with
- 13 either the minimum width specified under this method,
- or if it's larger, you're going to go with a capacity
- 15 measurement based on the occupant load of a single
- 16 floor. Thank you.
- 17 MR. PAULS: My name is Jake Pauls. I'm with
- Jake Pauls Consulting Services, and I'm speaking
- 19 strictly for myself. I was a proponent originally of
- 20 Proposal 101-107, which was the starting position for
- 21 what turned out to be in the end a whole series of
- comments, about a dozen or so overall for 101 and
- 23 about 15 or so for 5000.
- 24 This has gone through a lot of deliberations
- 25 by a number of committees actually, and also at the

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1 TCC level. I've seen it also from the perspective of
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- 2 belonging to the Assembly Committee, which is the one
- 3 that did a minor rewrite, which is the current change
- 4 proposal that's found as 56-A on page 25. That's the
- 5 end result of what I would say years of deliberation
- 6 because this same proposal came before this body last
- 7 cycle. I was again the proponent of that. The
- 8 change was very similar to what's before us today.
- 9 So it has gone through a large deliberation.
- 10 We also had the benefit recently of the
- 11 reports on the World Trade Center, which after
- 12 urgency on my part and others has addressed the issue
- of counterflow and how it was disruptive to the
- 14 evacuation of occupants and police and emergency
- 15 responders. So firefighter safety is integral with
- 16 occupant safety generally.
- 17 So I want to rebut that comment made by the
- 18 maker of the motion. This does not only address the
- 19 safety of firefighters; it is a much more effective
- 20 thing we're after here. Also I want to crack the
- 21 inference or the statement that was made that total
- 22 building evacuation is the only strategy addressed by
- 23 the increased stair width. That has never been the
- 24 case. It addresses evacuations as we phase them in
- 25 buildings today, whether they are phased or total or

- 1 some combination of those if one fails.
- 2 I also have to crack the confusion about the
- 3 measurement method. This is one thing we did work on
- 4 and clarify during all the comments, particularly to
- 5 clarify that we're dealing with nominal width. This
- 6 is not the ideal way to measure this, but for the
- 7 time being it's what we have in the code and it's
- 8 consistent with the code. And it was unclear to me
- 9 in the motion maker's justification based on the
- 10 recent drill in New York whether the 57 inches was
- 11 clear or nominal.
- Now to rebut particularly the comment made
- 13 by the motion maker that this lacks sound
- 14 documentation, the documentation was presented in the
- original proposal, and it goes back to the 1960s and
- 16 1970s. It was dealt with in books and papers that I
- 17 have published. There is a lot of background to
- 18 this. I would ask that the people who are opposed to
- 19 what's being proposed here to change the code attend
- 20 the conferences that deal specifically with this
- 21 topic. And none of the opponents to what's being
- 22 proposed to the stairway issue, which is a very
- 23 modest change, participated in conferences such as
- 24 the Pedestrian Evacuation Dynamics Conferences that
- 25 are held. There will be one this year in Vienna,

- 1 this example where this topic is on the agenda not in
- terms of justifying this change, but going beyond it.
- 3 And if you look at one of my comments, you'll notice
- 4 that I actually was asking for a great deal more than
- 5 what's proposed for the change here. It is not
- 6 arbitrary. It is based on the probability of
- 7 counterflow and probability of needing to provide
- 8 assistance with people with disabilities, and that is
- 9 dealt with in the proposal at some length. The cost
- 10 benefit issue has also been dealt with at some
- 11 length.
- 12 CHAIRMAN PAULEY: Please wrap up.
- 13 MR. PAULS: I think I'll conclude there.
- 14 I've dealt with most of the rebuttal points.
- MR. LATHROP: James Lathrop speaking for
- 16 myself. I was the submitter of Comment 101-46, which
- 17 the Means of Egress Committee actually used to
- 18 address the issues. And as Jake Pauls just pointed
- out, 56A is the one you really should be looking at.
- Now, if you want to see what's being
- 21 proposed, 56A is the one you want to look at. It
- 22 doesn't kick in until the stairs serves a cumulative
- of 5000 or more people. That means on a typical
- 24 44-inch stair you have to be up to 14 stories. With
- 25 regard to lack of justification, I think Mr. Pauls

- 1 just addressed that. Proposal 101-107, which Jake
- just addressed, that deals with justification. The
- 3 thing I want to address is total evacuation versus
- 4 selective. So the fact that this does not address
- 5 total it's probably more appropriate with selective
- 6 evacuation.
- 7 MS. GULGOWSKI: I'm Erica Gulgowski from the
- 8 International Institute of Standards and Technology.
- 9 What I'm about to say should be seen as representing
- 10 my opinion instead of any affiliation.
- 11 I'd like to speak a little bit today on the
- issue of the increase of the stair width minimum.
- 13 I'd like to speak in support of the motion on the
- 14 floor. I just don't think that we have the data or
- 15 have performed the experiments or the simulations to
- 16 truly understand how large our stairs should be for
- 17 certain occupancies and for what kind of population
- 18 numbers.
- 19 My question is shouldn't we first understand
- 20 from the fire department how often they encounter
- 21 occupants in the stairwells, or do most buildings
- 22 embrace a phase of evacuation procedure or evacuate
- 23 the entire building before the fire department gets
- 24 there? I'd like to see a committee of people put
- 25 together to study evacuations involving different

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1 stair widths taking into account speed, average body
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- 2 sizes, speed on stairs, and how often the fire
- 3 department actually encounters a large population of
- 4 evacuees. This is involved in a limited number of
- 5 evacuations. However, we are scratching the surface
- 6 and don't have much data on counterflow. We are
- 7 working on evacuation in elevators and how these
- 8 chairs interact with other occupants. Is it more
- 9 likely that the evacuation chair is being used when
- 10 the majority of the occupants have evacuated the
- 11 building?
- 12 I would like to see some of these issues
- 13 worked on more thoroughly before settling on the
- 14 numbers to come up with the next edition of 101. I'd
- like to say something concerning the door widths at
- 16 the bottom of the stairs. Is that issue going to be
- 17 drawn up?
- 18 CHAIRMAN PAULEY: If there's not a motion
- 19 made on that particular issue, that will not be
- 20 discussed.
- 21 MS. GULGOWSKI: I'd like to have your
- 22 permission to continue.
- 23 CHAIRMAN PAULEY: You have about two
- 24 minutes.
- 25 MS. GULGOWSKI: Okay. Regarding the issue

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1 that the door width at the bottom of the stair
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- 2 minimum was not increased with the minimum stair
- 3 width, I'm aware of the fact that Mr. Pauls
- 4 originally proposed the increase of stair width in
- order to provide more comfort when he's in the
- 6 stairwell especially with counterflow movement.
- 7 However, I'd like to discuss his comment in
- 8 the ROC that maybe we should relook at the issue of
- 9 increasing the minimum door width. I think that if
- 10 we do not look at this issue, it may result in a
- 11 significant amount of queuing in the stairs and what
- is the comfort in that evacuation. There are times
- 13 where a building will need to evacuate, such as bomb
- 14 scares.
- In order to understand the impact of
- 16 increasing the stair width minimum without increasing
- 17 the minimum door width, I understand that Mr. Pauls
- 18 was not trying to decrease the evacuation time by
- increasing the stair width but rather allowing for
- 20 more comfort in stairs. However, if occupants do
- 21 fill the stairs, there is a potential for queuing.
- 22 What I did was I performed various
- 23 calculations of hypothetical buildings both varying
- the number of floors and number of occupants on each
- 25 floor for three different types of scenarios. One

- 1 with the current changes with the minimum door width
- 2 staying the same. One with Mr. Pauls' proposal. Two
- 3 thirds of the nominal width of the stair would be the
- 4 minimum door width. And the other the door width
- 5 equaling the stair width.
- 6 What I was finding was with the two thirds
- 7 nominal width that we're decreasing the evacuation
- 8 time by 20 percent. When the door width is increased
- 9 by the nominal stair width, we're getting a 35
- 10 percent decrease in evacuation time. Did we read
- 11 this as an issue? I don't feel if we increase the
- 12 minimum stair width that we should be negligible in
- increasing the minimum door width.
- 14 MR. HIRSCHLER: Marcelo Hirschler. I call
- 15 to question.
- 16 CHAIRMAN PAULEY: The motion passes. We'll
- 17 now move to the motion that is on the floor, which is
- 18 to accept Comment 101-44. All those in favor of that
- 19 motion, please raise your hand. All those opposed.
- The motion fails. We are now back to Chapter 7.
- 21 Further discussion on Chapter 7? Microphone
- 22 Number 4.
- 23 UNIDENTIFIED SPEAKER: Mr. Chairman, I
- 24 actually stand as a request for some information
- 25 prior to making the motion. The motion would be if I

- 1 make it on proposal 101-32, I just want to clarify
- 2 the intent of the action taken when we returned the
- 3 proposal and related comments concerning the
- 4 emergency escape devices. In my discussion of that I
- 5 said that includes definitions. However, this is the
- 6 proposal to put the definition in. This proposal has
- 7 no direct link to the proposal that was returned.
- 8 The comments that modified this had no direct link
- 9 from the submitter to the proposal or comments that
- 10 were returned.
- 11 CHAIRMAN PAULEY: I would prefer that you
- 12 pursue that motion for consistency if that is indeed
- 13 the case.
- 14 UNIDENTIFIED SPEAKER: That is what I
- 15 thought.
- 16 CHAIRMAN PAULEY: Is there a point of order?
- 17 UNIDENTIFIED SPEAKER: After some
- 18 discussion, I'm requesting a standing vote count on
- 19 the last issue.
- 20 CHAIRMAN PAULEY: The issue was decisive in
- 21 the rule of the Chair. So I'm not going to grant a
- 22 standing count. I don't think we're going to spend
- 23 any additional time on a standing count when it was
- 24 decisive from up here.
- 25 UNIDENTIFIED SPEAKER: It wasn't on this

- 1 side of the room.
- 2 MR. KOFFEL: Bill Koffel, Koffel Associates.
- 3 I would move to return Proposal 101-32 and related
- 4 comments. It is found on page 101-16 of the ROP.
- 5 CHAIRMAN PAULEY: The motion is to return
- 6 Proposal 101-52.
- 7 MR. KOFFEL: No, it is Proposal 101-32.
- 8 CHAIRMAN PAULEY: Proposal 101-32 and the
- 9 related comments?
- 10 MR. KOFFEL: That is correct. And I merely
- do this for consistency of the action that was taken
- 12 previously.
- 13 CHAIRMAN PAULEY: There's a second on that
- 14 motion. Is there any debate? Microphone 5.
- MR. HIRSCHLER: Marcelo Hirschler. I think
- it's pretty obvious from what Mr. Bill Koffel said.
- 17 Since we took out a section that talked about escape
- devices, we need to take out the definitions.
- 19 MR. DE VRIES: David De Vries representing
- 20 the Safety Evacuation Coalition. I do not object to
- 21 the motion that was made for consistency although I
- 22 expect this will be addressed by the Standards
- 23 Council.
- 24 CHAIRMAN PAULEY: Mr. Quiter, did you have
- any comment on that issue?

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1 MR. QUITER: No, none needed.
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- 2 CHAIRMAN PAULEY: I see no one else at the
- 3 microphone. So we'll move to the motion on the
- 4 floor, which is to return the proposal and comments
- on 101-32. All those in favor, please raise your
- 6 hands. Opposed. The motion carries.
- We're back to the discussion on Chapter 7.
- 8 Are there further motions on Chapter 7? Seeing no
- 9 one approach the microphones, we will move on to
- 10 Chapter 8. Any discussion on Chapter 8?
- 11 MR. THORNBERRY: Rick Thornberry with the
- 12 Code Consortium. I'd like to move our Comment
- 13 101-117 found on page 101-56 of the ROC.
- 14 CHAIRMAN PAULEY: So the motion on the floor
- is to accept Comment 101-117. Is there a second? I
- do hear a second. Please proceed.
- 17 MR. THORNBERRY: Thank you. This comment
- deals with an issue of evaluating fire resistance
- 19 assemblies in a situation where an active suppression
- 20 system may be used as an element of that fire
- 21 resistance rating for the assembly. As an example,
- one might look at a glass partition that a sprinkler
- 23 water curtain has been applied to, and that's been
- 24 put in the NFPA 251 fire test furnace.
- 25 The concern with this issue was that we felt

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1 it needed to be clearly stated in the code that that
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- 2 needed to be looked at very closely and either
- 3 specifically evaluate it as an alternate method or on
- 4 a performance basis approach. Several comments were
- 5 submitted on this issue. A task group was formed by
- 6 the committee on which I am a member, but I'm not
- 7 speaking on behalf of the committee. I was involved
- 8 as a member of the task group as well. And we came
- 9 back with this language, which the committee
- 10 accepted, as shown in the committee meeting action.
- I'm here to encourage you to accept that
- 12 action because I think it was appropriate because
- 13 they did take the time and effort to clarify the
- 14 issue and provide some pretty good annex explanation
- 15 material as to what the intent of this issue is. The
- 16 real issue with reliability is one element of this
- 17 overall concept of testing fire resistance rated
- 18 assemblies using active protection methods, and that
- 19 needs to be evaluated.
- 20 And I think it's critical when we're looking
- 21 at using passive fire protection systems to subdivide
- 22 buildings for compartmentation and other reasons.
- 23 The text as revised clearly indicates that you are
- 24 directed to either look at it as an equivalency or as
- 25 part of a performance-based option. Admittedly, the

- 1 code does already provide that as an option, but what
- 2 we're saying here is that you need to definitely
- 3 consider that in such a case and make sure that you
- 4 do make that evaluation. So we would encourage you
- 5 to support this comment as modified by the committee.
- 6 UNIDENTIFIED SPEAKER: Point of information.
- 7 I believe the motion is to accept an identifiable
- 8 part of the comment as printed in the TC action.
- 9 CHAIRMAN PAULEY: Then I would ask the
- 10 motioner to clarify. The motion that we understood
- it to be was to accept the comment, which would be as
- 12 submitted.
- MR. THORNBERRY: Rick Thornberry. You
- 14 misstated my motion. Bill is right. It would be to
- 15 accept the identifiable part, which is the committee
- 16 action that was taken on my comment.
- 17 CHAIRMAN PAULEY: And that is the entire
- 18 committee action?
- 19 MR. THORNBERRY: Yes. They modified the
- 20 comment based on the action that the task group
- 21 recommended to the committee.
- 22 CHAIRMAN PAULEY: For clarification to the
- body, the motion would be to accept Comment 101-117
- 24 as modified by the Technical Committee.
- 25 UNIDENTIFIED SPEAKER: I would point out as

1 well that the reason this is rejected is it did not

- 2 get the necessary two thirds vote.
- 3 CHAIRMAN PAULEY: Mr. Quiter, would you like
- 4 to comment?
- 5 MR. QUITER: I'll defer to Eric Rosenbaum,
- 6 Chair of the Committee on Fire Protection Features.
- 7 MR. ROSENBAUM: Eric Rosenbaum representing
- 8 the Committee for Fire Protection Features. The
- 9 intent of the committee by rejecting this action or
- in discussions with this action focus solely on
- 11 allowing the equivalency concept and by specifying it
- in the committee action that Rick is referencing. It
- 13 was a given that you could use that equivalency. It
- 14 was felt to be redundant. So it wasn't appropriate
- 15 to include it. And that was the way the final votes
- 16 ended up going even though a majority did vote in
- 17 favor of that.
- 18 MR. KLEIN: Marshall Klein, fire protection
- 19 engineer from Maryland. I am a member of this
- 20 particular Technical Committee, but I'm speaking for
- 21 myself.
- 22 If you all look on page 57 of the ROC, there
- 23 were ten negatives on this during the ballot, and the
- 24 committee members were very clear that the existing
- 25 code is more than adequate. We don't go through our

- 1 Life Safety Code at every instance. And the code
- 2 starts saying where you can and can't do something as
- far as equivalency goes. It's spelled out when and
- 4 when you can't consider equivalencies by a code
- official. And those are the appropriate sections
- 6 that can be used. And the Committee came down very
- 7 strong on this, and I urge you to support the
- 8 committee by rejecting this motion.
- 9 MR. VAN BULLUS: The original proponent is
- 10 not here to explain this. Basically the issue was
- 11 that some assembly manufacturers are going to the
- 12 test laboratories and getting something tested in a
- 13 furnace in conjunction with a water spray on it, and
- 14 the test labs seem to be willing and able to provide
- 15 it as an hourly rating.
- The other example that has been brought up
- 17 by the State of Connecticut was a steel column. If
- 18 you had a two-hour steel column, you could get it to
- 19 resist for two hours with no fire sprinkler
- 20 protection. It may be an equivalency, but it is not
- 21 a two-hour column. So the reason for the proposal is
- 22 to differentiate those two situations. One is where
- 23 you have a fire resistant assembly that does have a
- 24 fire resistance rating. That is the intent of the
- 25 proposal.

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1 Now, at first I went to the ROP meeting.
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- 2 The Committee felt that the original wording as
- 3 submitted by the proponent would prohibit
- 4 equivalencies. So this is why it was voted down.
- 5 But at the ROC meeting the Committee itself massaged
- 6 the wording and came up with a good comprised wording
- 7 that made it critically clear that equivalencies be
- 8 allowed but that you couldn't assign a number to it
- 9 based on the addition of water spray. A piece of
- 10 sheet metal with water on it is not a four-hour sheet
- 11 metal. So I urge you to accept this motion here to
- 12 allow 101 to make that distinction. Otherwise, you
- are opening up the door with four- or five-hour
- 14 columns.
- 15 MR. HIRSCHLER: Marcelo Hirschler. I see
- Marshall Klein's negative, and in Marshall Klein's
- 17 negative it is very clear. He says this is
- 18 unnecessary. If all those negatives were like that,
- 19 I think the motion would be unnecessary. But I look
- 20 at other negatives. I look at Mr. Maddox's
- 21 negatives. He says -- I disagree with this because
- 22 this indicates a fire resistant -- it's less
- 23 reliable. So most of the other negatives don't agree
- 24 with Marshall Klein that this is unnecessary. They
- 25 believe that this changes is necessary, but they

- 1 don't agree with it. The question is clear that it
- 2 is unclear. So I think the wording is appropriate
- 3 the way that the committee added it, and I urge you
- 4 to support the motion. Thank you.
- 5 CHAIRMAN PAULEY: Is there anyone else that
- 6 wants to speak that has not spoken to this issue yet?
- 7 MR. KLEIN: Marshall Klein. The whole issue
- 8 here is dealing with the equivalencies. The Code
- 9 already has general sections that deal with
- 10 equivalencies. And this is what the Committee's
- 11 negative votes were. You don't put in an individual
- 12 section where you have protection, but you don't have
- 13 equivalency to that.
- 14 MR. THORNBERRY: Rick Thornberry
- 15 representing the Alliance for Fire Smoke Containment
- 16 and Control. I am definitely having a bad hair day,
- 17 and I want to apologize to the group. I just
- 18 realized that I was a member of this committee. I
- 19 actually was thinking about my activities on the
- 20 Fundamentals Committee as opposed to the Fire
- 21 Protection Committee although I did participate in
- 22 the task group and attend the meetings. So I do
- 23 apologize. I am a member of your committee and I'm
- 24 glad.
- 25 Besides, this issue obviously generated a

- 1 lot of interest if you look at the ROC because there
- were also Comments 101-114, 115, 116, 118 and 119.
- 3 They were all submitted on this very issue. And I
- 4 wouldn't say that the committee voted it down. By
- 5 the rules of procedure, it didn't make it because it
- 6 didn't get the two thirds. If you look at some of
- 7 the others and you look at those votes, I believe
- 8 most of those were 13 to 8. And all you had to do is
- 9 switch one guy or gal and you'd get the two thirds
- 10 vote.
- 11 I think if you look at this and look at the
- 12 technical issues related to this issue that you would
- 13 support this comment to move this identifiable part
- 14 as the committee action was taken before it failed to
- 15 achieve two thirds majority. Thank you.
- MR. GOLDBERG: Rubin Goldberg call to
- 17 question.
- 18 CHAIRMAN PAULEY: The motion has been made
- 19 to end debate on this issue. Is there a second?
- 20 There is a second. All those in favor for ending
- 21 debate on this issue, please raise your hand. All
- 22 opposed.
- We'll now move to the motion on the floor,
- 24 which is to accept Comment 101-117 as modified by the
- 25 Technical Committee. All those in favor to that

- 1 motion, please raise your hand. All those opposed.
- 2 The motion fails.
- 3 MR. HIRSCHLER: Marcelo Hirschler. Can we
- 4 have a standing count, please? It looked pretty
- 5 close to me.
- 6 CHAIRMAN PAULEY: Well, I think it was close
- 7 too, but I still called it. So we'll do a standing
- 8 count in this case. If the organizational delegates
- 9 will please turn in their ballots.
- 10 At this time I'm going to ask those of you
- in favor of the motion to please stand. You may be
- 12 seated. Those of you opposed to the motion, please
- 13 stand. You may be seated. The motion passed 68 to
- 14 63.
- And on that note we're going to take a
- 30-minute lunch break, and we'll return back to
- 17 continue on Chapter 8. It is presently ten minutes
- 18 after 12:00. We will start back promptly at 12:40.
- 19 (A lunch recess was taken.)
- 20 CHAIRMAN WILLSE: Good afternoon, ladies and
- 21 gentlemen. My name is Pete Willse. I have the
- 22 distinct privilege of being a member of your
- 23 Standards Council. I will be continuing the
- 24 proceedings from now on.
- 25 We are now on Chapter 8. Do we have any

1 further motions on Chapter 8? Seeing none, Chapter

- 2 9? Seeing none, Chapter 10? Seeing none,
- 3 Chapter 11? Seeing none, Chapters 12 and 13?
- 4 MR. FERRY: Good afternoon. My name is
- 5 Shane Ferry. I'm the Chair of Fundamentals and Fire
- 6 Alarm Systems, and I move to accept Comment 101-216
- 7 on page 101-86 of the ROC.
- 8 CHAIRMAN PAULEY: We have a motion. Do we
- 9 have a second? I have a second. Please continue.
- 10 SHANE: Thank you. The Fundamentals
- 11 Committee was tasked by a Director from the Council,
- 12 as were all the Technical Committees, as part of 72
- 13 for scoping, and one of the items related to the
- 14 Assemblies Chapters of 101. We'll be also having a
- 15 similar comment to two other items, one item for
- 16 Chapter 2 and two items similar for NFPA 5000. This
- 17 relates to voice evacuation systems.
- 18 If you have a voice evacuation system, that
- 19 should meet the requirements of NFPA 72. We did some
- 20 proposals on this. They were rejected by the
- 21 Committee. We did follow-up with substantiations
- 22 during the comment stage, and the Committee also
- 23 rejected them.
- 24 CHAIRMAN PAULEY: Mr. Quiter?
- 25 MR. QUITER: I'll defer to Ralph Gerdes.

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1 MR. GERDES: Ralph Gerdes, Chair of the
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- 2 Technical Committee on Assembly Occupancy and
- 3 Membrane Structures. We did form a task group to
- 4 address this issue. Unfortunately, the task group
- 5 never met and didn't come back to the committee with
- 6 a recommendation specifically on this comment. The
- 7 committee basically rejected the proposal.
- 8 The committee had a strong feeling that in
- 9 places of assembly, we're dealing with large volume,
- 10 high ceiling spaces. And an emergency voice
- 11 communication system just won't be sufficient in
- 12 terms of clarity and audibility in getting a message
- 13 across to the people. So we decided to stick with
- 14 our base requirement of allowing the option of voice
- 15 communication or PA system. We don't feel the
- 16 hardware exists in certain spaces to accomplish what
- 17 we need to do.
- 18 CHAIRMAN WILLSE: Any further discussion?
- 19 Hearing none, we are about to vote on the motion to
- 20 accept Comment 101-114. Motion fails. Any further
- 21 discussion on Chapters 12 and 13?
- 22 UNIDENTIFIED SPEAKER: I move to accept
- 23 Comment 101-220 found on page 101-88 on the Report of
- 24 Comments.
- 25 CHAIRMAN WILLSE: Do I have a second?

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1 UNIDENTIFIED SPEAKER: Just the same
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- 2 comments I had previous.
- 3 CHAIRMAN WILLSE: Mr. Quiter?
- 4 MR. QUITER: I'll defer to Ralph Gerdes.
- 5 MR. GERDES: Essentially, this is the same
- 6 issue, requesting an emergency voice communication
- 7 system. They're just going to reference to 172. We
- 8 need a PA option for certain situations.
- 9 CHAIRMAN WILLSE: Thank you. Any further
- 10 discussion? Hearing none, we are about to move on to
- 11 the motion to accept Comment 101-220. All in favor
- 12 please raise your hands. Thank you. All opposed.
- 13 Motion fails. Thank you.
- 14 Any further motions on Chapters 12 or 13?
- 15 Hearing none, Chapters 14 and 15?
- MR. THORNBERRY: Rick Thornberry with the
- 17 Code Consortium representing the Alliance for Smoke
- 18 Containment and Control. I would like to move to
- 19 accept our Comment 101-237, which should be on page
- 20 101-95, and that's to accept Proposal 101-365, which
- 21 is on page 101-131.
- 22 CHAIRMAN WILLSE: I do have a motion. Do I
- 23 have a second? I have a second. Thank you. Please
- 24 continue.
- 25 MR. THORNBERRY: The original proposal was

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1 submitted by the National Association of State Fire
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- 2 Marshals, and they gave quite a bit of substantiation
- on this particular issue. In doing that, they also
- 4 introduced a threshold trigger of more than ten
- 5 occupants to trigger the one-hour requirement. So
- 6 they tied it into some reasonable number to trigger
- 7 this as opposed to triggering it at one or two
- 8 occupants. We think this is also very reasonable.
- 9 We provided some additional substantiation
- 10 as well in the public comment we submitted pointing
- 11 out I think not only do you have the issue of
- 12 assuring reasonable and reliable protection of the
- 13 exit corridors should something go wrong by providing
- 14 the built-in one-hour fire resistant protection, but
- 15 it also provides additional protection for the
- 16 firefighters when they've got to go into the building
- and fight the fire and do their rescue operation.
- 18 Quite frankly, I don't see the benefit of
- 19 trading 30 minutes. That's a pretty flimsy
- 20 partition. In most schools when they're building
- 21 partitions, they build them pretty substantial
- 22 because they get a lot of physical abuse. It doesn't
- 23 make sense to reduce them from one hour to 30
- 24 minutes. There's no financial gain in that
- 25 trade-off. So we think the folks did the right

- 1 thing, and we urge that you support the public
- 2 comment that we submitted to bring back their
- 3 proposal.
- 4 CHAIRMAN WILLSE: Mr. Quiter?
- 5 MR. QUITER: I'll defer to Cathy Stashak,
- 6 Chairman of Day Care Facilities.
- 7 MS. STASHAK: The original recommendation
- 8 was to require one-hour separations even in a
- 9 sprinkler building, and the Committee felt that in a
- 10 sprinkler building we did not eliminate the
- 11 protection all together. We still required that
- 12 there be a smoke partition.
- 13 Education occupancies are unique in that
- 14 they have practice fire drills that kids are required
- 15 to practice once a month, and they have very rapid
- 16 evacuation. So it was felt that the whole Life
- 17 Safety Package was sufficient to reduce down to that
- 18 smoke partition in an educational occupancy.
- 19 MR. HORTON: Pat Horton representing myself.
- 20 As Dr. Jack Snell, who used to be the head of the
- 21 Fire Research Center, said, since the 1980s you need
- 22 redundant fire protection. And I support the motion
- 23 on the basis of not eliminating sprinklers but
- 24 requiring both because the redundancy is needed. And
- 25 they may be correct in so far as the fire drills and

- 1 things like that, but we live in a different
- 2 atmosphere now where we never know where terrorism
- 3 will occur in our educational facilities, and we need
- 4 to be taking care of the children for sure.
- 5 MR. COLLINS: Dave Collins, American
- 6 Institute of Architects. The issue really isn't 30
- 7 minutes. Quite frankly, I was in a school building
- 8 just this past week. It was four stories. They have
- 9 drilled and practiced and measured the time to
- 10 evacuate that building in less than two and a half
- 11 minutes. When you're in these kinds of environments,
- 12 30 minutes is quite frankly overkill for life safety.
- 13 If we're talking about other issues, that's something
- 14 else.
- The cost implications aren't going from a
- 16 heavily rated corridor wall. The cost implications
- are going from a fire rated assembly where you have
- 18 to concern yourself with penetrations and protections
- 19 of openings. And I urge you to overturn this motion.
- 20 CHAIRMAN WILLSE: Any further discussion?
- 21 Mr. Quiter? Hearing none, we are about to vote on a
- 22 motion to Accept Comment 101-237. All in favor
- 23 please raise your hands. Thank you. All opposed.
- 24 Motion fails. Thank you.
- 25 Any further motions on Chapters 14 and 15?

- 1 Hearing none, Chapters 16 and 17? Microphone 7.
- 2 MR. THORNBERRY: Rick Thornberry. I'd like
- 3 to move our Comment 101-238 on page 101-96, which
- 4 recommends acceptance of Proposal 101-380.
- 5 CHAIRMAN WILLSE: I have a motion made. Do
- 6 I have a second? I have a second. Please continue.
- 7 MR. THORNBERRY: Thank you. Again, this is
- 8 a similar issue to what we just discussed, only in
- 9 this case it's applying to new day care occupancies.
- 10 The proposal was submitted by the National
- 11 Association of State Fire Marshal. However, in this
- case the one hour disappears to nothing. It's not
- even 30 minutes. That's where you're going to lose
- 14 the protection of the penetrations that come along
- 15 with the one hour in the Safety Code.
- In a day care facility where you've got
- 17 young kids that obviously can't take care of
- themselves and have to be helped by the staff, we
- 19 think providing this redundancy would make sense in
- 20 these occupancies. We urge you to support our
- 21 comment.
- MS. STASHAK: Cathy Stashak, Chair of the
- 23 Committee. I think it was in 1997 that the Committee
- 24 for Day Care completely rewrote the package for life
- 25 safety for day care occupancies, making more

- stringent requirements for construction, sprinklers,
- 2 and smoke partitions and issues related to the fact
- 3 with the full understanding that there are people
- 4 that are incapable of self-preservation within these
- facilities. It was a total rewrite of the chapters,
- 6 and we took all that into consideration. Again, day
- 7 cares are required to run fire drills. They're
- 8 required to run these fire drills every month. The
- 9 teachers are trained. And you'd be surprised at even
- 10 a young age of 3, the kids will respond appropriately
- 11 with the training and education.
- 12 It was felt by the committee that again in a
- 13 sprinkler building that permits plenty of time even
- 14 with assistance and even with clients that are
- incapable of self-preservation, it was felt that in a
- 16 sprinkler building a corridor rating was not
- 17 required.
- 18 MR. HIRSCHLER: Marcelo Hirschler speaking
- 19 for myself. I think when we're talking about
- 20 protecting small children in day care occupancies,
- 21 they don't start at 3. They start much lower than 3.
- 22 And a lot of them are incapable of exiting on their
- own. So I think we should keep the protection of the
- 24 fire resistant walls. I urge you to support the
- 25 motion. We have to try to protect the people who are

- 1 the most vulnerable. We heard in the talk by Jim
- 2 Shannon on Monday that very young children are the
- 3 most vulnerable to fire incidents. So I urge you to
- 4 support this motion. Thank you.
- 5 MR. COLLINS: Dave Collins, American
- 6 Institute of Architects. These facilities are
- 7 typically licensed and required to be inspected, have
- 8 personnel that are skilled in evacuation. We don't
- 9 find the losses in these facilities. I urge you to
- 10 not approve this motion. Thank you.
- 11 CHAIRMAN WILLSE: Any further discussion?
- MR. KLEIN: Marshall Klein speaking for
- 13 myself. This is a change in the code based on a
- 14 package that has been used by quite a few years by
- 15 the Day Care Committee.
- 16 My point I want to bring up is most day
- 17 cares, even though they have corridors, they're not
- 18 going to operate behind one-hour doors that are
- 19 self-closing doors. Even if this passes, which I
- 20 don't support, the whole matter is you put
- 21 self-closures on these doors, they're not going to
- 22 stay closed. They're going to be held open with
- 23 three-hour fusible hinges with wedges. I would
- 24 recommend that you follow the Committee's
- 25 recommendation and deny this motion.

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1 MR. THORNBERRY: Rick Thornberry. We've
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- 2 heard some of the discussion, and it's really focused
- 3 on the small children. But I would also point out
- 4 the definition for day care would include me one day
- 5 when I get too old and my daughter doesn't want to
- 6 take care of me. She will want to put me in day
- 7 care. I would feel better if we have redundancy in
- 8 these things when I get old.
- 9 CHAIRMAN WILLSE: We are now moving on the
- 10 motion to accept Comment 101-238. All in favor
- 11 please raise your hands. Those opposed. I'm not
- 12 going to call. Move for a standing vote. I will not
- 13 rule on the hand vote. Therefore, we will proceed to
- 14 a count of the Vote. Delegates for organizations,
- 15 please fill out the green ballot form handed to you
- 16 previously. And these will be collected by the NFPA
- 17 staff. Only accredited representative organization
- 18 members whose names have been previously recorded
- 19 with the Association for the purpose of and prior to
- 20 this meeting shall fill out this ballot form. One
- 21 accredited representative for the organization member
- 22 only will please complete the ballot. If the
- organization is abstaining from the vote, please
- 24 check the appropriate line on the ballot.
- I now call for the standing count of

- 1 individual voting members. You must have a black dot
- on the badge to be counted. Those voting for the
- 3 motion, please stand. Please be seated. Will those
- 4 who are voting against the motion please stand.
- 5 Please be seated. The motion fails by 75 to 56.
- 6 Are there any further motions on Chapters 16
- 7 and 17? Hearing none, Chapters 18 and 19?
- 8 Microphone 6, please.
- 9 MR. HARRIS: My name is Don Harris. Comment
- 10 246, I would like to move to reject an identifiable
- 11 part.
- 12 CHAIRMAN WILLSE: Okay. What's the part,
- 13 please?
- MR. HARRIS: Paragraph A of subparagraph 3.
- "Each projection shall not exceed a depth of 6
- 16 inches."
- 17 CHAIRMAN WILLSE: Sir, are you looking at
- 18 what was recommended or the committee meeting action?
- 19 Because the committee action is what the code would
- 20 look like.
- 21 MR. HARRIS: I was looking at the
- 22 recommendation paragraph at the top.
- 23 CHAIRMAN WILLSE: It was not accepted. Part
- 24 A was not accepted. The part that was accepted is
- 25 Part D. And that's going to be going into 18.23.43

1 to 18.23.53 and 19.23.43. So the only part of that

- whole comment, Part D was accepted.
- 3 MR. HARRIS: So you're saying C was not
- 4 accepted by the Committee?
- 5 CHAIRMAN WILLSE: Correct.
- 6 MR. HARRIS: And those parts will or will
- 7 not appear in the Code?
- 8 CHAIRMAN WILLSE: Will not.
- 9 MR. KOFFEL: I don't think that's an
- 10 accurate reflection of the proposal. I believe the
- 11 paragraph the gentleman was referring to was, in
- 12 fact, accepted in the committee action on Proposal
- 13 101-405.
- 14 CHAIRMAN WILLSE: Excuse me. Can you please
- 15 state your name for the record?
- MR. KOFFEL: Bill Koffel, Koffel Associates.
- 17 CHAIRMAN WILLSE: In order to reject an
- 18 identifiable part of the comment, it had to have been
- 19 accepted in the comment. So could you find another
- 20 comment anywhere else where this came about?
- 21 MR. KOFFEL: I don't believe that specific
- 22 part was rejected in any comment or appears in any
- 23 comment other than just the recommendation portion.
- 24 MR. HIRSCHLER: Marcelo Hirschler. I think
- 25 what the gentleman could do is return an identifiable

1 part of Proposal 101-405, which is what would have

- 2 been accepted.
- 3 CHAIRMAN WILLSE: The only way a proposal
- 4 can be returned is if it's been modified by a
- 5 comment. Has part been modified by any comment?
- 6 MR. KOFFEL: The entire proposal was
- 7 modified by the comment. I'm just trying to help the
- 8 gentleman. The proposal was modified by the comment.
- 9 So what he's trying to do is return the identifiable
- 10 part of the proposal because the proposal was the
- 11 identifiable comment.
- 12 CHAIRMAN WILLSE: Part D was the only one
- 13 modified by the comment.
- 14 MR. KOFFEL: Okay. I was assuming once they
- 15 repeat the text in the comment here, that that would
- 16 open that back up.
- 17 CHAIRMAN WILLSE: Only the part accepted by
- 18 the Committee can be worked on because everything
- 19 else was rejected.
- 20 MR. KOFFEL: I don't think it was rejected.
- 21 CHAIRMAN WILLSE: A and B was not accepted
- 22 by the Committee.
- MR. KOFFEL: In the proposal it was.
- 24 CHAIRMAN WILLSE: But there was no change in
- 25 the comment stage.

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1 MR. KOFFEL: Not to A and B, no.
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- 2 CHAIRMAN WILLSE: Correct.
- 3 MR. KOFFEL: So a motion to that effect is
- 4 not in order; is that right?
- 5 CHAIRMAN WILLSE: Correct. Any further
- 6 comments or motions on Chapters 18 and 19? Hearing
- 7 none, Chapters 20 and 21? Hearing none, Chapters 22
- 8 and 23? Hearing none, Chapter 24?
- 9 MR. BROWN: I'd like to get a ruling on
- 10 these procedures all dealing with the sprinkler
- 11 systems, that it's appropriate to hear them at this
- 12 time since they have not gone out for public comment.
- 13 Substantial changes have been made to the documents,
- 14 and according to ANSI's regulations, they still have
- 15 to go out for public comment and TCC consideration on
- 16 those public comments.
- 17 CHAIRMAN WILLSE: Can I have your name,
- 18 please?
- 19 MR. BROWN: Larry Brown, National
- 20 Association of Homeowners. Is it appropriate to hear
- 21 these at this time?
- 22 CHAIRMAN WILLSE: Yes, it's a valid motion,
- 23 sir.
- 24 UNIDENTIFIED SPEAKER: Then I would move to
- return to committee Comment Number 101-312.

CHAIRMAN WILLSE: On page?

UNIDENTIFIED SPEAKER: It's on page 125.

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              CHAIRMAN WILLSE: Thank you. I have a
 4
      motion made. Do I have a second? I have a motion
 5
      made and a second. Please continue.
 6
              MR. BROWN: Yes. In accordance with ANSI's
 7
      procedures 2.4, any substantive change made to any
      document which bears the ANSI designation has to go
 8
 9
      back out for public comment.
10
              At the last stage of the comment period, the
      TC has now made a substantive change that is now
11
12
      requiring sprinklers. Since this change has not gone
      out for public comment, it's not appropriate to hear
13
14
      this at this time. It still needs to go out and have
15
      public comment and TC consideration of such comments.
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18 also. One would be the Standards Council's addition

In addition, we believe there may be

improprieties of what happened during this process

- of two new members on the committee between the
- 20 proposal phase and the comment stage. We believe
- 21 this goes against true consensus of trying to stack
- the committee possibly in this manner. The other is
- 23 we believe that staff is also misinformed on its
- 24 ability to vote during the balloting period saying
- 25 they didn't vote during the balloting period.

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1 MR. LATHROP: James Lathrop, Chair of
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- 2 Residential. With regard to the procedural things, I
- 3 think that's for the Standards Council.
- 4 However, I will point out that in the
- 5 proposal stage, if you look at pages 177 through 185,
- 6 I think there's like six or seven proposals that one-
- 7 or two-family dwellings be sprinklered. Those
- 8 proposals were accepted. However, they failed ballot
- 9 by a vote of 12 to -- it made over the 50 percent but
- 10 didn't get the two thirds. So it did fail. It's
- 11 rejected.
- 12 However, the public was aware of the fact
- 13 that it was not hidden. It was there. It wasn't
- 14 rejected during the comment period. The Committee
- did change and has accepted the mandate for
- 16 sprinkling one- or two-family dwellings in one- or
- 17 two-family buildings.
- 18 UNIDENTIFIED SPEAKER: Though it's true this
- 19 was out in front of everyone during the proposal
- 20 period, it didn't achieve consensus. The substantive
- 21 change did not take place until the ballot on the
- 22 comment; i.e., the ANSI procedures were taken at that
- 23 time everything was said here.
- 24 MR. LATHROP: Jim Lathrop, Chair of
- 25 Residential. Under that form of logic, we can never

1 change from a reject to an accept during the comment

- 2 period.
- 3 MR. BROWN: Larry Brown. That is extremely
- 4 true. The NFPA has disregarded the ANSI procedures
- 5 for years.
- 6 CHAIRMAN WILLSE: Any further discussion?
- 7 MR. OWEN: Kirk Owen, Vice Chairman of the
- 8 Fire Service Section. I'm speaking on behalf of the
- 9 Section in opposition to this motion. Sprinkler
- 10 systems protect our lives and property of our
- 11 citizens and reduce the hazards faced by
- 12 firefighters. The Fire Service Section supports the
- 13 requirement to protect new one-and-two-family
- 14 dwellings with sprinklers, and I urge you to reject
- 15 this proposal.
- 16 UNIDENTIFIED SPEAKER: What needs to be
- 17 concentrated on is whether the Building Code -- the
- 18 Life Safety Code should regulate that all
- one-and-two-family dwellings should have sprinklers.
- 20 So I urge you to support the motion.
- 21 MR. CAMPBELL: My name is Ed Campbell. I
- 22 represent the National Association of Fire Chiefs,
- 23 Fire and Life Safety Division. I oppose this motion.
- 24 Sprinklers, as we all know, are lifesaving features
- 25 where most of the fatalities occur. So I do support

1 the installation of sprinklers in one- or two-family

- 2 occupancies.
- 3 MR. CRAWFORD: My name is Jim Crawford. I'm
- 4 a fire marshal from Vancouver, Washington. I am not
- 5 sure of all the legal nuances and ANSI issues and all
- 6 of the other things that go along with this
- 7 discussion. But I think the floor members here need
- 8 to send a message to NFPA, and to the Standards
- 9 Council especially, that it's time for requirements
- 10 for sprinklers in one- or two-family dwellings.
- 11 People are done complaining about air bags in cars.
- 12 I think it's time to do the same thing in the
- 13 construction industry. I'm opposed to it.
- 14 MS. STASHAK: My name is Cathy Stashak, and
- 15 I oppose the motion on the floor.
- 16 First I'd like to say that I know NFPA takes
- 17 extreme measures to make sure that the ANSI
- 18 accreditation process is upheld and is in place
- 19 properly. Because they do such a good job at that,
- 20 they are not required to have every year ANSI come in
- and make sure that they're following the processes.
- 22 They are ANSI accredited, and because they do such a
- good job, they don't have to have the oversight from
- 24 ANSI that other organizations do.
- 25 Now onto the issue of sprinklers. NFPA fire

- 1 incident data has shown the number of fires in one-
- 2 to two-family dwellings in the U.S. According to
- 3 NFPA data, clearly one- or two-family dwellings
- 4 present the greater risk to citizens and
- 5 firefighters. The residents of one-and-two-family
- 6 dwellings are also the most difficult to reach as
- 7 very few AHJ's have the authority to have inspections
- 8 and meet compliance.
- 9 Now affordable technology is available that
- 10 takes us further. That will even protect the person
- intimate with the fire according to the NFPA report.
- 12 Every time I see on the news a fire in a home, it has
- 13 yet again taken more lives. Every time I see that, I
- 14 think if that house had been protected with
- 15 sprinklers, those people would still be alive. I
- 16 personally retrofitted sprinklers into my home, and I
- 17 travel here with a much higher level of comfort
- 18 knowing that our kids are home with their 19-year-old
- 19 sister.
- 20 I'm a firefighter that personally
- 21 experienced being unable to move until fellow
- 22 firefighters dislodged the materials that had fallen.
- 23 Had that been a sprinklered home, my life would not
- 24 have passed before my eyes at that moment of time.
- 25 According to NFPA data, seven out of ten

- 1 firefighters -- NFPA data also shows that more
- 2 firefighters die in residential structures than any
- 3 other type of structure. I did the math. Most of
- 4 our fires occur in residential homes.
- 5 Hence, these are the firefighters that
- 6 predominantly and incidentally will be injured or
- 7 dive into these fires. But why is this acceptable?
- 8 In a conversation with my own homeowners insurance
- 9 agent, who was distressed over the \$1 million that
- 10 the insurance company was paying for fire loss on a
- \$300,000 home -- and these were costs to repair the
- 12 house, replace the clothing, the furniture, the toys,
- 13 the computers that were only smoked damaged, and
- 14 housing the residents while repairs were being
- 15 made -- after hearing that the fire started in the
- 16 kitchen, I advised that one head, maybe two, would
- 17 have contained or extinguished the fire and they
- 18 would have had maybe only \$5000 in repairs, repairs
- 19 made while the families still lived in the house.
- 20 Why can't new one-and-two-family homes have the same
- 21 level of protection as the buildings where we spend
- 22 most of our hours of our lives.
- 23 As a fire investigator, I walked the
- 24 homeowner through their destroyed homes and witnessed
- 25 their pain, agony and loss. You can't put a price on

1 our children, your children, or their children. I

- 2 know emotions aren't very scientific, but most
- 3 families don't think along scientific lines.
- 4 Homeowners don't have a lot. Just their homes,
- 5 families, and memories.
- 6 CHAIRMAN WILLSE: Thank you.
- 7 MR. HORTON: Pat Horton representing myself.
- 8 I rise to speak in support of the NFPA process and am
- 9 appalled that anybody --
- 10 UNIDENTIFIED SPEAKER: I'm speaking in
- 11 opposition to the motion. I am also a member of the
- 12 Executive Board of the International Fire Marshals
- 13 Association, whose official position is in support of
- 14 sprinklers. And we feel that it's high time that
- 15 this body send forward the message that most of the
- 16 fire related deaths are in one-and-two family
- dwellings, and we need to protect the people in those
- 18 dwellings.
- 19 The CBC figures for accidental deaths show
- 20 that fire related deaths are the third cause of death
- 21 next to poisoning and falls. We have a significant
- 22 problem. We're sending a message here, and we want
- 23 it to go forward. Thank you.
- 24 MR. PAULS: Jake Pauls from Jake Pauls
- 25 Consulting Services speaking for myself and also as a

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1 member of the Residential Committee where I represent
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- 2 the American Public Health Association. And I should
- 3 clarify that I have an instructed vote there. I
- 4 operate under the American Public Health Association,
- 5 public policy 2019, which did recommend the
- 6 sprinklering of one-and-two-family homes. I'm very
- 7 proud of that public position.
- 8 I must clarify that public health is
- 9 concerned with everything that a community does to
- 10 preserve the health and well-being of its citizens,
- and sprinklering of homes is good public health.
- 12 I'll also add on the procedural issue that
- that policy 2019 as well as an earlier policy, 1916,
- 14 did deal with the process issues. I'm very proud to
- 15 see that this issue is being well addressed within an
- 16 ANSI-applying process where consensus is represented.
- 17 OZZIE: My name is Ozzie from Las Vegas Fire
- 18 and Rescue. I'm in support of the residential fire
- 19 sprinkler systems for one-and-two-family dwellings
- 20 regardless of what the gentleman from the National
- 21 Association of Home Builders believes, that there are
- irregularities with our process. That's not facts.
- 23 The fact of the matter is we don't have control over
- 24 a lot of issues. One of them being fire. Fires grow
- 25 exponentially. Regardless of whether the gentleman

- 1 agrees with procedures, fires are destroying our
- 2 communities. And we are dispatched when? When
- 3 there's a call. By the time we arrive on the scene,
- 4 even if they comply with NFPA 13 requirements of six
- 5 minutes, 90 percent of the time the fire is 36 times
- 6 larger than the sprinkler could have put it out. We
- 7 are reacting to fires. We are trying to put out the
- 8 fires. It's time that we take the proactive status
- 9 not only for us, but for the future generation, for
- 10 the kids not yet born that will be the victims in the
- 11 future, for the kids not born yet that will be
- 12 putting their gears up and running into those
- 13 buildings and saving those victims of fires. That is
- 14 the emotional part of it.
- The statistical part of it indicates that we
- build 1-1/2 million homes every year at a cost of
- 17 \$2,000 per square foot each. That is \$3 billion. We
- 18 are losing \$6-1/2 billion alone on property loss due
- 19 to fires in residential occupancies. We lose \$250
- 20 million total of fire loss in this country. That is
- 21 2 percent of our gross domestic product. If you want
- 22 to talk numbers, let's talk numbers.
- 23 Sprinkling these buildings not only is going
- 24 to save lives but also is economically feasible.
- 25 They might believe that this is boring, your asking

- 1 us to put the sprinkler systems in. But as
- 2 Americans, we all must recognize that 2 percent of
- 3 our gross domestic product down the drain is not
- 4 acceptable. It is for the future generation
- 5 economically also. We must save lives. Yet we also
- 6 must be cognizant of what we're doing with our
- 7 Committee.
- 8 That's why I'm in support of the proposal to
- 9 put the sprinkler system in. And I think it is time.
- 10 We have lost way too many. Take a look at when
- 11 Scottsdale put sprinkler requirements in. We could
- 12 have filled the Rose Bowl Stadium. Enough is enough.
- 13 It's time to move.
- MR. ANDERSON: My name is Richard Anderson.
- 15 I speak on behalf of the Fire Life Safety Initiatives
- 16 Program. I am the Chair of the NFPA Lodging Industry
- 17 Section. I'm a member of the leadership team. I
- 18 have over 32 years' experience as a firefighter chief
- 19 officer. I served in the industry as a loss
- 20 prevention engineer for a Fortune 500 company.
- 21 And I'd like to first talk a little bit
- 22 about a history lesson on the success of sprinklers
- in lodging occupancies. On January 27th of 2004, an
- 24 article in the Charlotte Observer by John Hall, who
- 25 is the Assistant Vice President of NFPA, reported

- 1 that from 1994 to 1998 an average of 28 people died
- 2 in hotel blazes. None died in hotels with
- 3 sprinklers. The most common cause of deadly hotel
- 4 fires is caused by smoking, followed by children
- 5 playing with fire, and then arson. For all hotel
- 6 fires, although I know we're talking about
- 7 residential, there's a correlation here. The most
- 8 common cause is cooking.
- 9 Recognizing the need to do more to prevent
- 10 the line of duty deaths and injuries in the fire
- 11 service, the National Forum of Firefighters
- 12 Foundation launched a national initiative to focus on
- 13 fire life safety. The First National Firefighter
- 14 Life Safety Summit was held in Tampa, Florida in
- 15 2004.
- Narrative 15 reads, "Advocacy must be
- 17 strengthened for the enforcement of codes. This
- 18 represents a consensus of over 230 fire service
- 19 leaders across the nation. We believe the evidence
- in history conclusively support mandating sprinklers
- 21 as the first step in not only reducing civilian death
- 22 and injury from fire, but reducing line of duty
- 23 deaths and injuries of firefighters.
- 24 MR. SHAPIRO: Jeff Shapiro representing
- 25 myself. A debate requires two sides. We can talk

1 about this all day, and we're all saying the same

- 2 thing. I move for the previous question.
- 3 CHAIRMAN WILLSE: The question has been
- 4 moved. It's undebatable.
- 5 UNIDENTIFIED SPEAKER: I believe when a
- 6 motion is made, you cannot precede it with a
- 7 statement.
- 8 CHAIRMAN WILLSE: I stand corrected. Sorry.
- 9 MR. GLENN: My name is Larry Glenn. I'm
- 10 representing the State Fire Marshals Office in the
- 11 state of Washington. In 1960 I was there when the
- 12 opposition to residential sprinklers was smoke
- 13 detectors. In 1980 I was in Kansas City when we
- 14 tried to get the UBC to adopt the multifamily
- 15 sprinkler requirements. It's the same opposition,
- 16 same smoking mirrors.
- 17 About ten years ago I worked with that
- 18 group, the research and development division, at the
- 19 Home Developers Association. There are over 1200
- 20 homes now sprinklered there in Washington. I would
- 21 support voting no against this motion.
- MR. JABOWSKI: Greg Jabowski representing
- 23 myself. Four years ago I purchased a new home. I'm
- 24 a member of the National Association of Home
- 25 Builders. I find it disappointing that the home

- 1 builders are not willing to work with us on this
- 2 issue.
- 3 MR. HOPPER: Howard Hopper, Underwriters
- 4 Laboratories, speaking in opposition to the motion on
- 5 the floor. Underwriters Laboratories supports the
- 6 installation of sprinklers in residential occupancies
- 7 where their use can save lives. We recognize that
- 8 the public relies on life safety and building
- 9 construction codes and the local enforcement of these
- 10 codes to provide a safe place for their families to
- 11 live. These codes already, including guardrails on
- 12 stairs, are an effective means of escape. And
- 13 strategically located smoke alarms mentioned in these
- 14 codes to acquire a critical life safety system in
- newly constructed one-and-two-family homes is the
- 16 right thing to do.
- 17 MR. HIRSCHLER: Marcelo Hirschler. I call
- 18 the question.
- 19 CHAIRMAN WILLSE: The question has been
- 20 called. It's undebatable. All in favor please raise
- 21 your hands. All opposed. Motion carries.
- Now we'll go into voting on the motion to
- 23 return Proposal Number 101-205. All in favor please
- 24 raise your hands. Thank you. All opposed. Motion
- 25 fails. Do we have any further motions on Chapter 24?

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1 MR. THORNBERRY: Rick Thornberry. I'd like
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- to move our Comments 101-296 found on page 101-112,
- 3 which ties into Proposal 101-490.
- 4 CHAIRMAN WILLSE: I have a motion made. Do
- 5 I have a second? I have a second. Please continue.
- 6 MR. THORNBERRY: You need to go and look at
- 7 the proposal when the Committee instituted this
- 8 change to 101. What this is dealing with is the sole
- 9 means of egress, in this particular case from a
- 10 dwelling unit. And we just had a big discussion on
- 11 safety in dwelling units. And this is focused on a
- 12 single form of egress, which is all you're required
- in a single-family dwelling.
- 14 What the Committee did was propose an
- 15 alternate to that in their proposal, and basically it
- 16 said you can do it under one of two conditions. This
- is what it boils down to. You either sprinkler the
- 18 building, which it sounds like we're going to do
- 19 anyhow based on what just happened, or you provide a
- 20 one-hour protected passageway or enclosure through
- 21 that non-residential occupancy.
- Our public comment says that's not enough.
- 23 If you're going to have the sole means of egress
- 24 allowed which you did not allow before, then you
- 25 should do both. You should have some redundancy

- 1 because that's the only way out. So what we're doing
- 2 is saying sprinklers and provide the one-hour
- 3 protection. Pretty simple, pretty basic, but pretty
- 4 important. It's a pretty important concept in our
- 5 minds to go from no allowance to allowing it under
- 6 the conditions that the Committee proposed, which we
- 7 think are too lax and too risky. Part of the
- 8 Committee's rejection of our comment was that we
- 9 provided no technical substantiation. Well, I guess
- 10 that's in the eyes of the beholder.
- 11 But when you go and look at the
- 12 substantiation for the proposal, I didn't see any
- 13 there. They just said it's a good idea. It looks
- 14 like it will provide equivalent safety. Whether or
- 15 not this is equivalent safety, I think what we
- 16 proposed gets closer to equivalent safety. But to go
- from a ban to allowing something, I think you've got
- 18 to look at it closely and make sure you've got
- 19 adequate backup protection. So we think this comment
- 20 makes sense. We would urge your support.
- 21 UNIDENTIFIED SPEAKER: Rick pretty well
- 22 summed it up. If you accept his comment, you're
- 23 going to mandate that if you're going to have a
- 24 dwelling unit go through another occupancy to get
- out, you're going to have one-hour protection and

1 sprinklers. The Committee felt strongly if you went

- 2 over the other, it would be safe.
- This isn't only in a single-family dwelling.
- 4 If we had a situation where we have a single sleeping
- 5 room, possibly even like in a doctors ready room in a
- 6 hospital where we might have a single sleep room, it
- 7 can be very easily interpreted that I have to have a
- 8 one-hour quarter to get out of that. This is a
- 9 situation where Chapter 24 is being used in other
- 10 occupancies, which it quite often is.
- 11 MR. COLLINS: Dave Collins, American
- 12 Institute of Architects. There's a new trend in
- 13 housing development. We are working on revitalizing,
- 14 and that's called a work/live arrangement. This
- 15 would cripple that kind of design approach. I urge
- 16 you to oppose this motion.
- 17 MR. THORNBERRY: Rick Thornberry. I find
- 18 this curious that we're taking away some options.
- 19 We're not taking away any options. We're just saying
- 20 do it right. It wasn't allowed before. How is this
- 21 a help? You didn't allow it before. Now you're
- 22 going to allow it, but you're going to allow it
- 23 without adequate protection features in terms of
- 24 redundancies. Let's buy into it, but let's buy into
- 25 it and do it right.

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1 CHAIRMAN WILLSE: Any further discussion?
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- 2 MR. BROWN: Larry Brown, National
- 3 Association of Homeowners, who is also on the
- 4 Residential TC. If you look at the statement, it
- 5 outlines everything we did on this. I urge rejection
- 6 on this motion. Thank you.
- 7 CHAIRMAN WILLSE: Any further discussion?
- 8 Hearing none, we are about to vote on the motion to
- 9 accept Comment 101- 296. All in favor please raise
- 10 your hands. Thank you. All opposed. Motion fails.
- 11 Thank you. Any further discussion on Chapter 24?
- MR. BROWN: Larry Brown, National
- 13 Association of Homeowners. Move for acceptance of
- 14 Proposal 101-315. It's on page 101-126.
- 15 CHAIRMAN WILLSE: Is that a proposal or
- 16 comment?
- MR. BROWN: It's a comment, 101-315. The
- 18 Proposal is 101-506.
- 19 CHAIRMAN WILLSE: You want to move that?
- 20 MR. BROWN: I'm on the committee for
- 21 household fire warning systems and such. I guess it
- 22 would be appropriate.
- 23 CHAIRMAN WILLSE: Very good. I have a
- 24 motion made. Do I have a second? Any further
- 25 discussion on Chapter 24? Hearing none, now Chapter

- 1 26.
- 2 UNIDENTIFIED SPEAKER: Comment Number
- 3 101-315, move to accept.
- 4 CHAIRMAN WILLSE: I have a motion made. Do
- 5 I have a second? I do have a second. Please
- 6 continue.
- 7 UNIDENTIFIED SPEAKER: Yes. There's quite a
- 8 few proposals or comments that go along with this,
- 9 and being on both the Household Committee and the
- 10 Residential TC of 101, something needs to be done to
- 11 clarify who has jurisdiction over the installation of
- 12 the smoke alarm systems in these residential
- 13 occupancies.
- 14 It would seem logical according to Annex
- 15 6 -- I'm not sure that's true -- that the
- 16 Installations Manual Committee has jurisdiction over
- 17 the installation of the system. And what it says is
- 18 the Occupancies Chapter and TC says we have a
- 19 problem. They need to be addressed by smoke alarms.
- 20 That's fine. But they shouldn't be telling us how to
- 21 install them since that's the jurisdiction of the
- 22 Installation Committee, which in this case would be
- 23 the Household Fire Alarm TC, and I urge you to
- 24 approve this motion.
- 25 CHAIRMAN WILLSE: Mr. Quiter?

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1 MR. QUITER: I'll slowly defer to
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- 2 Mr. Lathrop, who's scrambling to catch up with what's
- 3 going on.
- 4 MR. LATHROP: Jim Lathrop. Just a flat-out
- 5 reference to NFPA 72 for the smoke alarms will not
- 6 work in the Life Safety Code. And the major reason
- for that is this deals with new and existing. You'll
- 8 see that the provisions of the referenced documents
- 9 do not apply to existing buildings unless the
- 10 jurisdiction determines there's a hazard in the
- 11 installation. If we take out everything and just
- 12 referring to NFPA 72, we will not have adequate
- 13 guidance for existing buildings.
- 14 CHAIRMAN WILLSE: Thank you. Any further
- 15 discussion? Microphone Number 8.
- MR. BROWN: Larry Brown. I urge you to
- 17 accept my comments on this proposal or on the
- 18 comment. Thank you.
- 19 CHAIRMAN WILLSE: Any further discussion?
- Hearing none, we're about to move on the motion to
- 21 accept Comment 101-315. All in favor please raise
- 22 your hands. All opposed. Motion fails. Any further
- 23 motions on Chapter 26?
- 24 MR. THORNBERRY: Rick Thornberry. I would
- like to move our Comment 101-313 found on page

- 1 101-125.
- 2 CHAIRMAN WILLSE: I have a motion made. Do
- 3 I have a second? I have a second. Please continue.
- 4 MR. THORNBERRY: This issue is similar to
- 5 the issue we discussed a little earlier regarding the
- 6 single means of egress through another occupancy
- 7 other than the residential occupancy. Only this time
- 8 you've got a little different situation because we're
- 9 dealing now with lodging and rooming houses. You
- 10 heard the arguments. Let's take a vote.
- 11 CHAIRMAN WILLSE: Thank you. Mr. Quiter?
- MR. QUITER: I'll defer to Mr. Lathrop.
- MR. LATHROP: Jim Lathrop, Chairman of the
- 14 Residential Committee speaking for myself. Pretty
- much the same arguments as we saw in the exact same
- 16 things before. But this one is even more onerous
- 17 because this is lodging rooming houses. We have a
- 18 lot of situations where we have ten people sleeping
- 19 in another occupancy, which would have to come under
- these requirements, for example, a fire station.
- 21 Many fire stations have 14 people sleeping in them,
- 22 and everything would have to be hour-rated and
- 23 sprinklered if we accepted this. This also applies
- to hospitals where we have again the doctors ready
- 25 rooms. We quite often will have a suite of ten or 12

- 1 ready rooms. If we don't have this provision in
- there, you're going to have to establish one-hour
- 3 quarters out of those areas with the sprinkler
- 4 exception. With a sprinkler option in there, it will
- 5 work much better.
- 6 CHAIRMAN WILLSE: Any further discussion?
- 7 Hearing none, we are about to vote on motion to
- 8 accept Comment on Proposal 101-313. All in favor
- 9 please raise your hands. All opposed. Okay. Motion
- 10 fails.
- 11 Any further motions on Chapter 26? Hearing
- none, we will now go to Chapters 27 and 29. Hearing
- none, Chapters 30 and 31?
- 14 MR. FASH: Chapter 28. I'd like to move
- forward the comment on 101-322. It's found on page
- 16 101-128.
- 17 CHAIRMAN WILLSE: Your name, sir?
- 18 MR. FASH: Robert Fash. This ties into my
- 19 original submittal in the ROP phase.
- 20 CHAIRMAN WILLSE: Your name again? We're
- 21 trying to see if you have the authority to do it
- 22 because it was submitted by somebody else. Do we
- 23 have a second? Okay. Please continue.
- MR. FASH: Being fairly new to the 101
- 25 standard, I was quite surprised when it came along

- 1 the requirement that did not have corridor smoke
- detection in hotel corridors. And this was I guess a
- 3 result of UBC for a number of years and then
- 4 transitioned.
- 5 But this proposal was to place corridor
- 6 smoke detection systems throughout, and there would
- 7 not be any trade-off for having fire sprinklers. So
- 8 the whole justification behind it was to make sure
- 9 that the people that are sleeping in the hotel rooms
- 10 had some type of prewarning that their means of
- 11 egress would be compromised. So that's the reason
- 12 why I put that submittal back into it.
- 13 CHAIRMAN WILLSE: Thank you. Mr. Quiter?
- MR. QUITER: I'll defer to Jim Lathrop.
- 15 THE WITNESS: Jim Lathrop, Koffel
- 16 Associates, Chairman of Residential. If you look at
- 17 the ballot, the one negative ballot is from me. But
- 18 speaking for the Committee, the committee statement
- 19 says that no fire data has been supplied. And their
- 20 basic feeling is everything we deal with we need to
- 21 have data or substantiation and cost justification.
- 22 CHAIRMAN WILLSE: Okay. Thank you.
- 23 Microphone 3.
- 24 MR. KLEIN: Marshall Klein from Maryland
- 25 representing myself. I'm also a committee member of

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1 the Residential Committee. And I quess since Jim was
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- 2 the only one who voted opposite the committee, the
- 3 committee did have reasons and justification. The
- 4 committee felt that what is in the code has been
- working, and an extra burden on the industry wasn't
- 6 warranted.
- 7 MS. GIFFORD: Wendy Gifford. Jim, look at
- 8 that vote again. I voted against it. I voted with
- 9 you as well representing NEMA. Particularly in a
- 10 hotel where guests are not going to be very familiar
- 11 with how to get out of the place, having the earliest
- warning possible is very important. And the smoke
- detector will go off long before the sprinkler does.
- 14 CHAIRMAN WILLSE: Thank you. Any further
- 15 discussion? Hearing none, we're going to vote on the
- 16 motion to accept Comment 101-322. All in favor
- 17 please raise your hands. Thank you. All opposed.
- 18 Motion carries.
- 19 Any further discussion on Chapters 28 or 29?
- Hearing none, we'll go up to Chapters 30 and 31.
- 21 UNIDENTIFIED SPEAKER: Can we have a
- 22 standing count on that last motion, please?
- 23 CHAIRMAN WILLSE: Okay. We'll go for a
- 24 standing count. Organizational delegates please make
- 25 sure you fill out the green ballot form handed out to

- 1 you previously. These will be collected by the NFPA
- 2 staff. Only accredited representatives or
- 3 organizational members whose names have been
- 4 previously recorded shall fill out the ballot form.
- 5 One accredited representative member only will fill
- 6 out the ballot.
- 7 I will now call for the standing vote of the
- 8 individual voting members. You must have a black dot
- 9 on your badge to be counted. Those voting for the
- 10 motion please stand. Standees, please be seated.
- 11 Those voting against the motion please stand.
- 12 Standees, please be seated. The count needs to be
- 13 calculated. 76 against the motion. 73 in favor of
- 14 the motion. The motion fails by three votes.
- 15 We are up to Chapters 30 and 31, 32, 33, 36,
- 16 and 37.
- 17 MS. STASHAK: My name is Cathy Stashak. I
- 18 represent myself. And I'd like to move to accept an
- 19 identifiable part of Comment Number 101-378 on page
- 20 101-152 and I made that comment.
- 21 CHAIRMAN WILLSE: What is the identifiable
- 22 part, please?
- 23 MS. STASHAK: 36.4.9.1.
- 24 CHAIRMAN WILLSE: Okay. Thank you. Do I
- 25 have a second? I have a second. Please continue.

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1 MS. STASHAK: Play structures are becoming
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- 2 more common. For a while they were only found in
- 3 assembly occupancies such as Chucky E. Cheese's,
- 4 Discovery Zones, Odyssey Fun Worlds. But now they're
- 5 becoming more and more common in mercantile occupancy
- 6 malls.
- 7 Not all users of 101 are strong in the
- 8 intricacies of using the code. And I'd like to
- 9 accept this one section just as a pointer so that
- somebody that's using the code in a mall and is
- 11 dealing with a play structure will be pointed back to
- 12 the requirements for multilevel play structures that
- 13 are in assembly occupancies. This really isn't a
- 14 technical change. I'm just looking to make 101 more
- 15 user friendly for someone that is dealing with it in
- 16 a mall.
- 17 MR. SCHULTZ: Ed Schultz, Chair of
- 18 Mercantile and Business. The committee looked at
- 19 this and felt that this is an issue that doesn't just
- 20 lie with mall buildings. In fact, we've had very
- 21 little demand for these in mall buildings, and we
- 22 feel it's a fairly complex issue that needs to be
- 23 addressed on a local basis. The design of these
- things can vary largely, and trying to set up
- 25 requirements for these when many times there's a

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1 question whether they're building structures and
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- whether they should be controlled by the Code gets
- 3 into a high question. So the Committee decided that
- 4 it was not appropriate for the Committee to deal with
- 5 these.
- 6 MR. HIRSCHLER: Marcelo Hirschler strongly
- 7 in support of the motion. We've heard from the
- 8 Committee time after time after time again. What
- 9 you're proposing is not perfect. So we do nothing.
- 10 Within one minute you can get temperatures within
- 11 these structures of a hundred degrees centigrade
- 12 throughout the structure. So kids can't get out, and
- 13 kids will be exposed to untenable situations very
- 14 fast.
- 15 What is being requested in this motion is at
- least pointing out where we have a little bit of
- 17 requirements. Hopefully we can go further and build
- 18 from that. But we need to start pointing out that
- 19 these structures are a danger waiting to happen.
- When I gave the presentation that I gave on
- 21 Monday this week about the hazards of these
- 22 structures, I learned that, number one, there have
- 23 been a number of incidents so far. We've been lucky.
- 24 The fires that have occurred have occurred outside of
- 25 the time when these structures were open. So no kids

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1 were killed in the fires. But the State of New York
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- 2 has told me that there are a significant amount of
- 3 cases of fires with these structures. These
- 4 structures are built of materials that are very, very
- flammable. We need to at least have some level of
- 6 protection. And if this is not enough, this is at
- 7 least a pointer for us to start working on this. I
- 8 urge you to support the life safety for our small
- 9 children and to support this motion. Thank you.
- 10 MS. STASHAK: Cathy Stashak. I represent
- 11 myself. The language for indoor multilevel play
- 12 structures is already in the code. It's in the
- 13 assembly chapters. When I was on the Assembly
- 14 Committee, I chaired the task force that developed
- 15 that language. So the language is there.
- 16 All this identifiable part recommendation
- does is if somebody's in a mall or a mercantile
- 18 occupancy where these are starting to grow and
- 19 they're now becoming more popular so that if somebody
- 20 opens up to "Mercantile Occupancies" and they know
- 21 they have a play structure, they're going to see
- 22 something that says, "Here, this is where you need to
- 23 go. See the requirement for these structures."
- 24 That's all.
- 25 CHAIRMAN WILLSE: Any further discussion?

- 1 Hearing none, we'll take the vote on the motion to
- 2 accept an identifiable part of Comment 101-378. All
- 3 those in favor please raise your hands. Thank you.
- 4 All opposed. Thank you. Motion carries.
- 5 Any further discussion? Microphone
- 6 Number 7.
- 7 MR. FERRY: Thank you. Shane Ferry. I'm
- 8 here as Chair of the Fundamentals and Fire Alarm
- 9 Systems Committee and NFPA 72, and I move to accept
- 10 Comment 101-364, which is found on page 101-143 of
- 11 the ROC.
- 12 CHAIRMAN WILLSE: Okay. I have a motion
- 13 made. Do I have a second? I have a second. Please
- 14 continue.
- 15 MR. FERRY: This is similar to my comments I
- 16 made earlier. We were on Chapter 12. The
- 17 Fundamentals Committee feels if a voice evacuation
- 18 system is required by the Occupancy Chapter, that it
- 19 should meet the requirements of NFPA 72. And our
- 20 substantiation and comments detailed that. I'll just
- 21 defer to that.
- 22 And also it should be noted that within the
- 23 International Fire Code, there is a requirement that
- 24 for the similar occupancies under their code, these
- 25 systems do need to meet the requirements of NFPA 72.

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1 Also, I will be having three other comments and
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- 2 motions within Chapter 36 and also for related and
- 3 similar in 5000.
- 4 CHAIRMAN WILLSE: Mr. Quiter?
- 5 MR. QUITER: I will defer to Mr. Schultz.
- 6 MR. SCHULTZ: Ed Schultz, Chair of
- 7 Mercantile and Business.
- 8 The Committee looked at this pretty
- 9 extensively in covered mall buildings where you could
- 10 have a sprinkler flow in a back stockroom. It starts
- forcing the issue that we evacuate 10,000 people,
- 12 some of which in the larger malls may be half a mile
- 13 away from the incident.
- 14 Because of that and the long history, the PA
- 15 systems have been adequate, along with trained staff
- that have responded to these incidents, evaluated
- 17 them, and directed evacuation as necessary. There's
- 18 a long history behind the use of the options that are
- 19 permitted in the Code. The Code does allow a fire
- 20 alarm system if the occupant -- or the design team
- 21 decides to go that way and gives the options to use a
- 22 PA system to start emergency action if necessary.
- 23 It's got a long history of being very successful, and
- 24 the Committee feels firmly that this should be
- 25 maintained as an option in the Code.

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1 MR. SHANK: Ed Shank of Pfeiffer Alarm
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- 2 Systems. What we described here can be handled in
- 3 the operation of an alarm system. Also, there's the
- 4 option for the system to be automatic.
- 5 And also we would stress the age of some of
- 6 the operators or the trained staff may be 18 or 19
- 7 years old. So we still feel that the systems
- 8 installed within these occupancies needs to be per
- 9 the requirements of NFPA 72.
- 10 CHAIRMAN WILLSE: Thank you. Any
- 11 discussion? Hearing none, we will now vote on the
- 12 motion to accept Comment 101-364. Motion fails. Any
- further motions on Chapters 36 and 37? Microphone 7.
- 14 MR. SHANK: Ed Shank, Pfeiffer Alarm
- 15 Systems. Move Comment 101-367, which is found on
- 16 page 101-145.
- 17 CHAIRMAN WILLSE: Thank you. I have a
- 18 motion. Do I have a second? I have a second.
- 19 Please continue.
- 20 MR. SHANK: Same statements as before.
- 21 MR. SCHULTZ: Ed Schultz, Chair of
- 22 Mercantile and Business. Again, there's a long
- 23 history of the use of these systems that has been
- 24 successful and well-trained people to respond to
- 25 emergency conditions in these structures, and we urge

- 1 that the committee action be upheld.
- 2 CHAIRMAN WILLSE: Thank you. Further
- 3 discussion? Hearing none, we will now take the vote
- 4 on motion to accept Comment 101-367. All in favor
- 5 please raise your hands. Thank you. All opposed.
- 6 Motion fails. Any further discussion?
- 7 UNIDENTIFIED SPEAKER: I'd like to move
- 8 Comment 101-381 found on page 101-154 of the ROC.
- 9 CHAIRMAN WILLSE: Motion made. Do I have a
- 10 second? I have a second. Please continue.
- 11 UNIDENTIFIED SPEAKER: As previous
- 12 statements.
- 13 CHAIRMAN WILLSE: Thank you. Mr. Quiter?
- MR. QUITER: I defer to Mr. Schultz.
- 15 CHAIRMAN WILLSE: Microphone 4.
- MR. SCHULTZ: Ed Schultz, Chair of
- 17 Mercantile and Business, and I won't add any more
- 18 comments. I'll stand on my previous comments.
- 19 CHAIRMAN WILLSE: Thank you. Any further
- 20 discussion? Hearing none, we will now vote on the
- 21 motion to accept Comment 101-381. All in favor
- 22 please raise your hands. Thank you. All opposed.
- 23 Motion fails. Any further discussion?
- MS. STASHAK: Last one. This is on Chapter
- 25 38.

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1 CHAIRMAN WILLSE: This is not in order.
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- 2 MS. STASHAK: You have to let me know if
- 3 this is okay.
- 4 CHAIRMAN WILLSE: Can you state your name?
- 5 MS. STASHAK: Cathy Stashak. I represent
- 6 myself. I would like to move and accept an
- 7 identifiable part of Comment 101-378. And I don't
- 8 know if this is okay to do. This is the second part
- 9 of my proposal that I submitted to the committee, and
- 10 it's on page 101-152.
- 11 CHAIRMAN WILLSE: It's okay. It's
- 12 permissible.
- MS. STASHAK: I just want the membership to
- 14 know --
- 15 CHAIRMAN WILLSE: I have a motion made, and
- 16 I do have a second. Please continue.
- MS. STASHAK: -- the second part of my
- 18 proposal, which I'm identifying as 36.4.4.9.2. We've
- 19 already accepted my motion for .1. And this requires
- 20 that ASTM be used for these structures while their
- 21 parents go shopping. Originally, these structures
- 22 were found in assembly occupancies such as
- 23 McDonald's, Chucky E. Cheese, and Discovery Zone.
- 24 During the developmental cycles for the 1997 edition
- of NFPA 101, the Assembly Technical Committee

- 1 proactively adds. They are growing in size too as
- 2 tall as 30 feet and covering floor areas of 900
- 3 square feet. The Assembly TC established a task
- 4 group for which I chaired, and the task group visited
- 5 facilities housing multilevel play structures,
- 6 evaluating the hazard, and how the expected behavior
- 7 of the occupants' children interfaced with this
- 8 hazard.
- 9 There frequently exists a large number of
- 10 children ranging from toddlers to young children who
- 11 probably have no evacuation training, to older
- 12 children and teenagers playing within these
- 13 structures. The structures provide various climbing
- 14 experiences which compounds the egress. You're going
- 15 to get a lot of casualties. My own experience was
- myself crawling up tubes to get my 6-year-old
- 17 daughter who was caught in a remote part of the
- 18 structure.
- 19 Recognizing the greater challenge for
- 20 multilevel play structures, the Assembly TC defined
- 21 multilevel play structures and required special
- 22 considerations. During that development of this
- 23 language, the Assembly TC was unaware that a standard
- 24 provided for fire resistance directly related to
- 25 these structures. Now that there is knowledge that a

- 1 standard exists, this will improve that equation.
- 2 The only proposal available for me to enter into on a
- 3 common stage was for mercantile. My goal is to
- 4 pursue this again with assembly the next cycle but
- 5 with the combination of ASTM.
- 6 MR. SCHULTZ: Ed Schultz, Chairman of
- 7 Mercantile and Business. Our problem with this is
- 8 since we now have a referral back to 12.4.7, we do
- 9 not feel it's appropriate to split the requirements.
- 10 If the requirements are not adequate in that section,
- 11 we should deal with it. But to add some requirements
- 12 here so that the user now is flipping back and
- 13 forth -- and I can't tell you whether these conflict
- or do not conflict -- we would not recommend the
- 15 adoption of this. Thank you.
- 16 MARCELO HIRSCHLER: Marcelo Hirschler
- 17 speaking in support of the motion. I can tell you
- 18 the difference between ASTM and -- by the way, these
- 19 are requirements for materials, although they are not
- 20 perfect. And I would be very remiss if I gave anyone
- 21 the impression that they are perfect. They are at
- $22\,$  least one step up from nothing, and they at least
- 23 will require a minimum level of safety with the
- 24 materials included in those; in particular, with the
- 25 materials that are included in those that we already

- 1 have in the code. So I think this is a very good
- 2 step forward in terms of starting to protect these
- 3 children. The same issue was presented in NFPA 5000.
- 4 So the first proceedings in the first identifiable
- 5 part or second identifiable part, if successful, will
- 6 be prepared in 5000.
- 7 MR. THORNBERRY: Rick Thornberry with the
- 8 Code Consortium. On this issue I'm speaking on
- 9 behalf of myself. No client interest. I just have a
- 10 problem with what's being proposed. I'm on the
- 11 Technical Committee of Business and Mercantile
- Occupancies, but I'm not speaking for the Technical
- 13 Committee. The problem I have with this is that we
- 14 did look at ASTM 1918, and that was one of the
- problems we had with this particular comment. It's
- 16 got fire requirements in it which, in my opinion, are
- inadequate to address some of the problems that we
- 18 can experience with these structures. And by
- 19 adopting this, it seems to imply that that's all you
- 20 need to do.
- I've heard the argument that, well, if we
- 22 get something in there, it's a minimum. It's a
- 23 start. But to me this is saying this is adequate and
- 24 this provides the necessary protection we need for
- 25 fire safety for these multilevel play structures.

- 1 There's some very small-scaled fire tests in there,
- 2 including the UL-94 series, which is looking at
- 3 something on the order of a sample size of 1 to 3
- 4 inches of this plastic material that you may be
- 5 testing. There's just a lot of problems with that
- 6 standard. That standard was not developed under the
- 7 auspices of the ASTM E-5 Committee of Fire Standards.
- 8 It was under another committee that has no
- 9 substantial fire expertise on it. And nobody brought
- 10 it to E-5 to look at. So I'm very concerned. I'm on
- 11 E-5 as well, and I would be very concerned to say
- that this is going to provide the necessary level of
- 13 fire safety you need for these structures. So I urge
- 14 you not to accept this identifiable part. This is
- different than the other issue we dealt with earlier.
- 16 MR. HIRSCHLER: Marcelo Hirschler. I agree
- 17 with Rick on one thing. That ASTM 1918, the material
- 18 requirements in there, are not perfect and that we
- 19 should improve on that. But if we give guidance to
- the committee, ASTM 36 and 15 is consumer products.
- 21 CHAIRMAN WILLSE: Mr. Hirschler, could you
- 22 slow it down?
- MR. HIRSCHLER: 36 and 15 address the soft
- 24 playground structures. At least we're going to get
- 25 something. We have a start. Right now there is no

- 1 requirement that anything is met in terms of the
- 2 material fire safety requirements of these structures
- 3 that are proliferating. I absolutely agree that
- 4 F1918 is not good enough, but F1918 is better than
- 5 nothing. And with regard to some of the materials in
- 6 there, particularly the foams and things like that,
- 7 F1918 provides a very reasonable level of protection.
- 8 Thank you.
- 9 CHAIRMAN WILLSE: Thank you. Microphone
- 10 Number 4.
- 11 MR. SCHULTZ: Ed Schultz, Chair of
- 12 Mercantile and Business. I want to reiterate what
- 13 Rick said because that was a portion of discussion of
- 14 the committee. The appropriateness of that standard
- and the fact that once something is in there, it
- 16 becomes interpreted by the authority having
- 17 jurisdiction.
- 18 Well, this is adequate, and many times the
- 19 fact that it's referenced is indication that this is
- 20 all we have to do. And that was one of the things
- 21 that bothered our Committee and why we were
- 22 uncomfortable with this where you're better off, in
- 23 our judgment, not having reference to a standard
- 24 that's inadequate. And then it at least alerts the
- 25 officials that they need to look at this and the

- 1 designers, that they need to look at this and make
- 2 sure that what they're doing here is a safe condition
- 3 instead of relying on something that is misapplied.
- 4 Thank you.
- 5 CHAIRMAN WILLSE: Thank you. Microphone
- 6 Number 7.
- 7 MR. THORNBERRY: Rick Thornberry again
- 8 representing the Code Consortium and myself.
- 9 I think the other key point, as I mentioned
- 10 earlier and that I need to elaborate a little bit on,
- is that we're deferring to assigning a requirement
- 12 for safety of these multilevel play structures. If
- 13 you adopt it now and give it to the committee that's
- 14 developed this standard in ASTM, I think it's totally
- 15 appropriate for this organization.
- 16 CHAIRMAN WILLSE: Microphone Number 5.
- 17 MR. HIRSCHLER: Marcelo Hirschler. I find
- 18 it ironic where we are. If you would like to turn
- one page back where the comment is that we are
- 20 discussing. If you look at Comment 377, which is my
- 21 comment, that contains more severe requirements than
- these and contains very detailed -- the committee
- 23 rejected them because they said these requirements
- 24 are too severe. We're playing games here. On the
- one hand, we have a consensus standard by one

- organization. It ain't perfect, but it's a start.
- 2 That's not good enough. Where I put the actual
- 3 requirements for everyone of the materials in there,
- 4 well, that's too bad. That's too good. So where are
- 5 we? We need to protect these structures. These
- 6 structures contain our kids who are burning inside
- 7 these structures. Thank you.
- 8 CHAIRMAN WILLSE: Thank you. Any further
- 9 discussion? Hearing none, we will now vote on the
- 10 motion to accept the identifiable part of Comment
- 11 101-378. All in favor will you please raise your
- 12 hands. Thank you. Those opposed. I'm not going to
- 13 call that one, folks. I will not rule on the vote.
- 14 Therefore, we will proceed to a standing vote count.
- Delegates for organizations, please fill out
- 16 the green ballot form handed to you previously, and
- 17 these will be collected by NFPA staff. In accordance
- 18 with the Association Bylaws, only accredited
- 19 representatives of organization members shall fill
- 20 out this ballot form. One accredited representative
- 21 of the organization member only will please complete
- the ballot. If the organization is abstaining from
- voting, please check the appropriate line on the
- 24 ballot.
- 25 I will now call for the standing vote of

- 1 individual voting members. You must have a black dot
- on your badge to be counted. Those voting for the
- 3 motion, please stand. Standees, please be seated.
- 4 Those voting against the motion, please stand.
- 5 Please be seated. Motion carries. Vote of 63 to 48.
- 6 Thank you.
- 7 Any further motions on Chapters 36 and 37?
- 8 Hearing none, on Chapters 38 and 39? Microphone 7.
- 9 MR. FERRY: Shane Ferry. I move Comment
- 10 101-400, which is found on page 101-161 of the ROC.
- 11 CHAIRMAN WILLSE: Thank you. I have a
- 12 motion made. Do I have a second? I have a second.
- 13 Please continue.
- MR. FERRY: Same comments as we just had up
- 15 when we were on Chapter 36. It's related to the same
- 16 subject.
- 17 CHAIRMAN WILLSE: Thank you. Mr. Quiter?
- 18 MR. QUITER: I'll defer again to
- 19 Mr. Schultz.
- 20 MR. SCHULTZ: Ed Schultz, Chair of
- 21 Mercantile and Business. Again, this provision of
- 22 the code allows for emergency action to be initiated
- 23 by PA system and trained staff. Fire alarm system is
- 24 another option. It has been an effective option
- 25 under the Code. And no documentation has been

1 presented that it has created any issues. So we urge

- 2 that you uphold the Committee's action on this.
- 3 Thank you.
- 4 CHAIRMAN WILLSE: Thank you. Any further
- 5 discussion? Hearing none, we will now vote on the
- 6 motion to accept Comment 101-400. All in favor
- 7 please raise your hands. All opposed. Motion fails.
- 8 Any further comments or motions on Chapters 38 and
- 9 39?
- 10 Hearing none, Chapter 40? Hearing none,
- 11 Chapter 42? Hearing none, Chapter 43? Hearing none,
- 12 annexes? Hearing none, any motions on anything else
- 13 on NFPA 101?
- 14 MR. LATHROP: Jim Lathrop. I'd like to move
- to reject Comment 101-314.
- 16 CHAIRMAN WILLSE: Page number, please?
- 17 MR. LATHROP: 125.
- 18 CHAIRMAN WILLSE: Okay. Do I have a second?
- 19 I have a second. Please continue.
- MR. LATHROP: What happened here is a whole
- 21 series of changes occurred back in --
- 22 UNIDENTIFIED SPEAKER: I thought Comment
- 23 101-314 is rejected, according to my book.
- 24 CHAIRMAN WILLSE: I'm looking at Comment
- 25 101-125 bottom right. It says "Accepted Principles."

- 1 Please continue.
- 2 MR. LATHROP: What this is is this is a
- 3 whole series of changes made in Chapter 10 that
- 4 caused the related occupancies chapters some concern,
- 5 which I understand. I think we made some mistakes in
- 6 the rooming house chapters. They did it without
- 7 other chapter lead-in -- in other words, it was
- 8 automatic in all other occupancy chapters -- when
- 9 Chapter 10 made changes regarding upholstered chairs
- 10 and furniture. However, recognizing that there were
- 11 some things that in 10.3 were still necessary.
- 12 If you notice on the next page on the top of
- page 126, it repeats a statement out of Chapter 10
- 14 that furnishings or decorations or explosive or
- 15 highly flammable material shall not be used. However
- it still referred to Chapter 10. It was exempting
- 17 things from Chapter 10. Those general statements
- 18 back in Chapter 10 were not allowed. This will allow
- 19 a natural cut Christmas tree, which we have never
- 20 allowed at least for 30 years, in the Life Safety
- 21 Code. And there's no technical session to allow
- 22 this. Since I was chairman of this committee, I was
- 23 offered to make this proposal.
- MR. KLEIN: Marshall Klein speaking for the
- 25 Committee. We ended up during the ROP stage of

- 1 adding this requirement in, and then under the ROC
- 2 stage we took it out. The Committee felt these
- 3 requirements were unenforceable. All new rooming
- 4 houses have to be sprinklered. All existing ones
- 5 have appropriate protection. True you might get a
- 6 Christmas tree in there that might be flammable, but
- 7 you also have those in one- or two-family dwellings.
- 8 So that's apparently the Committee's concern, was the
- 9 enforceability.
- 10 MR. HIRSCHLER: Marcelo Hirschler. I made a
- 11 proposal to the Committee on contents and furnishings
- that basically said that every other occupancy
- 13 committee had to get -- decide independently whether
- 14 they wanted to have the requirements in Chapter 10
- 15 applied to them. The committees felt that that was
- 16 inappropriate. So that failed.
- 17 Consequently, the Committee started putting
- 18 statements in there specifically addressing that
- 19 whatever is included in Chapter 10 doesn't apply to
- 20 the committee. When that failed and we changed that
- 21 in Chapter 10, this really should not have gone in
- here.
- 23 As Jim Lathrop points out correctly, this
- 24 will allow things into rooming houses that is a
- 25 problem, things like natural cut Christmas trees that

- 1 we know are responsible for about 1400 deaths a year.
- 2 CHAIRMAN WILLSE: Thank you. Any further
- discussion? Hearing none, we will now vote on the
- 4 motion to reject Comment 101-314. All in favor
- 5 please raise your hands. Thank you. All opposed.
- 6 Motion carries.
- 7 Are there any other motions on NFPA 101?
- 8 Hearing none, we will now vote on accepting the
- 9 hearing report as amended in NFPA 101. Motion
- 10 carries. Thank you. Why don't we have a five-minute
- 11 recess.
- 12 (A brief recess was taken.)
- 13 CHAIRMAN BUKOWSKI: The next Report this
- 14 afternoon is that of the Committee on Building Code.
- 15 Here to present the Committee's Report is the
- 16 Technical Correlating Committee Chair Jerry
- 17 Wooldridge of Reedy Creek Improvement District, Lake
- 18 Buena Vista, Florida.
- 19 MR. WOOLDRIDGE: Mr. Chair, ladies and
- 20 gentlemen, the report of the Technical Committee on
- 21 Building Code is presented for adoption.
- 22 NFPA 5000 was submitted to letter ballot of
- 23 the Technical Correlating Committee that consists of
- 24 27 voting members. The ballot results can be found
- 25 on pages 5000-1 through 5000-10 of the 2005 June

- 1 Association Technical Meeting Building Code Committee
- and Safety to Life Committee Reports on Proposals on
- 3 NFPA 5000, Building Construction and Safety Code, and
- 4 NFPA 101, Life Safety Code and on pages 5000-1
- 5 through 5000-11 of the June Association Technical
- 6 Meeting Report on Comments. NFPA 5000 can be found
- 7 on pages 5000-11 through 5000-544 of the ROP and on
- 8 pages 5000-12 through 5000-348 of the ROC.
- 9 The Committee proposes for official adoption
- 10 a partial revision to NFPA 5000, Building
- 11 Construction and Safety Code.
- The ballot statements can be found on pages
- 13 5000-1 through 5000-10 of the ROP and on pages 5000-1
- 14 to 5000-11 of the ROC.
- Mr. Chair, I move adoption of the
- 16 Committee's report on NFPA 5000.
- 17 As we just did with 101, we will act on the
- 18 Code in chapter and subject order starting at Chapter
- 19 1 through Chapter 55. We will then take the Annexes.
- 20 Motions will be taken on the Building Construction
- 21 and Safety Code in Chapter sequence, starting with
- 22 Chapter 1. After discussion on the 55 Chapters and
- 23 their Annexes, motions will be in order on the entire
- 24 document.
- 25 As previously indicated when we discussed

- 1 NFPA 101, and in order to coordinate NFPA 5000 with
- 2 NFPA 101, some of you made similar substantive
- 3 motions on NFPA 101. In order to maximize efficiency
- 4 and not waste time in what has been a long session, I
- 5 would request that when you make a motion on NFPA
- 6 5000 that you made, in substance, on NFPA 101, please
- 7 state this information for the information of the
- 8 body at the time. It is my hope that in this way
- 9 you, the body, can if you wish in the interest of
- 10 time limit debate on repetitive motions either
- 11 through cloture motions or otherwise as you, the
- 12 body, deem appropriate.
- 13 You've heard a motion to adopt a partial
- 14 revision of NFPA 5000. Is there any discussion on
- 15 Chapter 1? I see someone at Microphone 7.
- MR. DE CHRISTINA: My name is
- 17 Mr. De Christina, and I represent the Building Code
- 18 Development Committee. And I want to move to accept
- 19 Comment 5000-70, to accept in principle the original
- 20 proposal 5000-96.
- 21 CHAIRMAN BUKOWSKI: Do we have a second?
- MR. DE CRISTINA: In principle the new
- 23 language from the ROP Item 1-10 addresses the issue
- 24 in NFPA 101 and applies it to 5000 as well. The
- 25 approach of the language of 1-10 by the Fire Code

- 1 Technical Committee appears to address the concerns
- of the Fundamentals Technical Committee, the adoption
- of a similar 5000. And in NFPA 1 both documents
- 4 should have similar language regarding the authority
- 5 and restrictions placed on the Board of Appeals.
- 6 Otherwise, an action by the Board of Appeals can
- 7 comply with one document but not the other. This
- 8 item in principle would be consistent with the action
- 9 taken in Proposal 5000-90A.
- 10 CHAIRMAN BUKOWSKI: Response from the
- 11 committee?
- MR. WOOLDRIDGE: I will defer comments to
- 13 Morgan Hurley.
- MR. HURLEY: Morgan Hurley, Chairman of the
- 15 Technical Committee on Fundamentals. When the
- 16 Committee acted on the subject comment, we felt that
- 17 the subject matter was adequately covered by other
- 18 texts. It is noteworthy that the Committee's action
- 19 during voting was unanimous.
- 20 MR. MCELVANEY: Joe McElvaney. I would
- 21 support this motion.
- 22 CHAIRMAN BUKOWSKI: Any other comments.
- 23 Seeing none, we'll go to a vote. All those in favor
- of the motion to accept Comment 5000-70, please raise
- 25 your hand. Thank you. All opposed. Motion fails.

- 1 Ready for anything else on Microphone 7?
- 2 UNIDENTIFIED SPEAKER: Yes. I'd like to
- 3 move to accept ROP 5000-37.
- 4 MR. MCELVANEY: My name is Joe McElvaney.
- 5 The reason why I'm bringing this proposal up is there
- 6 was a conflict. Some people reference NFPA.
- 7 CHAIRMAN BUKOWSKI: I forgot to get a
- 8 second.
- 9 MR. MCELVANEY: My purpose is to go back to
- 10 require us to use one method of identifying what type
- of system we need, either 13R or 13D. My proposal
- 12 gave the Code section. If you look at the ROC, some
- committees wanted NFPA 13. Some wanted .1.1.1. I
- just wanted one method. I don't want the option of
- this one or that one. So I suggest we accept my
- 16 Proposal 5000-37.
- 17 CHAIRMAN BUKOWSKI: Committee reaction?
- 18 MR. WOOLDRIDGE: I'll defer this to Wayne
- 19 Holmes.
- 20 MR. HOMES: Wayne Holmes, Chairman of the
- 21 Industrial Storage and Miscellaneous Occupancies
- 22 Committee. And I have to apologize. I was off in
- 23 another discussion a few minutes ago, and I did not
- hear the discussion. I can't respond. My apologies.
- 25 CHAIRMAN BUKOWSKI: Any other comments?

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1 MR. KLEIN: Marshall Klein. I'm a member of
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- 2 the Storage and Industrial Section. So maybe I can
- 3 help Wayne a little, but I'm speaking for myself.
- 4 There were discussions during the first
- 5 writings of the 5000 Code whether we're going to the
- 6 numbering system or just go directly to what
- 7 sprinkler standard we are going to use.
- 8 As you can see, what was decided this cycle
- 9 was that it made more sense to actually naming which
- 10 standard, whether it was 13R or 13D. I personally
- 11 like this method instead of fishing around the Code,
- 12 going back to Section 55 point whatever it is. The
- 13 Code will tell you. The Code section tells you which
- 14 section or which standards you're using, the 13R or
- 15 13D.
- And it's my understanding that all the
- occupancy committees have gone through their
- 18 particular sections and used this convention, whether
- 19 it's a 13R or 13D.
- 20 CHAIRMAN BUKOWSKI: Other comments?
- 21 MS. STASHAK: Cathy Stashak. I Chair the
- 22 Education and Day Care Committee, and we did not
- 23 change our reference to the 13D, 13R. We left it at
- reference to 55.3, just as a correction.
- MR. COLLINS: Dave Collins, American

- 1 Institute of Architects. Thanks, Joe, for helping
- 2 us, but I think this goes the other way. I'd prefer
- 3 to know if I'm going on a fishing trip what I'm going
- 4 to catch. And at this point I can be told actually
- 5 what kind of 13 system I need. The Code ought to be
- 6 clear and direct and it references to the standards,
- 7 not send you all over the Code to find out which one
- 8 you're looking for.
- 9 MR. MCELVANEY: Joe McElvaney, speaking for
- 10 myself. I agree with you, Dave. I don't care which
- 11 one we do. I just want all the chapters to do it one
- 12 way. So, TC Standards Council, just make it one way.
- 13 And I don't care which way it is. Just one way,
- 14 please.
- 15 CHAIRMAN BUKOWSKI: Okay. Anything else?
- 16 Seeing none, we'll move to a vote. All those in
- favor of the motion to accept Proposal 5000-37,
- 18 please raise your hands. Thank you. All opposed.
- 19 Motion fails. Onto the next item.
- 20 UNIDENTIFIED SPEAKER: Speaking of 5000-79.
- 21 I am a Member of the Building Code Development
- 22 Committee. Move to accept in part the comment which
- asks to send the original proposal of 5000-120.67.
- 24 The only part we're seeking to accept is a revision
- 25 to Section 176.614. That would replace the words

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"considered necessary" with "required." We're not
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- 2 asking for the rest of the Comment to be considered.
- 3 Thus, the section would begin "When required by the
- 4 AHJ" rather than "When considered necessary by the
- 5 AHJ."
- 6 As a building official, this language
- 7 "considered necessary" is not real enforceable in the
- 8 field. It becomes an issue of whether or not I
- 9 consider it necessary versus the person doing the
- 10 construction considering something necessary. This
- 11 allows us to determine when things would be
- 12 necessary, but it is also in good code language to
- 13 put the words in that are enforceable code language.
- 14 CHAIRMAN BUKOWSKI: Would you repeat which
- 15 identifiable part you want?
- 16 UNIDENTIFIED SPEAKER: The section would
- 17 begin by saying -- rather than "When considered
- 18 necessary," it would say "When required."
- 19 MS. STASHAK: It's 1.7.6.6.1.4.
- 20 UNIDENTIFIED SPEAKER: Including A and B or
- just the main paragraph?
- 22 UNIDENTIFIED SPEAKER: The main paragraph.
- 23 UNIDENTIFIED SPEAKER: Drop those and
- 24 substitute in the word "required."
- 25 CHAIRMAN BUKOWSKI: Okay. Committee

- 1 response?
- 2 MR. HURLEY: Morgan Hurley, Chair of the
- 3 Technical Committee on Fundamentals. If you'll look
- 4 at Comment Number 5000-79, I believe it simply said
- 5 to reconsider the original proposal, which we did.
- 6 And I can tell that when we reconsidered Proposal
- 7 5000-120, we did not deliberate extensively this word
- 8 substitution at the beginning. So I'd offer no
- 9 opinion on the motion that's being raised.
- 10 MR. COLLINS: Dave Collins, American
- 11 Institute of Architects. I think this is a good
- 12 order. Any other comments? Seeing none, I think
- we're ready to vote.
- 14 All those in favor of the motion to accept
- an identifiable part of Proposal 5000-120, please
- 16 raise your hands. Thank you. All opposed. Thank
- 17 you. Motion carries. Ready for the next. Anything
- 18 more?
- 19 MR. FLUTE: Good afternoon. My name is Bob
- 20 Flute. I'm here to represent the Building Code
- 21 Development Committee on Item 5000-80 on page
- 22 5000-24. And I'm asking that you move to accept the
- 23 comment. I had been authorized by a letter from the
- 24 proponent to speak on this item.
- 25 CHAIRMAN BUKOWSKI: Do we have a second?

- 1 Okay, we have a second. Please proceed.
- 2 MR. FLUTE: This section deals with the
- 3 inspection of prefabricated units. The comment was
- 4 that as proposed using the term "prefabricated
- 5 assembly" rather than "structural units" broadens the
- 6 application to include prefabricated components
- 7 rather than just structural units.
- 8 As the building officials that will be
- 9 enforcing this, we feel that we need to have the
- 10 ability not just to look at structural units but
- 11 rather all the prefabricated units to come into the
- 12 jurisdiction. These other prefabricated units need
- 13 to be inspected, and the current code language would
- 14 not allow for this.
- 15 CHAIRMAN BUKOWSKI: Thank you. Committee
- 16 response?
- 17 MR. WOOLDRIDGE: I defer to Morgan Hurley.
- 18 MR. HURLEY: Morgan Hurley, Chairman of the
- 19 Technical Committee on Fundamentals. We rejected
- 20 this comment for two reasons. One, we felt the
- 21 existing text in the Code provided the necessary
- 22 latitude. Secondly, we were also concerned about the
- language in the proposal regarding how the design
- 24 professionals should be basically required to certify
- aspects of the design.

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1 CHAIRMAN BUKOWSKI: Thank you. Any other
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- 2 comments? Seeing none, we'll proceed to a vote. All
- 3 those in favor of accepting Comment 5000-80, please
- 4 raise your hand. Thank you. All opposed. Thank
- 5 you. Motion fails.
- 6 Ready for the next item. Anything more on
- 7 Chapter 1? Seeing none, Chapter 2?
- 8 MR. FITZ: Dennis Fitz, American Forest and
- 9 Paper Association, Member of the Materials Technical
- 10 Committee. I'm moving approval of Comment 5000-105A,
- 11 which is located on page 5000-46.
- 12 CHAIRMAN BUKOWSKI: You're moving
- 13 acceptance? You're on the Committee?
- 14 MR. FITZ: Yes, I'm on the Materials
- 15 Technical Committee.
- 16 CHAIRMAN BUKOWSKI: We have a second.
- 17 Proceed.
- 18 MR. FITZ: This is part of two comments, the
- 19 second one being 105B. That would update the
- 20 reference standards of the American Forest and Paper
- 21 Association.
- 22 At the time of the ROC meeting, we didn't
- 23 have those documents available. If you'll read the
- 24 Committee statement, it was that they would have
- 25 approved the update if those documents would have

1 been available, and they're hoping that action will

- 2 be reversed at this meeting.
- 3 The documents are available. They've been
- 4 printed. We've got them ready, available for sale.
- 5 And for that reason I would ask the membership to
- 6 accept 105A. And if successful, I'll make the same
- 7 motion for 105B.
- 8 CHAIRMAN BUKOWSKI: Committee?
- 9 MR. WOOLDRIDGE: I'll defer the comments to
- 10 Mr. Bursky, Chairman of Building Materials.
- 11 MR. BURSKY: This is not like we had done
- 12 with all the reference standards that were not
- 13 codified and finalized by other organizations. And
- 14 now that it is, we are in favor of it.
- 15 CHAIRMAN BUKOWSKI: All those in favor of
- 16 accepting Comment on 5000-105A, please raise your
- 17 hands. All opposed. Thank you. Motion carries.
- 18 MR. FITZ: Dennis Fitz, American Forest and
- 19 Paper Association speaking on behalf of David Tyree,
- 20 who is a Member of the Structural Technical
- 21 Committee. And I move acceptance of 105B on page
- 22 5000-47.
- 23 CHAIRMAN BUKOWSKI: Do we have a second? I
- 24 heard a second. Go ahead.
- 25 MR. FITZ: This is the second of the two

- 1 proposals that would update the AFPA reference
- 2 standards. The reason for denial was the same. They
- 3 weren't available. They're now available. And we
- 4 ask you that you accept this comment.
- 5 CHAIRMAN BUKOWSKI: Thank you. Committee?
- 6 MR. WOOLDRIDGE: I'll defer action to Pete
- 7 Willse.
- 8 MR. WILLSE: Pete Willse, Chair of the
- 9 Structural Committee.
- 10 As was in the previous motion, we did not
- 11 have the completed documents to us at the time. They
- 12 have now been completed. We would support this
- motion.
- 14 CHAIRMAN BUKOWSKI: Thank you. Any other
- 15 discussion? Seeing none, we'll --
- 16 UNIDENTIFIED SPEAKER: Just ask one
- 17 question. Bill Webb, Schirmer Engineering. How is
- 18 the Committee purporting to ask us to support a
- motion about a document that they haven't even
- 20 reviewed? I urge you to reject this.
- 21 MR. WILLSE: Pete Willse, Chair of
- 22 Structures and Construction Committee. This
- 23 Committee is correct. It was a procedural issue. We
- 24 had the drafts in front of us. It had not gone
- 25 through the final balloting and the final printing.

- 1 It has at this point. Without any additional
- 2 changes, that's why we're moving it forward. Thank
- 3 you.
- 4 CHAIRMAN BUKOWSKI: With that additional
- 5 input, I think we're now ready to vote. All those in
- favor of the motion to accept Comment 5000-105B,
- 7 please raise your hands. Opposed. Thank you.
- 8 Motion carries.
- 9 Next item, Chapter 2. Microphone 7.
- 10 MR. FITZ: Dennis Fitz with American Forest
- and Paper Association speaking to Comment 5000-106B,
- 12 which is on page 5000-48.
- 13 CHAIRMAN BUKOWSKI: For the record, you are
- 14 Mr. Rossberg?
- MR. FITZ: I'm speaking on behalf of
- 16 Mr. Rossberg. I was asked to make statements on his
- 17 behalf into the record on this Committee.
- 18 CHAIRMAN BUKOWSKI: Could we get your name
- 19 on the record?
- 20 MR. FITZ: Dennis Fitz. This is Jim's
- 21 statement:
- 22 "My proposal could not be accepted at this
- 23 time because ASCE 7 Supplement Number 1 is out for
- 24 public comment and won't complete its progress until
- 25 July. Upon successful completion I plan to appeal to

- 1 the Council for acceptance of 5000-106B. The TC has
- 2 indicated their support on this matter as noted in
- 3 the comment.
- 4 CHAIRMAN BUKOWSKI: So this is a statement
- on the comment, but we can't take it up right now.
- 6 Anything else on Chapter 2? Seeing none, Chapter 3?
- 7 MR. KOFFEL: Bill Koffel, Koffel Associates.
- 8 And I would like to move Proposal 5000-180 and all
- 9 related comments to Committee. It is found on page
- 10 51 of the ROP. By the way, the proposal was modified
- 11 by Comment 5000-152.
- 12 CHAIRMAN BUKOWSKI: To return Proposal and
- 13 Comments 180?
- 14 MR. KOFFEL: Yes. Again, this is Bill
- 15 Koffel. I merely do this to coordinate with what we
- 16 did with 101. In 101 we went through the Means of
- 17 Egress Committee.
- 18 CHAIRMAN BUKOWSKI: Second? We've got a
- 19 second.
- 20 MR. KOFFEL: I'm somewhat presuming the same
- 21 action in the Means of Egress chapter will be taking
- care of the definitions while we're in Chapter 3.
- 23 MR. DE VRIES: David De Vries, Chairman of
- 24 the Means of Egress Committee, but I will speak here
- 25 not in that capacity. This is a little bit

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1 confusing, this process here we're addressing. I
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- will be speaking as the original proposer of that
- 3 subject and on behalf of the Safe Evacuation
- 4 Coalition.
- I think we're putting the cart before the
- 6 horse by voting on this motion about a definition
- 7 when we haven't addressed the substantive issue. You
- 8 may recall this morning there were several people
- 9 standing at the microphones waiting to speak on this
- 10 issue when discussion was cut off.
- I haven't been able to speak to the
- 12 substantive issues, and I would like to have that
- opportunity. I don't know procedurally if there's a
- 14 way we can defer this until after we've addressed the
- 15 substantive matter in Chapter 11. If there is, I
- 16 would like that done.
- 17 CHAIRMAN BUKOWSKI: There's a motion on the
- 18 floor right now. So we have to take care of it.
- 19 MR. DE VRIES: May I address that motion?
- 20 CHAIRMAN BUKOWSKI: Certainly.
- 21 MR. DE VRIES: Dave De Vries speaking on
- 22 behalf of the Safe Evacuation Coalition. Members
- 23 present, it's premature to address this definition
- 24 until we've talked about the substantive issue. I
- 25 encourage you to vote against the motion on the floor

- 1 until such time as we can take a look at what's
- 2 coming in Chapter 11. Thank you.
- 3 MR. HIRSCHLER: Marcelo Hirschler. I'm
- 4 confused. If the motion is successful, then this
- 5 definition goes. If the motion is unsuccessful and
- 6 then we move the motion that addresses a technical
- 7 issue afterwards to be consistent with 101 and the
- 8 devices no longer exist in the code, then what
- 9 happens?
- 10 I think the appropriate thing is to wait to
- 11 put this motion on the table and wait until we
- 12 address the substantive issues which are going to be
- addressed in a subsequent chapter. Otherwise,
- 14 whatever the result of this motion is, it's going to
- 15 be in order.
- 16 CHAIRMAN BUKOWSKI: The action would be to
- move to reconsider later.
- 18 MR. DE VRIES: Dave De Vries representing
- 19 the Safe Evacuation Coalition. On the advice of the
- 20 Chair, I will defer my motion until a later time.
- 21 Thank you.
- MR. HIRSCHLER: Marcelo Hirschler speaking
- on behalf of myself. With consistence with what
- 24 happened in the Life Safety Code, I support the
- 25 motion. Please approve that.

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1 CHAIRMAN BUKOWSKI: Similar action was
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- 2 approved in 101. So that's what you're referring to,
- 3 just for clarification. Any other discussion on this
- 4 point? Seeing none, we'll go to a vote.
- 5 All those in favor of returning the proposal
- 6 and comments, please raise your hand. Thank you.
- 7 All opposed. Thank you. Motion carries. Next item,
- 8 Microphone 4.
- 9 MR. SCHULTZ: You're in Chapter 3. Correct?
- 10 CHAIRMAN BUKOWSKI: Yes.
- 11 MR. SCHULTZ: My name is Ed Schultz. I'm
- 12 Chair of Mercantile and Business Committee. I would
- like to move 5000-163A, which is located on page 65.
- 14 CHAIRMAN BUKOWSKI: Page 65 of the ROC?
- MR. SCHULTZ: Yes.
- 16 CHAIRMAN BUKOWSKI: Do I have a second?
- 17 Heard a second. Please proceed.
- 18 MR. SCHULTZ: I'm requesting this be
- 19 accepted based on several issues. One is it's a
- 20 glitch in the code initially that the wrong
- 21 definition got picked up. And there's already
- 22 conflicting words in the body of this section that
- 23 addresses anchor stores in the fact that like Section
- 24 27.4.4.3.3 refers to anchor stores and sets up two
- 25 different scenarios: one if the anchor stores are

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1 assembly business or mercantile occupancies and a
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- 2 separate requirement if it's an anchor store or some
- 3 other occupancy. Obviously by definition, other
- 4 occupancies would not be an anchor store. This again
- 5 ended up being a committee generated proposal that
- 6 went out for public comment in 101, but there was
- 7 another error that did not get out for public comment
- 8 for the 5000 document. As a result, since 101 will
- 9 have this revised definition, we would have a
- 10 conflict between the two documents. So I urge that
- 11 you support what the Committee voted 13 to 1, to
- 12 revise this in the 5000 document and allow this
- 13 definition to be changed. Thank you.
- 14 CHAIRMAN BUKOWSKI: Since that was the
- 15 Committee, I'll go to microphone 7.
- MR. THORNBERRY: Rick Thornberry with the
- 17 Code Consortium. I would like to ask for a ruling on
- 18 this item. As you can see as a point of order, in
- 19 the TC action it says to change it to hold for
- 20 further study because the comment introduces a
- 21 concept that did not receive prior public review. So
- 22 within our rules of procedure, I don't believe we can
- 23 discuss this item here. If anything, it's got to go
- 24 to the Standards Council I would think.
- 25 CHAIRMAN BUKOWSKI: The ruling from the

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1 Chair is that it's a legitimate motion for the
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- 2 committee to make. They're agreeing with the TCC.
- 3 MR. MCELVANEY: Joe McElvaney, Phoenix Fire
- 4 Department. To understand what you just said, if I
- 5 would just make that new comment and have no proposal
- 6 to tie to it, you are saying I could then bring it
- 7 onto the floor every year?
- 8 CHAIRMAN BUKOWSKI: Yes. The ruling is it's
- 9 a legitimate motion. The Technical Committee is
- 10 disagreeing with the Correlating Committee. So it's
- 11 a legitimate motion to bring up for the body to
- 12 consider. Let the TCC Chair have a shot.
- 13 MR. WOOLDRIDGE: I would like to state based
- on the action from the TCC, the hold for further
- 15 study is probably correct and that there was some
- 16 information. So I would recommend that we just stay
- 17 with the current action and hold for further study at
- 18 this point.
- 19 MR. THORNBERRY: Rick Thornberry again with
- 20 the Code Consortium. I don't know how the Technical
- 21 Committee could disagree with the TCC because we
- 22 didn't have a meeting to discuss this. I'm on the
- 23 Technical Committee. We didn't take a vote on this
- 24 after the TCC came out. This is what the TCC
- 25 directed. It's new information. It's out of order.

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1 MR. SCHULTZ: Ed Schultz, Chair of the
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- 2 Mercantile and Business Occupancy Chapter. We did
- discuss this. It was the intent to revise the
- 4 amendments or the definition for both the NFPA 101
- 5 document and the NFPA 5000.
- 6 In fact, this error was discovered after
- 7 last cycle, and it actually went to a TAI that
- 8 failed. But the committee was well aware of it.
- 9 There was a task group meeting that discussed it, and
- 10 Mr. Thornberry is on that task group. And we did
- 11 agree that this definition needs to be advanced both
- in the 101 and 5000 document.
- 13 CHAIRMAN BUKOWSKI: For the benefit of the
- 14 body, can someone explain whether this is affected by
- the anchor store discussion 101 earlier today?
- MR. SCHULTZ: Ed Schultz, Chair of
- 17 Mercantile and Business. It got the public comment
- 18 cycle for 101. So the TCC had no issue with this,
- 19 and this has been approved to be in 101 and will be
- in the new document.
- 21 CHAIRMAN BUKOWSKI: Okay. Thank you. Any
- other discussion? Seeing none, we'll go to a vote.
- 23 All those in favor of accepting Comment 5000-163A,
- 24 please raise your hands. Thank you. All opposed.
- 25 Motion carries. Next item.

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1 UNIDENTIFIED SPEAKER: Can we have a
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- petition for a floor call?
- 3 CHAIRMAN BUKOWSKI: Okay. We'll do a
- 4 standing count. We're going to proceed to a vote
- 5 count. Delegates, please fill out the green forms.
- 6 According to Association bylaws, only accredited
- 7 representatives of organization members whose names
- 8 have been recorded previously with the Association
- 9 for the purpose of and prior to this meeting shall
- 10 fill out the ballot form. One accredited
- 11 representative of the organization member only will
- 12 please complete the ballot. If the organization is
- abstaining from the vote, please check the
- 14 appropriate line on the ballot.
- Okay. We have the delegate ballots. All
- those in favor, please stand. I think the standees
- 17 can be seated. All opposed please stand. Motion
- carries 41 to 25 with a lot of abstentions.
- Moving on to the next item in Chapter 3.
- 20 Anything in Chapter 3? Seeing none, Chapter 4?
- 21 Nothing in 4. Chapter 5? Nothing in 5. Chapter 6?
- Nothing in 6. Chapter 7?
- 23 MR. HIRSCHLER: Marcelo Hirschler speaking
- on behalf of the American Fire Safety Council. I
- 25 will like to move acceptance of Comment 5000-206 on

- 1 page 578. It is my comment.
- 2 CHAIRMAN BUKOWSKI: Okay. Do we have a
- 3 second? We have a second.
- 4 MR. HIRSCHLER: What this does is we spent
- 5 two and a half hours this morning discussing 90A. If
- 6 you look in the ROP for 5000, page 5000-120, Proposal
- 7 5000-307 is very long. So I urge you to look at page
- 8 5000-120.
- 9 What the Technical Committee did is take the
- 10 chapter -- the section that addresses combustibility
- of materials in plenum and extracted it from 90A. We
- 12 spent two and a half hours this morning getting to
- the conclusion that 90A doesn't know what they're
- 14 doing. So I think it would be a good idea not to
- extract material from 90A but instead to put the
- 16 requirements in there as specifically for the
- 17 Building Code.
- 18 But I want to point out, I want to make sure
- 19 that I'm not misleading the assembly. There are two
- 20 changes in here, what is in 5000. 90A 2002, that's
- 21 been around for a long time. The changes are as
- 22 follows.
- The first one addresses in part 4A. It
- 24 addresses that you would need to use specimen
- 25 preparation and mounting criteria for ASTM 231 when

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1 you test pipe installation. It was accepted by the
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- 2 Uniform Mechanical Code. It's included in ASTM.
- 3 The other change is in Section 1A where it
- 4 just simply says electric wires and cable must meet
- 5 NFPA 62 only. That does not add any change in the
- 6 sense that all other potential wires and cables that
- 7 can go into plenums. Limited combustible cables
- 8 means those cables that meet UL 424. UL 424 is a
- 9 subcategory of cables that meet NFPA 262. Because in
- 10 order to meet UL 424 or be limited combustible, you
- 11 have to first meet NFPA 262. So this doesn't do
- 12 anything without excluding any of those cables.
- 13 The rationale for doing this other than the
- 14 problems with 90A is that 90A does not apply to all
- buildings. 90A only applies to certain buildings.
- 16 And again I would like to urge you to look at the ROP
- 17 where Joe Holland made a negative and explained that
- 18 the scope of 90A is much more limited than the scope
- 19 of 5000.
- 20 And, in fact, the Technical Correlating
- 21 Committee noted that and added Comment 5000-206A
- 22 appropriately saying that fire retardant treatment
- 23 shall be implemented, which is appropriate. This is
- 24 the same as it has always been, the requirement for
- 25 materials in plenums. Thank you.

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1 MR. WILLSE: Pete Willse, Chair of the
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- 2 Building Construction Committee. If you'll note on
- 3 the Committee Statement, I first urge you folks to
- 4 reject this comment or this motion. If you read the
- 5 Committee Statement, the Technical Committee must
- 6 defer any requirements that deal with plenums to NFPA
- 7 90A. They have the experts. By their Standards
- 8 Council's policy for scoping, it is beyond our area
- 9 of expertise. We defer to NFPA 90A.
- 10 CHAIRMAN BUKOWSKI: Thank you.
- 11 Microphone 4.
- 12 MR. KOFFEL: Bill Koffel, Koffel Associates,
- 13 Consultant to the Cable and Fire Research Association
- and the submitter of the original proposal.
- 15 I'd like everybody to turn to page 78 of the
- 16 ROC, and maybe this will help point out the fallacy
- of the argument that's being presented in the
- 18 substantiation in the comment. The submitter states
- in paragraph (3), "NFPA 90A is much less widely
- 20 distributed and adopted than are the NFK and ICC
- 21 codes." It states that the scope of 90A is different
- 22 than the scope of the Building Code. But let's look
- 23 at where we are in the chapter. We are in Type 1 and
- 24 Type 2 builds. Yes, I guess I could make the
- 25 argument if I were to build a one- or two-family

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1 dwelling of Type 1 construction and put a plenum in
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- 2 it, that 90A is not going to apply. I'm not sure
- 3 there's a whole lot of those out there. And to the
- 4 extent that there are, then you go to 90B. And I
- 5 think a reasonable code official would see that
- 6 that's the appropriate application of the code.
- 7 I don't think I heard this morning that we
- 8 necessarily said the Committee didn't know what they
- 9 were doing. I think the action to return this to
- 10 committee was the fact that the membership said we
- don't know what's going on. There's too many changes
- here, and we don't know what this thing's going to
- 13 look like. If we were that concerned that the
- 14 committee didn't know what they were doing, we would
- 15 have just overturned everything the committee did and
- never sent it back to the committee. Why would we
- want a conflict in 5000 in which one paragraph is
- 18 going to say you have to comply with 90A and another
- 19 paragraph is going to give you different plenum
- 20 criteria. And we're going to have to spend another
- 21 five hours to discuss this in 5000. The simple
- 22 solution is add extra text.
- MR. HIRSCHLER: Marcelo Hirschler, speaking
- on behalf of the American Fire Safety Council. 90A
- 25 should not be -- it is not the Committee that has the

- 1 knowledge of what we need to have in plenums. The
- 2 combustibility materials in plenums should be
- 3 addressed by a building code. I understand that back
- 4 in 1980 the Standards Council decided to split the
- 5 requirements and put something in 90A because at that
- time we didn't have a building code. Now we do have
- 7 a building code, and it is correct that the Standards
- 8 Council reaffirmed that decision. But it's up to the
- 9 assembly to make the decision of who has the
- 10 understanding and the knowledge of the requirements,
- 11 whether it's the Committee of 90A or whether it's the
- 12 Building Code Committee. And I will support this
- 13 motion. Thank you.
- 14 CHAIRMAN BUKOWSKI: Any other input on this
- 15 issue? Seeing none, we'll move to a vote. All those
- in favor of accepting Comment 5000-206, please raise
- 17 your hands. Thank you. All opposed. Thank you.
- 18 The motion is defeated. Move on to the next item in
- 19 Chapter 7. Microphone 7.
- 20 MR. THORNBERRY: Rick Thornberry with the
- 21 Code Consortium. I'd like to move the comment I
- 22 submitted, 5000-202 on page 5000-76.
- 23 CHAIRMAN BUKOWSKI: Do we have a second? I
- 24 heard a second. Please proceed.
- MR. THORNBERRY: On this issue I'm

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1 representing myself. I did have some clients that
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- were very interested in this, and then they decided
- 3 they weren't going to follow through on anything
- 4 related to NFPA 5000. But I felt strongly enough
- 5 about it that I submitted this public comment.
- 6 My concern here is that what we're doing is
- 7 putting in a mandatory reference to an annex, thus
- 8 making it a mandatory part of the code. What this
- 9 comment does in my mind is fixes that issue. And the
- 10 text you see down there under Section 711 is the text
- 11 I'm asking to be deleted. The statement above it
- 12 says delete this text. Right now the text says
- 13 Annex X shall be considered an alternate method for
- 14 considering -- this is put in the appendix because we
- 15 felt it wasn't ready for prime time to be included in
- 16 the body of the code, "we" being those on the
- 17 Building Construction Committee, of which I was a
- 18 member and very active in the task group that put
- 19 this annex together.
- 20 But I'm not speaking on their behalf. What
- 21 happens is, especially in jurisdictions that's not
- 22 familiar with Annex X, when they're adopting building
- 23 codes where they are, typically they're not going to
- 24 adopt an annex unless they want it. That's the way
- 25 the codes are set up, generally speaking. It's

- 1 there. If you want it, you put it in your adopting
- 2 ordinance so you have an option. The way this is
- 3 structured, when someone adopts 5000, they
- 4 automatically adopt the annex so it automatically
- 5 becomes a part of the code without having to take the
- 6 extra step to adopt it as part of the ordinance. The
- 7 way this is read because you have the mandatory
- 8 reference back to the annex, I think this is going to
- 9 cause problems in the adoption process. For those
- 10 jurisdictions that may not want to automatically
- adopt the annex, they're going to have to be very
- 12 careful when they put their ordinance together that
- they're going to have to change this language in
- 14 7.1.1.1. That's the only way they can do it.
- 15 The way this code is structured, it makes it
- 16 more of a challenge for them to adopt the code. The
- 17 annex is something you can adopt if you want it, and
- 18 it doesn't cause you any heartache if you don't want
- 19 it. And this says you're going to have to amend your
- ordinance if you don't want it. You're going to have
- 21 to have it, and you're going to have to amend your
- 22 ordinance.
- MR. WILLSE: Pete Willse, Chair of the
- 24 Building Construction Committee. I refer to the task
- 25 group chair, Mr. Bill Koffel.

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1 MR. KOFFEL: Bill Koffel, Koffel Associates.
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- 2 I guess there's nobody else to defer it to.
- 3 Basically the task group and then
- 4 subsequently the Technical Committee looked at Annex
- 5 X and said we have three options. We could replace
- 6 Chapter 7 as we know it in the code today, and we can
- 7 put Annex X in there. And clearly there were
- 8 participants in the process that were a little
- 9 nervous about such a substantial revision to the code
- 10 and the impact it may have on various methods of
- 11 materials and construction.
- The second option would be to put it in as
- the maker of this motion is suggesting, or we have
- 14 Option A, which is in Chapter 7. And we have
- 15 Chapter 1, which is the annex.
- 16 The third option the task group looked at is
- the same option that we have used for years in 101
- and is used in 5000, which is the same option that we
- 19 have with the Fire Safety Evacuation System. Now the
- 20 text is published in a separate document that is not
- 21 a mandatory standard. So we couldn't go to the
- 22 standard. But I think the intent for years in 101
- 23 has been -- we referenced 101 in an annex note, and
- there's a reference in the annex note in the
- 25 application section of the various occupancy

- 1 chapters. So it tells the authority having
- 2 jurisdiction that the Committee thinks this is an
- 3 acceptable alternative method. And that's the
- 4 approach the task group decided to take. And we did
- 5 it for several reasons. I don't think anybody was
- 6 that uncomfortable that they said it can't be used.
- 7 And even Rick's proposal says you can use
- 8 it. It's just a different way of getting there. The
- 9 code official has to specifically adopt it. If the
- 10 code official is that concerned about Annex X, it
- 11 merely deletes it from the document. So it's an
- 12 adoption to add it to or delete it.
- 13 And lastly the task group and the Committee
- 14 is really looking for input on the use of this
- document. And I'm sure that if the only way we get
- to use it is people have to go out and legally adopt
- it, there's going to be some opposition to that.
- 18 What we have instead is the ability to -- as a design
- 19 professional, I can go to the code official or the
- 20 authority having jurisdiction and say I'm using Annex
- 21 X. It's printed in mandatory language. I think it
- offers an acceptable level of protection, equivalent
- 23 level of protection. Let's accept it under the
- 24 alternate method of Chapter 1.
- 25 MR. MCELVANEY: Joe McElvaney. I had the

- 1 great honor of being in this task force for one year.
- 2 This task force was working for two years. We had
- 3 blackouts, a hurricane, and some bad hotels in
- 4 Baltimore. I really recommend that we adopt this the
- 5 way it is. Reject Rick's proposal. I understand his
- 6 concerns. It just needs to happen, and it needs to
- 7 be put forward. Please adopt it.
- 8 MR. COLLINS: Dave Collins, American
- 9 Institute of Architects, again in opposition to the
- 10 motion on the floor. If you read the committee
- 11 statement, you can see we deliberately put this in
- 12 the context of being part of the code so that it will
- get used and will have some value out of the
- 14 tremendous amount of work that has been done,
- including Rick's effort, who was a major contributing
- 16 factor to this task group. I urge you to deny this
- motion.
- 18 CHAIRMAN BUKOWSKI: Any other input? Seeing
- 19 none, we'll move to a vote. All those in favor of
- 20 accepting Comment 5000-202. All those opposed. The
- 21 motion fails.
- Next item. Anything more on Chapter 7?
- 23 Seeing none, Chapter 8?
- 24 MR. HIRSCHLER: Marcelo Hirschler. I move
- 25 to accept my Comment 5000-314 on page 5000-126 of the

- 1 ROC.
- 2 CHAIRMAN BUKOWSKI: Do we have a second?
- 3 Yes, we have a second.
- 4 MR. HIRSCHLER: This is not the same issue
- 5 as we were talking about before. This is just a
- 6 small oversight by the Technical Committee. And I'd
- 7 like to ask for permission to explain this.
- 8 Section 816 is the section on insulation.
- 9 816.7 is insulation covering pipe and tubing as
- 10 required in Section 723.215. Taking the extract from
- 11 90A, it requires that insulation covering pipe and
- tubing if it's in plenums need to meet NFPA 2550. On
- the other hand, if it's covering pipe and tubing
- outside of plenums, it simply needs to be 25450. So
- 15 all this really is doing, although the substantiation
- 16 talks of 90A, is saying ignore that and don't worry
- 17 about it.
- 18 The actual action does nothing more than say
- insulation not in plenums is 25450. Insulation
- in plenums go to the section that deals with plenums,
- 21 which refers you to 90A, which is going to be 2550.
- 22 If you go just further to the information, you can go
- 23 to the comment immediately before that on Section
- 24 816.12, which is also my comment which also explains
- 25 that everything needs to go to Section 723.215.

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1 So this is consistent with what we had
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- 2 before. This has nothing to do with the discussion
- 3 of whether we want to agree with 90A or not. This is
- 4 just a small oversight by the Committee, and it's a
- 5 clarification that insulation and covering in plenums
- 6 has a different requirement and it's already set in
- 7 Chapter 7. Thank you.
- 8 CHAIRMAN BUKOWSKI: Thank you. Committee
- 9 response?
- 10 MR. WOOLDRIDGE: I'll defer.
- 11 MR. ROSENBAUM: Eric Rosenbaum, Chairman of
- 12 the Fire Protection Features Committee, representing
- 13 the Fire Protection Features Committee.
- 14 It was the intent of the committee when we
- 15 evaluated this proposal that 90A would cover it, and
- 16 it was the intent that it was not necessary to adopt
- 17 this amendment. So we voted to reject it. That was
- 18 the intent.
- 19 CHAIRMAN BUKOWSKI: Any other input?
- 20 MR. HIRSCHLER: Marcelo Hirschler. It might
- 21 have been the intent, but unfortunately with the
- 22 additional sentence not included, it would appear
- 23 that there is no difference between the requirement
- 24 for insulation in plenums and outside of plenums, and
- 25 there is a difference. That's why the sentence needs

- 1 to send to the section in the Building Code which
- 2 then sends to 90A that addresses plenums
- 3 specifically. Thank you.
- 4 MR. KOFFEL: Bill Koffel, Koffel Associates,
- 5 consultant to Cable Fire Research in opposition to
- 6 the motion. What you don't see are some of the other
- 7 sections in 816. And there's a current paragraph,
- 8 816.1.2(A), that says if you have the insulation
- 9 covering of pipe and tubing in plenums, you go to
- 10 NFPA 90A.
- 11 So now what I'm going to have if I accept
- 12 this, I'm going to have one paragraph that says go to
- 13 90A. I'll have another paragraph that says go back
- 14 to Chapter 7. And based upon our action just a
- 15 couple minutes ago, when I get there, it's going to
- 16 be extracted text from 90A. We don't need that
- 17 second sentence. Now the real question is is there
- any value to the four words "not installed in
- 19 plenums" when 816 says go to 90A and don't use the
- 20 rest of this section.
- 21 MR. HIRSCHLER: Marcelo Hirschler. If you
- look at page 126 at the top, you'll notice the
- 23 section that Bill Koffel just pointed out,
- 816.1.2(A), has to do with the other insulation in
- 25 general. It doesn't send you directly to plenums.

- 1 It sends you to the section that goes to Section 90A.
- 2 CHAIRMAN BUKOWSKI: Any further discussion?
- 3 Seeing none, we'll go to a vote. All those in favor
- 4 raise your hands. All opposed. Thank you. Motion
- 5 fails. Next item.
- 6 MR. COLLINS: Dave Collins, American
- 7 Institute of Architects. I would like to move to
- 8 return an identifiable part from 5000-242, Section
- 9 8.3.2. It appears on 5000-90 to 5000-92 in the ROC.
- 10 CHAIRMAN BUKOWSKI: Do we have a second? I
- 11 heard a second. Please proceed.
- MR. COLLINS: Section 832 is without context
- in the code. We know what fire barriers -- firewalls
- do. We don't know what a high-challenged firewall
- 15 does. There is no reason to install it in the 5000
- Building Code at this time. 832.61 implies
- 17 separation of buildings without any specific
- 18 statement saying that it does so. There's no
- 19 requirements for separations of combustibles for
- 20 penetrations and openings through these walls. It's
- 21 uncoordinated with NFPA roofing criteria. We just
- don't believe it's necessary to have it in the
- 23 Building Code at this time and urge you to approve
- 24 this motion. Thank you.
- 25 MR. WILLSE: Pete Willse, Chair of the

- 1 Building Construction Committee. We're in opposition
- 2 to this motion. It goes back to what we were
- 3 saying -- what I said yesterday. There are some
- 4 codes out there that do require at present time walls
- 5 to be built to the old NFPA 221 firewalls. What this
- 6 will wind up doing is bringing it all up. Give the
- other committees, such as NFPA 30A and 30B, to come
- 8 in and pick the appropriate firewall they want to do.
- 9 This is a building code. It is extracted from 221
- 10 into this document, and it should remain that way.
- 11 Thank you.
- 12 CHAIRMAN BUKOWSKI: There's a point of order
- from the Chair here. The action on this particular
- 14 section was taken in Comment 5000-256A, which was
- 15 accepted. So a better motion or a cleaner motion to
- 16 accomplish the same thing you've asked to do would be
- 17 to return or reject. Do you want to go back to ROP
- 18 or previous edition?
- 19 UNIDENTIFIED SPEAKER: I want to go back to
- 20 the previous edition. We had no high-challenged
- 21 firewall.
- 22 CHAIRMAN BUKOWSKI: So the motion would be
- 23 to return 5000-256A, and that just deals with the
- 24 high-challenged firewall section.
- 25 UNIDENTIFIED SPEAKER: Okay. Thank you.

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1 MR. DAVIS: Dick Davis, FM Global and Chair
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- of the Firewall Task Group, speaking in opposition of
- 3 this motion.
- 4 I would like to call everyone's attention to
- 5 the ROP, page 5000-154. And more specifically Log
- 6 397. You will see a proposal. One of the submitters
- 7 is Mr. Collins, and what he recommends in his
- 8 proposals is that we have three types of walls: fire
- 9 barrier walls, firewalls, and FML walls, which is an
- 10 FM Global term.
- 11 The Committee accepted this proposal in
- 12 principle with the change that we change "FML walls"
- 13 to the term "high-challenged firewalls." The
- 14 committee, the task group, was charged with getting
- some consistency between NFPA 221 and Chapter 8 of
- 16 5000, which we feel we have accomplished with the
- 17 ROC.
- The vote, by the way, was 19 out of 23
- 19 affirmative. Four people did not submit their votes.
- 20 The current draft I feel reflects Mr. Collins'
- 21 original proposal. We just changed the terminology
- 22 to "high-challenged firewalls," and the requirements
- 23 for what is now high challenged firewalls is
- 24 essentially the same requirements that were in the
- 25 previous version of 221 for firewalls. This is the

- 1 same argument we had yesterday. This is the same
- 2 argument we had three years ago. The only difference
- 3 is that we now resolve the argument. We could not
- 4 all agree on how to design a firewall because there
- 5 are different fire loss scenarios, depending on the
- 6 occupancy.
- 7 And at this time we've left it up to the
- 8 occupancy committees to define what fire loss
- 9 scenario they envision and what level of reliability
- 10 they need in a firewall. So I urge you to reject
- 11 this proposal. Thank you.
- 12 CHAIRMAN BUKOWSKI: Microphone 7.
- 13 MR. FRANCIS: Sam Francis, American Forest
- 14 and Paper Association, speaking in support of the
- 15 proposal. Just as a note, when we discussed this as
- 16 221, the objection, which you all sustained, was
- 17 that -- and you heard it again -- other projects like
- 18 30 need this sort of construction to reference.
- 19 Okay. It exists in 221. That was accomplished.
- Nowhere in the rest of the Building Code is there a
- 21 reference to or utilization of such a firewall. And
- 22 nothing frankly prevents those projects or those
- occupancy groups from referencing 221.
- 24 As the submitter of several proposals to
- other projects to reference the Building Code for

- 1 this very sort of thing, for example, the National
- 2 Electrical Code, it was completely rejected. They
- 3 said, "Hell, no" -- excuse me, I guess I'm not
- 4 supposed to phrase it that way. They said
- 5 respectfully, "No, we're going to reference 221.
- 6 Given that none of those projects are
- 7 pointing to this section and none of the other
- 8 occupancy groups are pointing to this section, it
- 9 creates a level for which there is no requirement in
- 10 the code.
- 11 And the Building Code 5000 project was
- 12 created, put together, as a complete package
- 13 envisioning not what's created here called
- 14 "high-challenged." That was created in response to
- other needs. It was created with the existing
- 16 firewall concept that Mr. Collins correctly
- 17 identified. I support his motion.
- 18 And since those who think other projects --
- 19 and I'm one because I learned my lesson -- need to
- 20 point at these kinds of things, it exists out there
- in 221, and those should not be mixed and confused.
- 22 CHAIRMAN BUKOWSKI: Thank you. Any other
- 23 input?
- 24 MR. COLLINS: Dave Collins, American
- 25 Institute of Architects. It was correctly pointed

- 1 out that I was a member of the task group. And, yes,
- 2 we put forward the original proposal. I think I may
- 3 have even made the proposal to take the language out
- 4 of 221 to put it in the Building Code.
- 5 But the main point of that whole thing was
- to correlate the documents on the subject, the entire
- 7 subject matter, not simply high-challenged firewalls.
- 8 During the ensuing debate and discussion, I came to
- 9 feel that the high-challenged firewall was not a
- 10 useful tool within the Building Code at all. It
- 11 doesn't provide any additional benefit. The standard
- 12 is in 221.
- 13 I'm opposed to it being there as well
- 14 because I think it's poorly constructed. But,
- 15 nonetheless, it's there. And if it's needed, you can
- still get it, but it doesn't belong in the Building
- 17 Code. I urge you to support my motion.
- 18 MR. WILLSE: Peter Willse, Chair of the
- 19 Building Construction Committee. The Committee vote,
- as you see in the ballot, was 18 to 3. We had looked
- 21 at, yes, this term "high-challenged" is not in the
- 22 code yet, but it's one of those, "Chicken or egg,
- which comes first?"
- 24 If you take a look at Chapter 34, the
- 25 hazardous contents occupancy, there is a way to

- 1 get -- they do have a requirement to exempt Chapter
- 2 34 if you are an aerosol warehouse that must comply
- 3 with NFPA 30B. NFPA 30B is going through a cycle
- 4 right now. They may be requiring the
- 5 high-challenged; they may not. What we're looking at
- 6 is to make it user friendly. You give them the
- 7 information in one spot instead of having them to
- 8 look in two or three spots.
- 9 MR. DAVIS: Dick Davis, FM Global, speaking
- 10 in opposition. The logic here is similar to what we
- 11 did with the alternative heightened area
- 12 requirements. This is something new to the Code. I
- 13 urge you to reject this and keep it in there and give
- 14 the opportunity for the occupancies committees to
- 15 look at it and decide perhaps to reference it.
- 16 CHAIRMAN BUKOWSKI: Any more input?
- 17 MR. MCELVANEY: Joe McElvaney. I was
- 18 honored to be on this task force too. This task
- 19 force was very split on this high-challenged wall.
- 20 It really was a toss of a coin depending upon who was
- 21 there that day. I recommend that we do not put it in
- 22 at this time.
- 23 CHAIRMAN BUKOWSKI: Seeing no one else at
- the microphone, I think we're ready to vote. All
- 25 those in favor of returning Proposal 5000-256A,

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1 please raise your hands. All opposed. Thank you.
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- 2 Motion fails. Next item. Anything else in Chapter
- 3 8?
- 4 MR. THORNBERRY: Thank you. Rick Thornberry
- 5 with the Code Consortium, and on this item I'm
- 6 representing WR Grace. I'm going to get to the
- 7 motion at this time. The identifiable part of
- 8 Comment 5000-239, which is on page 5000-88, the
- 9 identifiable part is the Committee Meeting Action.
- 10 CHAIRMAN BUKOWSKI: Okay. Do I have a
- 11 second? I heard a second. Please proceed.
- MR. THORNBERRY: This item was handled in
- 13 101, and at that time I wasn't sure what to do with
- 14 it when we got to 5000. But some people asked me to
- 15 think about it. So I said, Well, if we're going to
- 16 at least try to make the codes consistent on this
- 17 issue, then I'll move the comment and put it on the
- 18 floor for that action to occur. This was in
- 19 relationship to 101-117, which was moved with the
- 20 same wording as we're proposing here. Thank you.
- 21 CHAIRMAN BUKOWSKI: Committee response?
- 22 MR. WOOLDRIDGE: I defer this action to Eric
- 23 Rosenbaum.
- MR. ROSENBAUM: Eric Rosenbaum, Chairman of
- 25 the Fire Protection Features Committee. Similar to

- 1 101, the Committee passed this. I think it was a 9
- 2 to 8 vote. The reasons for the disagreement was
- 3 based on equivalency of performance, based on are we
- 4 allowed to. It wasn't required to be fairly called
- 5 out concerning limiting the use of glass and
- 6 sprinklers. So the committee again voted in favor
- 7 but not strongly.
- 8 MR. HIRSCHLER: Marcelo Hirschler.
- 9 Accepting this motion would be consistent with what
- 10 we did in the Life Safety Code. So I urge the floor
- 11 to accept the motion.
- 12 MR. KLEIN: Marshall Klein, Fire Protection
- 13 Engineer. I'm a member of the Fire Protection
- 14 Features Committee. The only thing consistent is the
- inconsistency of how we look at things. This was
- 16 rejected by the Committee as you see by the comments.
- I only want to point out one thing, is that
- 18 when you take a look at the equivalency here, if you
- 19 accept it -- and I'm recommending that you should not
- 20 accept this -- that your equivalency should be based
- on Chapter 5.
- 22 If you go to Chapter 5, it gets very
- 23 detailed on how you have to do any equivalency as far
- 24 as the entire building. Remember that the negative
- 25 comments made was going to the equivalency section

- 1 that does not require you to go to Chapter 5.
- 2 Sometimes you want an equivalency for a portion of
- 3 the building, not the entire building.
- 4 If you're a code official, I wouldn't think
- 5 that was something you would want if you're using
- 6 this particular section for a small portion of the
- 7 building. So I would urge you to support the
- 8 Committee and reject this Comment.
- 9 MR. THORNBERRY: Rick Thornberry again
- 10 representing WR Grace. I guess I don't interpret the
- 11 committee action that I'm suggesting be moved if
- 12 sending you to Chapter 5 is the only way to do it.
- 13 It gives you the option.
- 14 CHAIRMAN BUKOWSKI: Seeing no more speakers,
- 15 we'll go to a vote. All those in favor of accepting
- 16 5000-239, please raise your hands. Thank you. All
- 17 opposed. That one is pretty close. I think I'm not
- 18 going to call that one. We'll do a standing vote.
- 19 Delegates for organizations please fill out
- 20 the green ballot form handed to you previously, and
- 21 these will be collected. In accordance with
- 22 Association Bylaws, only accredited representatives
- of organization members whose names have been
- 24 recorded previously with the association for the
- 25 purpose of and prior to this meeting shall fill out

- 1 the ballot form. One accredited representative of
- 2 the organization member only will please complete the
- 3 ballot. If the organization is abstaining from the
- 4 vote, please check the appropriate line on the
- 5 ballot.
- 6 Those in favor please stand. Opposed.
- 7 Motion passes 50 to 34 with some abstentions.
- 8 Next item. Anything more on Chapter 8?
- 9 Chapter 8's gone. Chapter 9? Chapter 10?
- 10 Chapter 11?
- 11 MR. LATHROP: Jim Lathrop speaking for
- 12 myself, and this is for purposes of correlation what
- we did in NFPA 101. Return proposal 5000-544 and all
- 14 related comments. 5000-544 is on page 5000-220.
- 15 CHAIRMAN BUKOWSKI: We need at least one
- 16 comment to change it.
- 17 MR. LATHROP: This is the escape device
- 18 issue.
- 19 CHAIRMAN BUKOWSKI: Okay. We have a second.
- 20 MR. LATHROP: This is for purposes of the
- 21 correlation on the action taken earlier today.
- MR. DE VRIES: Dave De Vries, Chairman of
- 23 the Means of Egress Committee. As the proposer of
- this original submittal, I will defer committee
- 25 comments to Mr. Bill Koffel.

- 1 MR. KOFFEL: Bill Koffel, Koffel Associates.
- 2 And the reason that I've been asked to represent the
- 3 Committee on this, as Dave indicated, he did have a
- 4 client interest, and I did chair that particular
- 5 portion of the meeting. I think in terms of the
- 6 Committee's position on this, and we don't have this
- 7 up on the slide, the comment would be 5000-533,
- 8 starting on page 144. Committee action is on page
- 9 145. Then you have ballot comments, both negatives
- 10 and affirmatives, and then abstention comments that
- 11 probably provide the best guidance as well as the
- 12 Technical Correlating Committee note.
- 13 I'm not going to repeat what was said in NFK
- 14 101. I think you know what the Committee's position
- is. Personally I'm not convinced that there is, and
- obviously the Committee took the same action in 101
- 17 and 5000.
- 18 CHAIRMAN BUKOWSKI: So you are supporting
- 19 the motion?
- 20 MR. KOFFEL: All I can say is the committee
- 21 ballot says what it is. What has changed is the
- action that occurred a couple hours ago in NFK 101,
- 23 and the Committee has not had a chance to respond to
- 24 that. So personally I see no reason to make a
- difference between 101 and 5000.

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1 MR. DE VRIES: Dave De Vries, Firetech
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- 2 Engineering Incorporated, speaking on behalf of CVAC,
- 3 the Safe Evacuation Coalition.
- 4 I'd like to address some of the points that
- 5 came up this morning that I did not have an
- 6 opportunity to, and the subject was on the floor with
- 7 respect to the Life Safety Code. There were several
- 8 specific points that were raised this morning. One
- 9 concerned the applicability of this language that's
- 10 contained in Section 11.13 as it was approved by the
- 11 committee. A comment was raised as to whether this
- 12 applied to buildings that were not high-rise
- 13 buildings.
- 14 In fact, the intent of the Committee and our
- intent in originally proposing this was this was
- intended to apply to all multistoried buildings,
- whether high-rise or less than high-rise in height.
- 18 The point that was raised about the fire department
- 19 access and use of ground ladders and ladder trucks,
- 20 ladder platforms, aerial lifts, and so forth from the
- 21 fire department would be a great means of
- 22 supplemental evacuation equipment if we were assured
- 23 that it was available in all situations. And, in
- 24 fact, there may be situations where it's not
- 25 available, and that is exactly why we need to

- 1 consider alternative technologies such as this
- 2 supplemental evacuation equipment.
- 3 A point was raised this morning about the
- 4 coordination between the Life Safety Code or the
- 5 Means of Egress Committee and the ASTM process that
- 6 is ongoing right now. In fact, there is a lot of
- 7 coordination going on. There are several members of
- 8 the Means of Egress Committee that are also actively
- 9 involved in the ASTM process.
- 10 One of the speakers who was here this
- 11 morning addressing you at this meeting sub-chairs
- 12 that Committee on external evacuation equipment. In
- 13 fact, NFPA has designated a representative on behalf
- of the organization to be a member of this ASTM
- 15 Committee, and that representative is actively
- 16 represented in the ASTM process.
- 17 The comments were made about the materials
- 18 that these devices are being made from. There was a
- 19 reference to combustible plastics, wood, and other
- 20 materials. I fully expect that the ASTM subcommittee
- 21 process will be addressing these issues as to
- 22 materials. I don't know that this is the appropriate
- 23 place to write a product specification or a product,
- 24 and it is within the Life Safety Code or the NFPA
- 25 Building Code. I think the appropriate place is in

1 an ASTM standard that we can eventually reference in

- 2 this document.
- And, in fact, that subcommittee at ASTM is
- 4 currently seeking advice right now on the issues of
- flammability of materials and how to go about testing
- 6 those materials on supplementary evacuation equipment
- or, as they say, external evacuation equipment.
- 8 Wrapping up, let's understand what we've got
- 9 in this proposal and what we don't have in this
- 10 proposal. What we've got is a completely new
- 11 section, 11.13. That is completely separate from the
- 12 Means of Egress provisions in Chapter 11. These
- provisions in 11.13 place limitations on how the
- 14 supplemental evacuation equipment is to be installed,
- 15 maintained, and used.
- 16 Fundamentally, it requires an evaluation
- 17 plan submitted and reviewed by the AHJ to be
- 18 implemented as part of this process. What it does
- 19 not do is replace any of the required means of egress
- 20 that are in that chapter. It gives no credit for
- 21 numbers of means of egress or capacity means of
- 22 egress.
- NFPA needs to be in a leadership position on
- this issue. This is going on elsewhere in the world,
- 25 and NFPA, being recognized as a leader around the

- 1 world in fire protection and life safety, should be
- 2 involved in this. I urge you to vote against the
- 3 motion on the floor and support the committee
- 4 position on this. Thank you.
- 5 MR. FRABLE: Dave Frable representing
- 6 myself.
- 7 The Committee did solicit public comments
- 8 during the ROC and informed the task group to revise
- 9 the original proposal based on public comments and
- 10 concerns of other TC members. The task group
- 11 addressed all the concerns raised by these
- 12 individuals. The proposed new section merely
- provides a set of minimum requirements should a
- 14 building owner propose to install these type of
- 15 systems and equipment on a building. Thank you.
- 16 MR. BRYAN: John Bryan, consultant for Drake
- 17 Maryland.
- 18 I spoke for the return of the proposal in
- 19 101. I did not make the motion at this time because,
- 20 although a member of the Life Safety Code, I have
- 21 never attended a meeting of the Building Code. So
- 22 that's why when Jim introduced me, I did not go into
- 23 detail on a lot of the issues.
- 24 But I think it is a mistake to put into
- 25 either the Building Code or the Life Safety Code

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1 minimum requirements that do not provide a criteria
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- for the AHJ to attempt to evaluate these devices.
- 3 I will emphasize again this section with the
- 4 minimum requirements are based on two things: a fire
- 5 protection engineer and the manufacturer's
- 6 instructions. I never received in 101 a copy of the
- 7 manufacturer's instructions for the use, the design,
- 8 or the application of any of these devices. I have a
- 9 whole list of recommendations for the three devices
- 10 that are in the Building Code, and 101 is never
- 11 identified. They tell you what is not allowed by the
- 12 section but not what it is. And by modifying it, it
- 13 would give the AHJ some criteria.
- I'm glad to hear -- and I mentioned that the
- 15 ASTM Committee had been formed last October. I am
- 16 saying wait until -- I'm not against that. I'm
- 17 favoring it. But until they have some criteria, I am
- 18 very concerned that the misname of this group is safe
- 19 evacuation, which, in my humble opinion, is a device
- 20 that without more information for the AHJ to evaluate
- 21 them may result in injuries to users or injuries to
- 22 members of the fire service operating at the same
- 23 situation.
- 24 There are a lot of human behavior problems
- 25 relative to the activation of the devices. There are

- 1 problems relative to how they reach the device. If
- 2 it's a stair, it should meet 101 requirements. If
- 3 it's a window, it should meet the 101 window clear
- 4 area requirement. This appears, I will repeat again,
- 5 to be a design that is liable to cause more confusion
- 6 by AHJ.
- 7 And I sincerely hope if they're put in this
- 8 country under this consideration, that we will not
- 9 injure users or others operating at the scene if this
- 10 is the only criteria that is used to evaluate them
- 11 because it is very inactively addressing the problem.
- 12 Thank you.
- 13 CHAIRMAN BUKOWSKI: Just to clarify, John.
- 14 You're speaking in favor of returning the proposal?
- MR. BRYAN: I'm speaking in favor of the
- 16 motion, and I'm also opposing what's written in both
- 17 the Building Code and 101 in this proposal. I think
- 18 it's premature. It's not fully developed. And what
- 19 is the rush? You've got a committee working in ASTM.
- 20 I have no objection. I want that, but I say wait
- 21 until you get data to make this section useful and to
- 22 avoid problems, that if you adopt it now and you know
- what's going to happen.
- 24 They've told you, every one of them that
- 25 came up here, "We need something in NFPA because it's

- 1 respected as the worldwide leader in standards." But
- what I'm saying is that what we have in this section,
- 3 in 101 and you now have in the Building Code, is not
- 4 adequate to represent the standards of NFPA by both
- 5 5000 and 101.
- 6 CHAIRMAN BUKOWSKI: I just asked for the
- 7 clarification because again you're standing at a
- 8 microphone that says you're opposed.
- 9 MR. BRYAN: Bill says it's the closest one,
- 10 and the guy back here, he doesn't have to change his
- 11 switch. Give me a break.
- 12 CHAIRMAN BUKOWSKI: We just don't want to
- 13 confuse the body. The red flags are opposed. The
- 14 green flags are in favor.
- MR. PAULS: Jake Pauls with Jake Pauls
- 16 Consulting. I am a member of the Egress Committee.
- 17 And I have to say in my 27 or so years on the
- 18 committee, I have never been so conflicted on an
- 19 issue. And you'll see that in my ROP ballot.
- 20 And if you were present at some of the
- 21 meetings where we discussed this, I basically said --
- I conveyed some of the history of people I've been
- 23 approached by who want to sell some designs, and I've
- 24 always had serious misgivings about them because my
- 25 thinking is that the bar for such devices should be

- 1 set very high.
- 2 The question I had to deal with as a
- 3 committee member was was the bar being set high
- 4 enough with the proposal we have before us, which I
- 5 am now speaking again. I am in favor of the motion
- on the floor to return. I was so conflicted that
- 7 this morning I did not vote. I was deeply upset that
- 8 the debate was cut off because the whole point of my
- 9 voting on this as a committee member was to generate
- 10 public comment. I think it's an area where we
- 11 desperately need public comment, and I would like to
- 12 see a full debate here without the debate being cut
- 13 off again.
- One of the things that troubled me and I
- 15 heard this morning, I heard some things that really
- 16 concerned me quite a bit about people with
- disabilities and their having a benefit from these
- 18 external escape devices. What troubles me
- 19 generally -- and this is a concern I've had all
- 20 through this -- is that a focus on external escape
- 21 devices will detract attention away from the features
- 22 within the building, particularly the stairway system
- 23 and the elevator system.
- I'm particularly concerned about
- 25 improvements that have to be made with the stairway

- 1 system. Some of those we've dealt with continued.
- 2 We will deal with again here. Others we will deal
- 3 with in the future as we will make improvements to
- 4 elevator systems. There's work going on right now
- 5 which is extremely exciting. So there's a lot
- 6 happening in that area.
- 7 I would not want to see any deflection of
- 8 attention on behalf of technical authorities and the
- 9 public to escape devices when we have significant
- improvements to make within the building, both in
- 11 terms of the hardware and the procedures for
- 12 emergencies.
- 13 That's why I have shifted very slightly. I
- 14 will vote in favor of the motion on the floor to
- 15 return this and hope that we can come up with a
- 16 better package in the future because I still think
- that we should set a high bar for such devices if
- 18 they are to be used at all.
- 19 I agree with Dr. Bryan that the bar has not
- 20 been set very high or very clearly with the existing
- 21 language.
- MR. HIRSCHLER: Marcelo Hirschler. I call
- 23 the question.
- 24 CHAIRMAN BUKOWSKI: It's a nondebatable
- 25 motion. We'll go immediately to a vote. All in

- 1 favor for ending debate, please raise your hands.
- 2 Thank you. All opposed. Thank you. Motion carries.
- 3 We'll go to the vote.
- 4 UNIDENTIFIED SPEAKER: I call for a count of
- 5 the vote.
- 6 CHAIRMAN BUKOWSKI: That one was very clear
- 7 to me. I'm going to rule that that passed. I'm told
- 8 you can make a motion to call for a standing count,
- 9 and we'll see if the body wants a standing count.
- 10 MR. DE VRIES: Dave De Vries representing
- 11 the Safety Evacuation Coalition. I think I have a
- 12 good idea of the sense of the body, but I'm going to
- 13 try it anyhow. I move that the vote be counted.
- 14 CHAIRMAN BUKOWSKI: Do we have a second for
- 15 that? We have several seconds for that. Is there
- 16 any discussion on that? All in favor please raise
- 17 your hands. Thank you. All opposed please raise
- 18 your hands. It's very clear that they're opposed.
- 19 Okay. So we'll now move to a vote on the
- 20 main motion. The motion is to return 5000-343 and
- 21 Proposal 5000-544. All in favor of that motion,
- 22 please raise your hands. All opposed. Thank you.
- 23 Motion carries.
- Next item on Chapter 11?
- MR. PAULS: Jake Pauls, Jake Pauls

- 1 Consulting Services speaking for myself.
- 2 Procedurally this one has some problems, but
- 3 I'm going to move acceptance of Comment 5000-324 on
- 4 page 131.
- 5 CHAIRMAN BUKOWSKI: Do we have a second? I
- 6 heard a second.
- 7 MR. PAULS: Perhaps it doesn't matter how
- 8 the assembly votes, although it would be best, I
- 9 believe, in my opinion, for the assembly to vote in
- 10 favor of this motion. The Committee may vote against
- it, which then would send it to the Standards
- 12 Council.
- The reason behind this procedure is a few
- 14 hours ago we adopted in the Life Safety Code a
- 15 requirement to basically match the performance of
- doors from stairs with the wider width of stairs,
- 17 which was accepted. And so the purpose of my motion
- is to get consistency or universality between the
- 19 Life Safety Code and NFPA 5000 on the issue of door
- 20 width from stairs that are sliding wider.
- 21 If you look at the discussion on this and
- the votes from Committee members on Means of Egress,
- 23 some Committee members said it was already dealt
- 24 with, and others said it wasn't. So I think it
- 25 should be more explicit. The only question is are we

- 1 assuring that actually happens?
- Now, the wording that was adopted for Life
- 3 Safety Code under Comment 101-67 as it was approved
- 4 by the Technical Correlating Committee is slightly
- 5 different than this Comment that you're voting on
- 6 now. The differences are largely editorial because
- 7 the method of stairwell changed late in the process.
- 8 And I think the best way of dealing with
- 9 that, because I'm not in favor of doing this on the
- 10 floor, is to send it to the Standards Council and
- 11 adopt the same language that 101 has and substitute
- 12 for Chapter 7 Chapter 11.
- So, again, the purpose of my motion is to
- 14 simply provide a mechanism for the Standards Council
- to have consistency among the two documents.
- 16 CHAIRMAN BUKOWSKI: Next is Committee
- 17 response.
- 18 MR. WOOLDRIDGE: I would like to defer
- 19 comment at this point on this motion to Mr. De Vries,
- 20 who is Chairman of the Technical Committee for Means
- of Egress.
- MR. DE VRIES: Please disregard the red sign
- 23 in front of the microphone. As Dr. Bryan pointed
- 24 out, it is the closest one.
- 25 Dave De Vries chairing the Means of Egress

- 1 Committee. You were right, sir, in pointing out that
- there is a discrepancy in the correlation. And I
- 3 understand there may need to be Standards Council
- 4 action to clarify that.
- 5 But on the substantiation of the issue, this
- 6 ties into the increased minimum stair width issue
- 7 that we talked about at length this morning in the
- 8 101 hearing. And intuitively the Committee
- 9 recognized that if you have an increased width of
- 10 stair, that the door at the exit discharge should
- 11 probably be increased proportionately to reflect the
- 12 potentially more rapid movement of people and greater
- 13 number of people that are going to be using that
- 14 stair and, consequently, address this issue in 101
- 15 increasing that width. It makes sense that this, for
- 16 correlation purposes, be done in 5000 as well.
- MS. GULGOWSKI: Erica Gulgowski from the
- 18 National Institute of Standards and Technology. I
- 19 would like to agree with the past two responses.
- 20 5000 should remain consistent with 101. But, in
- 21 addition, I'm supporting this motion. I'm in favor
- of this code change. And I reference the comments
- 23 that I made earlier today as well as the comments
- 24 that I have in the ROC regarding this issue. Using
- 25 the general hand calculations that I referred to

- 1 earlier where I varied the number of people on the
- 2 floor and number of floors for hypothetical buildings
- 3 evacuation time by at least 20 percent, specifically
- 4 for buildings above 14 stories and width for hundred
- 5 people per floor and lower where the minimum floor
- 6 dominates. So I'm in support of this.
- 7 CHAIRMAN BUKOWSKI: Any other input? Seeing
- 8 none, we'll vote. All in favor accepting Comment
- 9 5000-324, please raise your hands. All opposed.
- 10 Motion carries.
- 11 Onto the next item. Anything else in
- 12 Chapter 11?
- MR. BARLOW: Charles Barlow, Everglow. I am
- 14 a member of the Means of Egress Committee but not a
- voting participant today. Can I move on a proposal?
- 16 CHAIRMAN BUKOWSKI: Yes, you can.
- 17 MR. BARLOW: Proposal Number 531. This is
- 18 page 217 in the 5000 section, reasonably proposed by
- 19 Manny Muniz. I'd like to move that that be voted for
- 20 acceptance.
- 21 CHAIRMAN BUKOWSKI: Are you authorized by
- 22 Mr. Muniz to move this?
- MR. BARLOW: No. I guess that would be
- 24 another question. Do I need authorization to do
- 25 that?

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1 CHAIRMAN BUKOWSKI: Yes, you do need
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- 2 authorization.
- MR. BARLOW: Okay. Thank you.
- 4 CHAIRMAN BUKOWSKI: So that's an invalid
- 5 motion. Okay. Anything else? Seeing nothing, move
- 6 to Chapter 12. Anything in Chapter 12? Nothing.
- 7 Chapter 13? Chapter 14? Chapter 15? Chapter 16?
- 8 MR. MCELVANEY: Joe McElvaney, City of
- 9 Phoenix, representing myself. I'd like to move to
- 10 accept in part my proposal 5000-650 on page 270.
- 11 CHAIRMAN BUKOWSKI: Do we have a second? I
- 12 heard a second.
- MR. MCELVANEY: The part I would like to
- 14 adopt is would these systems be in accordance with
- 15 NFPA 92A?
- The reason why I'm asking for this, if you
- 17 notice the Committee Comment, they said that NFPA 90A
- 18 was a recommended practice. Well, just today we got
- 19 done approving it, making this a standard. I think
- 20 by doing this will help solve some problems, take
- 21 care of some issues.
- 22 MR. WOOLDRIDGE: We'll defer that comment to
- 23 Ralph Gerdes.
- 24 MR. GERDES: Ralph Gerdes. As Joe pointed
- 25 out, the Committee rejection was based on the fact

- 1 that it was a recommended practice, and we weren't
- 2 allowed to reference it within the body of the
- 3 standard itself. Now that 90A has become a standard,
- 4 I guess we have no objection to that.
- 5 CHAIRMAN BUKOWSKI: Thank you. Any other
- 6 input? Seeing none, we'll go to the vote. All those
- 7 in favor of accepting this part of 5000-650, raise
- 8 your hands. Opposed. Motion carries.
- 9 UNIDENTIFIED SPEAKER: I'm Chair of the
- 10 Technical Committee on Fire Alarm Systems, and I move
- 11 Comment 5000-444.
- 12 CHAIRMAN BUKOWSKI: Do we have a second? I
- 13 heard a second. Please proceed.
- 14 UNIDENTIFIED SPEAKER: I guess for brevity,
- 15 I can just refer to my statements I made during 101,
- or I could make the same statements for 5000. I was
- 17 asking for an opinion of the Chair here.
- 18 CHAIRMAN BUKOWSKI: I'm sorry. Repeat that.
- 19 UNIDENTIFIED SPEAKER: For brevity I can
- 20 refer to my comments that I made during the 101
- 21 discussion, or I can make them here again on the 5000
- 22 side.
- 23 CHAIRMAN BUKOWSKI: It's completely up to
- 24 you, sir.
- 25 UNIDENTIFIED SPEAKER: Will the Standards

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1 Council be able to refer to my comments on 101?
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- 2 CHAIRMAN BUKOWSKI: Sure.
- 3 MR. WOOLDRIDGE: I'll defer this comment to
- 4 Mr. Gerdes with respect to Assembly Occupancies.
- 5 MR. GERDES: Ralph Gerdes, Chair of the
- 6 Committee. As discussed earlier today, the Committee
- 7 has a concern about high ceiling large volume spaces.
- 8 We see the need to allow PA systems, and the hardware
- 9 really doesn't exist today to get to a voice
- 10 evacuation system for these type of buildings. Based
- on previous action, we recommend the membership
- 12 oppose this motion.
- 13 CHAIRMAN BUKOWSKI: Any other input? Seeing
- 14 none, we'll go immediately to a vote. All those in
- favor of accepting Comment 5000-444, please raise
- 16 your hands. Opposed. Motion fails. Next item.
- 17 UNIDENTIFIED SPEAKER: I move Comment
- 18 5000-446 found on 5000-200 of the ROC.
- 19 CHAIRMAN BUKOWSKI: Do we have a second? We
- 20 do have a second. Please proceed.
- 21 UNIDENTIFIED SPEAKER: Again I refer to my
- 22 previous comments made during this discussion on the
- 23 Assembly Occupancies during the 101 discussion.
- 24 CHAIRMAN BUKOWSKI: Committee response?
- 25 MR. WOOLDRIDGE: Same thing happened. A

- 1 similar motion failed during 101 committee work, and
- 2 we'll defer comments to Mr. Gerdes, Chairman of the
- 3 Assembly Occupancies Committee.
- 4 MR. GERDES: Ralph Gerdes, Chair of the
- 5 Committee.
- 6 Again, this is the same issue. Now it's
- 7 just a mere reference to compliance with NFPA 72, and
- 8 again I would urge the membership to reject this
- 9 motion and based on previous action be consistent
- 10 with 101.
- 11 CHAIRMAN BUKOWSKI: Okay. Additional input?
- 12 Seeing none, we'll take the vote. All those in favor
- for accepting Comment 5000-446. Opposed. Motion
- 14 fails.
- 15 Next item. Is there another item in this
- 16 Chapter 16? Chapter 17? Chapter 18? Chapter 18,
- 17 nothing. Chapter 19? Nothing on 19. Chapter 20?
- 18 Chapter 21? Nothing on 21. Chapter 22? Nothing on
- 19 22. Chapter 23? Chapter 23, no. Chapter 24?
- 20 Nothing for 24. Chapter 25? Nothing on 25. Chapter
- 21 26? Nothing on 26. Chapter 27?
- 22 MR. FERRY: Shane Ferry, and I move Comment
- 23 5000-533 found on page 5000-233 of the ROC.
- 24 CHAIRMAN BUKOWSKI: Do we have a second? I
- 25 have a second. Please proceed.

1 MR. FERRY: As before, this is dealing with

- voice evacuation systems in Mercantile Occupancies,
- 3 primarily covered malls. But for brevity I will just
- 4 defer to comments I made during my discussion during
- 5 the Mercantile Chapter of 101.
- 6 CHAIRMAN BUKOWSKI: Chair Committee
- 7 response?
- 8 MR. WOOLDRIDGE: A similar motion was heard
- 9 in the 101 Committee, and that action failed. And I
- 10 will defer comments to Mr. Schultz, Chairman of the
- 11 Committee on Mercantile and Business Occupancies.
- 12 MR. SCHULTZ: Ed Schultz, Chair of
- 13 Mercantile and Business Occupancy.
- 14 Yes. I'll stand on the comments I made this
- morning and urge that we continue to support the
- 16 Committee's action on this given the fact that we
- 17 want the 101 and 5000 documents to remain consistent.
- 18 Thank you.
- 19 CHAIRMAN BUKOWSKI: Any additional input?
- 20 Seeing none, we'll take the vote. All in favor of
- 21 accepting Comment 5000-533, please raise your hands.
- 22 Thank you. Opposed. Thank you. Motion fails. Next
- 23 item.
- 24 MS. STASHAK: Cathy Stashak representing
- 25 myself. I'd like to move to accept an identifiable

1 part of 5000-540 on page 5000-238. This is the same

- 2 issue as we discussed in 101.
- 3 CHAIRMAN BUKOWSKI: Do we have a second? I
- 4 heard a second. Please proceed.
- 5 MS. STASHAK: Basically the requirements for
- 6 multilevel play structures are in the Assembly
- 7 Chapters right now. So the requirements are there.
- 8 We're now seeking a lot more of these structures in
- 9 mercantile occupancies, specifically malls. And so
- 10 we're just asking that this pointer be placed so that
- 11 somebody that's dealing with this in the mall
- 12 structure will be familiar with the assembly
- occupancies and the appropriate requirements. This
- is just to make the Code user friendly.
- 15 CHAIRMAN BUKOWSKI: You can move both parts
- 16 together. You don't have to split it up.
- MS. STASHAK: I'm afraid to do that.
- 18 CHAIRMAN BUKOWSKI: You think you've got a
- 19 better shot with two pieces?
- 20 MS. STASHAK: I'd rather do it the way I did
- 21 it in 101, if that's okay.
- 22 CHAIRMAN BUKOWSKI: Other input?
- MR. HIRSCHLER: Marcelo Hirschler. I'm not
- 24 going to repeat the things I said during 101 in
- 25 support of this. Is this consistent with what we did

- 1 in 101? I would say that it is consistent with what
- 2 we did in 101, and if Mr. Schultz wants to add
- 3 anything to that, he can.
- 4 MR. SCHULTZ: Ed Schultz, Chair of
- 5 Mercantile and Business. It is consistent with what
- 6 will happen in 101. The Committee actually feels
- 7 that this needs a lot more work, but it is consistent
- 8 with 101.
- 9 CHAIRMAN BUKOWSKI: Other input? Seeing
- 10 none, we'll take the vote. All those in favor of
- 11 accepting this identifiable part in 5000-540, please
- 12 raise your hands. Opposed. Motion carries. Next
- 13 part.
- MS. STASHAK: I'm sorry, I'm very
- 15 superstitious. I move to accept identifiable part of
- 16 Comment 5000-540 on page 5000-238, the second part,
- which is 27.4.4.13.2. Do you want me to read through
- 18 that whole thing I did from 101?
- 19 CHAIRMAN BUKOWSKI: No. Don't need that. I
- 20 think everybody is with you. Second. Committee
- 21 response?
- 22 MR. WOOLDRIDGE: Similar action was taken to
- 23 approve this type of motion from 101, and I don't see
- anything wrong with that. Mr. Schultz?
- MR. SCHULTZ: Ed Schultz, Chair of

- 1 Mercantile and Business. And, yes, this is what
- 2 occurred in 101, and as a result, it probably is
- 3 appropriate.
- 4 CHAIRMAN BUKOWSKI: Additional input?
- 5 MR. HIRSCHLER: Marcel Hirschler, Member of
- 6 the Fire and Safety Council in support, same as in
- 7 101. Thank you.
- 8 CHAIRMAN BUKOWSKI: Thank you. Any other
- 9 input? Seeing none, we'll take the vote. All in
- 10 favor of this part of 5000-540, please raise your
- 11 hands. Thank you. Opposed. Thank you. Motion
- 12 carries. Next item. Microphone 7.
- 13 MR. FERRY: Shane Ferry. I'd like to move
- 14 Comment 5000-536 found on page 5000-235 of the ROC.
- 15 CHAIRMAN BUKOWSKI: I have it. Do we have a
- 16 second? We have a second. Please proceed.
- 17 MR. FERRY: Thank you again. I'll defer for
- 18 brevity, and also to ease the fingers of our court
- 19 reporter, to the comments that I made during 101.
- 20 Thank you.
- 21 CHAIRMAN BUKOWSKI: Committee?
- 22 MR. WOOLDRIDGE: Similar motion was heard in
- 23 101, and that motion failed. We'll defer comments to
- 24 Mr. Schultz, Chairman of the Mercantile and Business
- 25 Occupancies Committee.

- 1 MR. SCHULTZ: Ed Schultz, Chair of
- 2 Mercantile and Business. I'll defer to my comments
- 3 that were made during the 101 discussion and urge to
- 4 continue to keep the documents consistent and reject
- 5 the motion.
- 6 CHAIRMAN BUKOWSKI: Thank you. Other input?
- 7 Seeing none, we'll take the vote. All in favor of
- 8 accepting Comment 5000-536, please raise your hands.
- 9 Thank you. Opposed. Thank you. Motion fails. Next
- 10 item. Microphone 7.
- 11 MR. FERRY: Shane Ferry. I move Comment
- 12 5000-547 found on page 5000-240 of the ROC.
- 13 CHAIRMAN BUKOWSKI: I have it. Do we have a
- 14 second? I heard a second. Please proceed.
- MR. FERRY: Thank you. Again this is
- 16 related to voice evacuation system. If I could just
- defer to the comments made during our discussion of
- 18 101.
- 19 MR. WOOLDRIDGE: Similar motion failed
- 20 during the 101 Committee report, and I'll defer
- 21 comments to Mr. Schultz.
- MR. SCHULTZ: Ed Schultz, Chair of
- 23 Mercantile and Business. I'll again stand on my
- comments made during 101 and urge to continue the
- 25 consistency in the documents and urge to reject.

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1 CHAIRMAN BUKOWSKI: Additional comment?
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- 2 Seeing none, we'll take a vote. Motion fails. Next
- 3 item. Anything else in this chapter? This is 27.
- 4 Nothing else in 27. Chapter 28? Microphone 7.
- 5 MR. FERRY: Shane Ferry. I move Comment
- 6 5000-554 found on page 5000-243 of the ROC.
- 7 CHAIRMAN BUKOWSKI: I have it. Do we have a
- 8 second? We have a second. Please proceed.
- 9 MR. FERRY: Again this is related to voice
- 10 evacuation system in existing business and
- 11 mercantile, and I defer and stand on the comments
- 12 made during the 101 discussion.
- 13 CHAIRMAN BUKOWSKI: Thank you. Committee?
- MR. WOOLDRIDGE: I'll defer comments to
- 15 Mr. Schultz.
- MR. SCHULTZ: Ed Schultz, Chair of
- 17 Mercantile and Business. And I stand on my comments
- 18 that I made during the 101 discussion and again urge
- 19 to remain consistent with documents and defeat the
- 20 motion.
- 21 CHAIRMAN BUKOWSKI: Additional input?
- 22 Seeing none, we'll take a vote on motion to accept
- 23 Comment 5000-544. Motion fails. I've been handed a
- 24 note for a two-minute stretch break.
- 25 (A brief recess was taken.)

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1 CHAIRMAN BUKOWSKI: Anything additional on
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- 2 Chapter 28? 29? 30?
- 3 MR. FASH: This is trying to get a
- 4 clarification on actions previously today. We had
- 5 many on 831 of the ROP on that same issue. I didn't
- 6 know if that's something that has to be discussed at
- 7 the Standards Council level, or do I need to bring it
- 8 up to the body as a whole right now for a vote to
- 9 have the same type of action that was taken at the
- 10 previous ROP meeting?
- 11 CHAIRMAN BUKOWSKI: Can we get your name for
- 12 the record, please?
- 13 MR. FASH: Robert Fash, Las Vegas Fire and
- 14 Rescue.
- 15 CHAIRMAN BUKOWSKI: So do you have a motion
- 16 to make?
- 17 MR. FASH: I don't know if I need to make
- one. That's the whole point. I don't know if an
- 19 action that was taken in NFPA 101 would automatically
- carry over to 5000.
- 21 CHAIRMAN BUKOWSKI: No.
- MR. FASH: I would like to bring forward
- 23 5000-831. It's in the Report on Proposals on page
- 24 5000-333. I don't believe there was a comment made
- 25 on this.

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1 CHAIRMAN BUKOWSKI: Is there a second? I
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- 2 heard the second. The motion would be to overturn
- 3 the rejection and accept that Proposal. I don't know
- 4 if that's a proper form. And this would be on the
- 5 same basis as the action that was taken in 1?
- 6 MR. FASH: That is correct.
- 7 MR. KOFFEL: Point of information. Comment
- 8 5000-565 I think might accomplish what the maker of
- 9 this motion was intending it to do. You see a TCC
- 10 note to correlate the action on this item with the
- 11 Uniform Fire Code.
- 12 CHAIRMAN BUKOWSKI: Comment from the
- 13 Committee Chair?
- MR. WOOLDRIDGE: I have no comment. I'll
- defer to Wayne Holmes, Chairman of the Industrial
- 16 Storage and Miscellaneous Occupancies Committee.
- 17 There is a related comment on 5000-182, page 5000-70.
- 18 CHAIRMAN BUKOWSKI: Microphone 1.
- 19 MR. HOLMES: Wayne Holmes, Chairman of
- 20 Industrial Storage and Miscellaneous Occupancies. It
- 21 is correct that Proposed Comment 5000-182 actually
- 22 picked up the definition of storage facility, and the
- 23 Correlating Committee action upheld that and made no
- 24 changes to Part 3 of the Committee action by
- 25 Industrial and Storage.

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1 MR. HIRSCHLER: Point of order. That's not
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- 2 the motion that the gentleman made. He made a motion
- 3 to accept Proposal 831.
- 4 CHAIRMAN BUKOWSKI: We're trying to figure
- 5 out a way to get there, Marcelo. That is a valid
- 6 motion.
- 7 MR. HOLMES: I should be able to change the
- 8 action that was taken on the proposed motion right
- 9 now.
- 10 CHAIRMAN BUKOWSKI: We're trying to figure
- 11 that out. It appears to us what you're trying to do
- has already been done by 5000-665.
- MR. HOLMES: Thank you very much. I'll
- 14 withdraw my motion then.
- 15 CHAIRMAN BUKOWSKI: Anything else in 31?
- 16 Nothing. 32? 33? 34? 35?
- 17 MR. DAVIS: Dick Davis, FM Global, Member of
- 18 the Structures and Construction Committee but
- 19 speaking for myself.
- I would like to move to reject an
- 21 identifiable part of Comment 5000-660 located on page
- 22 5000-272 of the ROC, which is the TCC rejection of
- 23 modifications to Table 35.3 of new items F and I; in
- other words, to delete the second sentence of the TCC
- 25 statement.

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1 CHAIRMAN BUKOWSKI: Do we have a second?
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- 2 Yes, we have a second.
- 3 MR. DAVIS: Comment 5000-660 is the ASCE's
- 4 request to coordinate NFPA 5000 with the 2005 edition
- of ASCE 705. Unfortunately, the ASCE 705 document
- 6 had not been finished when the TC had their ROC
- 7 meeting, and we were forced to reject the comment.
- 8 You will note in the Technical Committee's
- 9 statement that the TC states that they would have
- 10 accepted the comment as written if ASCE 705 had been
- 11 completed in time. ASCE 705 was completed prior to
- 12 the TCC ROC meeting. At that meeting the ROC took
- 13 action to accept in part where changes to Items F and
- 14 I were rejected.
- Unfortunately, the actions taken by the TC
- creates a conflict between ASCE 705 and NFPA 5000,
- which is in conflict with Proposal 5000-942.
- 18 Additionally, the Industrial Committee met after the
- 19 Structures and Construction Committee and chose to
- 20 reject the sister comment of 5000-660A due to
- 21 conflicts in Table 35.3 in Chapter 4.
- 22 So in light of this catch 22, I recommend
- 23 that we reject the identifiable part of the action of
- the TCC note.
- 25 CHAIRMAN BUKOWSKI: Committee response.

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1 MR. WOOLDRIDGE: This motion will actually
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- 2 help with the correlation between NFPA 5000 and the
- 3 2005 edition of ASCE 705, and I'll defer any further
- 4 comments to Mr. Willse.
- 5 MR. WILLSE: Pete Willse, Chair of the
- 6 Structures and Construction. The Committee is in
- 7 agreement with the action being taken.
- 8 CHAIRMAN BUKOWSKI: Any other input? Seeing
- 9 none, we'll go to the vote. The vote is to reject
- this identifiable part of Comment 5000-660. All in
- 11 favor please raise your hands. Opposed. Motion
- 12 carries.
- Next item. Any additional items in 35? 363
- 14 37? 38? 39? 40? 41? 42? 43? 44? 45? 46? 47?
- 15 48? 49? 50? 50 at Microphone 6.
- MR. MCLAUGHLIN: Matt McLaughlin with
- 17 McLaughlin Associates representing the Refrigeration
- 18 Institute.
- 19 I would like to read a statement into the
- 20 record on Comment 5000-732 found on page 5000-302 of
- 21 the ROC.
- 22 "I intend to file an appeal to the Standards
- 23 Council on this subject. The Technical Correlating
- 24 Committee for NFPA 5000 took an action to further
- 25 modify Comment 5000-732 by including the changes

- 1 recommended by Mr. Shapiro in his explanation of
- 2 abstention. Those changes are not reflected in the
- 3 ROC TCC note. My appeal will request the Standards
- 4 Council to make the changes. Thank you."
- 5 CHAIRMAN BUKOWSKI: Thank you. Anything
- 6 else on 50? 51? 52? 53? 54? 55? Annex A? Annex
- 7 B? Annex C? Annex D? Annex E? Any other
- 8 modifications to NFPA 5000?
- 9 MR. KEY: My name is Hal Key. I'm a member
- of the Building Systems Technical Committee, and I'd
- like to read a statement into the record on ROC
- 12 Comment 5000-359A. There's going to be an appeal
- 13 filed with the Standards Council on that comment to
- 14 correct specific language extracted from ADAG
- 15 Guidelines.
- 16 MS. JOHNSON: I'm Brenda Johnson. I'm the
- 17 Chair of the Chemistry Laboratory Technical
- 18 Committee, NFPA 45, and I move to reject Comment
- 19 5000-647. It's on page 5000-269 of the ROC.
- 20 CHAIRMAN BUKOWSKI: It's a valid motion. Do
- 21 we have a second? I heard a second. Please proceed.
- MS. JOHNSON: The effect of this action
- 23 would be to accept in principle Comment 5000-912 as
- indicated in the ROP. I think it's on page 5000-369.
- 25 CHAIRMAN BUKOWSKI: Proposal 5000-912?

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1 MS. JOHNSON: Yes. That was a proposal
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- 2 brought to NFPA 5000 by the Chemistry Laboratory
- 3 Technical Committee. We went to their meeting and
- 4 made an argument in favor of it. It was accepted in
- 5 principle, and then it was changed due to some
- 6 negative comments by their committee, and I think
- 7 they were incorrect. It was Mr. Fluor who cited -- I
- 8 think he was making the 2001 version instead of the
- 9 2004 version. We had a lot of corrections to his
- 10 arguments. He cited an argument in Chapter 8 that
- 11 said that NFPA 45 would allow 31,000 cubic feet of
- 12 flammable gas in a 10,000 square foot laboratory work
- 13 unit. And it's not correct. Chapter 8 doesn't cover
- 14 flammable gases, for one thing. But Chapter 11 of it
- does. And there's a formula in there that for a
- 16 10,000 square foot lab, what would be allowed in the
- way of flammable gases is 120 cubic feet.
- 18 I think another objection that we were told
- 19 about was our Class CD Laboratories do not require
- 20 fire-rated separation. That's true except that the
- 21 2004 version of NFPA 45 requires all laboratories to
- 22 be fully sprinkler protected. And we had laboratory
- 23 research on a ten gallon spill, which is the maximum
- 24 that's allowed outside of a safety container. It
- doesn't leave the room of origin. So we thought we

- 1 brought a very good argument to NFPA 5000 to be
- 2 exempt from -- we were trying to be exempt from the
- 3 control area definition.
- 4 CHAIRMAN BUKOWSKI: Thank you. Committee
- 5 response?
- 6 MR. WOOLDRIDGE: I'll defer comment to
- 7 Mr. Holmes, Chairman of the Industrial Storage and
- 8 Miscellaneous Occupancies Committee.
- 9 MR. HOLMES: Wayne Holmes, Chairman of
- 10 Industrial Storage and Miscellaneous Occupancies.
- 11 Our Technical Committee has worked very hard to
- 12 coordinate and correlate with other Technical
- 13 Committees who has the responsibilities for flammable
- 14 materials in part. We did this in part with the NFPA
- 15 45 Technical Committee. We appreciate the input they
- 16 gave us.
- 17 As a result of their input, you'll see in
- 18 Proposal 5000-912 our proposal which we did accept at
- 19 that time based on the input from NFPA Technical
- 20 Committee. At the time of our meeting on comments,
- 21 we did learn further that Class C and D laboratories
- 22 did not meet the separation requirement of Chapter
- 23 34. And thus you'll see our action on Comment
- 5000-647, where we actually went back and rejected
- 25 our previous action. We stand behind our action in

- 1 the ROC.
- 2 CHAIRMAN BUKOWSKI: Any other input?
- 3 MR. SHAPIRO: Jeff Shapiro on the Committee.
- 4 I'm a member of the Technical Committee. I represent
- 5 the Chlorine Institute, although the public comment
- 6 is not of interest to my client. I did this on my
- 7 own.
- 8 We felt that we had worked with the people
- 9 of the 45 Committee at the meeting to work out a
- 10 compromise, and what we ended up in the ROP phase was
- 11 not a compromise, and we found some holes in it. And
- 12 we thought it was best to just reject the entire item
- and hope to work with the 45 Committee at a future
- 14 meeting. But the Committee was unanimously against
- making the changes that were recommended.
- 16 CHAIRMAN BUKOWSKI: Thank you. Any other
- 17 input? Seeing none, we'll go to the vote. All those
- in favor of rejecting Comment 5000-647, please raise
- 19 your hands. Opposed. Thank you. Motion fails.
- 20 Anything else on 5000? Seeing none, thank you so
- 21 much, Mr. Wooldridge.
- 22 Sorry. Back to the main motion. It's been
- 23 so long. So one more vote. The main motion is to
- 24 accept NFPA 5000 as amended. Any comment or input on
- 25 that? Seeing none, all in favor please raise your

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     hands. Thank you. Opposed. Thank you. Motion
     carries. Now we're done.
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              This officially concludes the TC session of
     the meeting. I now declare this part of the meeting
 4
 5
     officially closed.
 6
                   (Thereupon the proceedings
 7
                   were concluded at 5:45 p.m.)
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1	CERTIFICATE OF REPORTER
2	STATE OF NEVADA )
3	SS
4	COUNTY OF CLARK. )
5	I, Jane V. Efaw, certified shorthand
6	reporter, do hereby certify that I took down in
7	shorthand (Stenotype) all of the proceedings had in
8	the before-entitled matter at the time and place
9	indicated; and that thereafter said shorthand notes
10	were transcribed into typewriting at and under my
11	direction and supervision and the foregoing
12	transcript constitutes a full, true and accurate
13	record of the proceedings had.
14	IN WITNESS WHEREOF, I have hereunto affixed
15	my hand this, 2005.
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19	Jane V. Efaw, CCR #601
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