



Amy Beasley Cronin
Secretary, Standards Council

17 August 2011

To: Interested Parties

Subject:

Standards Council Decision (Final):	D#11-14
Standards Council Agenda Item:	SC#11-8-7-b-1 and 11-8-7-b-2
Date of Decision*:	10 August 2011
NFPA 101 [®] , <i>Life Safety Code</i> [®] , 2012 edition	

Dear Interested Parties:

At its meeting of August 9-10, 2011, 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, R. Coté, K. Collette, D. Matthews, A. Woodberry
Members, Technical Committee on Fire Protection Features (SAF-FIR)
Members, Technical Correlating Committee on Safety to Life (SAF-AAC)
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 OF ACTION (for convenience only; not part of official decision): *The Standards Council voted to deny the appeal to accept Certified Amending Motion 101-3, which sought to accept comment 101-89.*

DECISION:

At its meeting of August 9-10, 2011, the Standards Council considered two appeals requesting that the 2012 edition of NFPA 101[®], *Life Safety Code*[®], be issued with the acceptance of Certified Amending Motion (CAM) 101-3. This motion sought the acceptance of Comment 101-89, which proposed adding a new Section 8.1.3 and associated annex material that would read as follows:

8.1.3* The fire resistance rating of an element or assembly determined by tests conducted in accordance with NFPA 251 or other approved test methods shall not be permitted to rely on an automatic fire protection system, unless evaluated as an equivalency in accordance with Section 1.4 or as part of a performance-based option in accordance with Chapter 5.

A.8.1.3 NFPA 251, ANSI/UL 263, and ASTM E 119 are nationally recognized methods of determining fire resistance of building elements and assemblies. Assemblies tested in accordance with these fire-resistance test Standards provide passive fire protection. The test procedures set forth in these Standards make no provision for testing automatic fire suppression systems or water sprays in conjunction with structural members or assemblies tested in vertical or horizontal fire resistance furnaces. Such evaluations can only be done via the Alternative protection methods procedures in Section 1.4, or by evaluation as a performance-based option in Chapter 5.

These appeals were from Tony Crimi representing the International Firestop Council, and Thomas Zaremba representing The Alliance of Primary Fire Rated Glazing Manufacturers.

As background, the Technical Committee on Fire Protection Features (TC) initially Accepted in Principle Proposal 101-65 during its Report on Proposals (ROP) meeting, but failed to achieve the required two-thirds affirmative ROP letter ballot vote, so the Proposal was rejected. Comment 101-89 was also initially accepted in principle during the TC Report on Comments (ROC) meeting, but again failed to achieve the required two-thirds affirmative letter ballot vote and was rejected. Subsequently, CAM-101-3

which sought to accept Comment 101-89 was made at the 2011 Association Technical Meeting (Tech Session). The amending motion was supported by the NFPA membership in attendance. Under NFPA rules, a successful amendment must pass the ballot of the responsible Committees in order to be included in the next edition of the code (see NFPA *Regulations Governing Committee Projects [Regs]* at 4.7). In this case, the amendment passed the ballot of the Technical Correlating Committee on Safety to Life but narrowly failed the ballot of the TC. This means, under NFPA rules, that the default recommendation of the codes and standards development process is that no change from the existing edition should occur, and the portion of the Report modified by the Association recommended amendment is returned to previous edition text [*Regs* at 4.7.1 (c)]. In this case, since there was no corresponding previous edition text, the new Section 8.1.3 and associated annex material is simply deleted.

The appeal requests that the Council overturn the action that was recommended by the codes and standards development process. 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 proposed new edition of NFPA 101 will not include the proposed new Section 8.1.3 and associated annex material.