



Amy Beasley Cronin
Secretary, Standards Council

11 August 2010

To: Interested Parties

Subject:

Standards Council Decision (Final):	D#10-16
Standards Council Agenda Item:	SC#10-8-3-e
Date of Decision*:	5 August 2010
NFPA 25, <i>Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems</i> , 2011 edition	

Dear Interested Parties:

At its meeting of 3-5 August 2010, the Standards Council considered an appeal on the above referenced matter.

Attached is the final decision of the Standards Council on this matter.

Sincerely,

A handwritten signature in black ink that reads "Amy Beasley Cronin".

Amy Beasley Cronin
Secretary, NFPA Standards Council

- c: D. Berry, M. Brodoff, L. Fuller, M. Klaus, J. Moreau-Correia
Members, TC on Inspection, Testing, & Maintenance of Water-Based Fire Protection Systems (INM-AAA)
Members, NFPA Standards Council (AAD-AAA)
Individuals Providing Appeal Commentary

*NOTE: Participants in NFPA's codes and standards making process should know that limited review of this decision may be sought from the NFPA Board of Directors. For the rules describing the available review and the method for petitioning the Board for review, please consult section 1-7 of the NFPA Regulations Governing Committee Projects and the NFPA Regulations Governing Petitions to the Board of Directors from Decisions of the Standards Council. Notice of the intent to file such a petition must be submitted to the Clerk of the Board of Directors within 15 calendar days of the Date of Decision noted in the subject line of this letter.



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SUMMARY ACTION: *The Standards Council voted to deny the appeal to accept Comment 25-24 which sought to delete Sections 4.1.5 and 4.1.6.*

At its meeting of August 3-5, 2010, the Standards Council considered an appeal from Joshua Elvove of the US General Services Administration, requesting acceptance of Comment 25-24 in the 2011 edition of NFPA 25, *Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems*. Specifically the appellant sought to delete Sections 4.1.5 and 4.1.6 addressing owners' responsibilities.

As background, Proposal 25-44 recommended deletion of Sections 4.1.5 and 4.1.6 and was rejected by the Technical Committee on Inspection, Testing, and Maintenance of Water-Based Systems Committee (TC). Subsequently, Comment 25-24 recommended acceptance of the Proposal and was rejected by the TC. A Certified Amending Motion (CAM 25-7) seeking to accept Comment 25-24 was made at the 2010 Association Technical Meeting (Tech Session). The motion failed.

The appeal requests that the Council overturn the action that was recommended by the full NFPA codes and standards development process. This recommendation represents the consensus judgment of the responsible technical committee and technical correlating committee, a judgment that was also supported by a vote of the NFPA membership at the 2010 Tech Session. The appellant has had the opportunity to advocate his position at each stage of the full codes and standards process, and failed to persuade the consensus process to adopt his position.

On appeal, the Council accords great respect and deference to the NFPA codes and standards development process. In conducting its review, the Council will overturn the result recommended through that process, only where a clear and substantial basis for doing so is demonstrated. The Council has reviewed the entire record concerning this matter and has considered all the arguments put forth in this appeal. In the view of the Council, this appeal does not present any clear and substantial basis on which to overturn the results yielded by the NFPA codes and standards development process. Accordingly, the Council has voted to deny the appeal. The effect of this action is that the text of Sections 4.1.5 and 4.1.6 are not deleted.

The Council noted that during the hearing, the appellant questioned whether Sections 4.1.5 and 4.1.6 were outside the committee and document scopes. These provisions have been in the document since its inception without the TC having felt the need for scope revisions. The Council defers to this reasonable judgment. Going forward, should the TC determine that any further scope clarification is needed, they may submit a revised scope request to the Council.