



Amy Beasley Cronin
Secretary, Standards Council

17 August 2012

To: Interested Parties

Subject:

Standards Council Decision (Final):	D#12-6
Standards Council Agenda Item:	SC#12-8-8-a-2, a-3 and a-5
Date of Decision*:	9 August 2012
NFPA 150, <i>Standard on Fire and Life Safety in Animal Housing Facilities</i> , 2013 Edition	

Dear Interested Parties:

At its meeting of August 7-9, 2012, the Standards Council considered several appeals 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, T. Vecchiarelli, J. Depew
Members, Technical Committee on Animal Housing Facilities (ASF-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 OF ACTION (for convenience only; not part of official decision): The Standards Council voted to deny the appeal to accept Certified Amending Motion 150-1 to accept Proposals 150-11, 150-13, 150-14 and 150-15.

DECISION:

At its meeting of August 7-9, 2012, the Standards Council considered the appeals of fourteen organizations and one individual on the issuance of the 2013 Edition of NFPA 150, *Standard on Fire and Life Safety in Animal Housing Facilities*. The appellants were as follows: Paul Shapiro of The Humane Society of the United States, Karen Davis of United Poultry Concerns, Kim Sturla of Animal Place, Bryan Pease of the Animal Protection & Rescue League, Mary Britton Clouse of Chicken Run Rescue, Kay Evans of Chocowinity Chicken Sanctuary, Erica Meier of Compassion Over Killing, Bruce Friedrich of Farm Sanctuary, Robert Grillo of Free From Harm, Nathan Runkle of Mercy For Animals, Terry Cummings of Poplar Spring Animal Sanctuary, Tracy Reiman of People for the Ethical Treatment of Animals, Linda Brink of Sunnyskies Bird & Animal Sanctuary, Jenny Brown of Woodstock Farm Animal Sanctuary and Valerie Traina of Centennial, Colorado. These appellants requested that NFPA 150 be issued with the acceptance of Certified Amending Motion (CAM) 150-1, which sought to accept Proposals 150-11, 150-13, 150-14 and 150-15. Specifically, these appellants seek to require all animal housing facilities to be sprinklered.

As background, the Technical Committee on Animal Housing Facilities (TC) rejected Proposals 150-11, 150-13, 150-14 and 150-15 that sought collectively to require all animal housing facilities to be sprinklered. Subsequently, the TC rejected Comments 150-7 and 150-8 that sought to sprinkler all animal housing facilities. The TC indicated in the substantiation for the rejection that it wished to consider the matter during the next revision cycle.

A Certified Amending Motion (CAM) 150-1 that sought to accept Proposals 150-11, 150-13, 150-14 and 150-15 was made at the 2012 Association Technical Meeting (Tech Session). The amending motion was supported by the NFPA membership in attendance, but failed to pass the subsequent balloting of the TC. This means, under NFPA rules, that no change from the existing edition should occur. See NFPA *Regulations Governing Committee Projects* at Section 4.7.1(c). In other words, the sprinkler requirement should not be included in the new edition of NFPA 150.

The appeals request that the Council reject the result yielded 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 of 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 appeals. The effect of this action is that there will be no requirement added to the new edition of NFPA 150 to require all animal housing facilities to be sprinklered.

Many who appeared before the Council in this appeal indicated that they had not previously been involved in the revision process. Going forward, the Council encourages the appellants and others to continue their participation through the available avenues including, as they deem appropriate, the submission of Public Input and Comments and application for committee membership.

In closing, the Council notes that the NFPA process will allow for future consideration of any issues raised should the parties wish to pursue them in future revision cycles.