Standards Council Final Minutes

August 8-11, 2011

NFPA Headquarters 1 Batterymarch Park Quincy, MA 02169 (617) 770-3000

Members Present

Jim Pauley, Chair Kerry M. Bell Shane M. Clary David P. Demers J.C. Harrington Roland J. Huggins Joseph M. Jardin Fred M. Leber Danny L. McDaniel James A. Milke Richard P. Owen Michael D. Snyder

Members Absent:

Ron Farr

Also Present:

Amy Beasley Cronin, Secretary Linda Fuller, Recording Secretary Maureen Brodoff, Vice President and Legal Counsel

11-8-1	It was voted to issue NFPA 3, Recommended Practice on Commissioning and
	Integrated Testing of Fire Protection and Life Safety Systems, with an issuance date of
	August 11, 2011 and an effective date of August 31, 2011, as acted on at the
	Association Meeting, without amendments or appeals.
11-8-2	It was voted to issue NFPA 15, Standard for Water Spray Fixed Systems for Fire
	Protection, with an issuance date of August 11, 2011 and an effective date of August
	31, 2011, as acted on at the Association Meeting, with amendments and no appeals.
	See Minute Items 11-8-2-a and 11-8-2-b
11-8-2-a	Amendment No. 15-1 (CAM 15-1): Reject Comment 15-3. This amendment passed
	the ballot of the Technical Committee, and there were no appeals. The Council,
	therefore, voted to accept the amendment.
11-8-2-b	Amendment No. 15-2 (CAM 15-2): Reject Comment 15-4. This amendment passed
	the ballot of the Technical Committee, and there were no appeals. The Council,
	therefore, voted to accept the amendment.
11-8-3	It was voted to issue NFPA 54, National Fuel Gas Code, with an issuance date of
	August 11, 2011 and an effective date of August 31, 2011, as acted on at the
	Association Meeting, without amendments or appeals.
11-8-4	It was voted to issue NFPA 70E®, Standard for Electrical Safety in the Workplace®, with
	an issuance date of August 11, 2011 and an effective date of August 31, 2011, with no
	amendments and with appeals and other action of the Council as indicated in Minute

	Harras 11 0 4 a (DH11 10) 11 0 4 b /a (DH11 11) 11 0 4 d /a (DH11 12) 11 0 4 f 1 bb
	Items 11-8-4-a (D#11-10), 11-8-4-b/c (D#11-11), 11-8-4-d/e (D#11-12), 11-8-4-f-1 thru 11-8-j-1 (D#11-13), and 11-8-4-l.
11-8-4-a	D#11-10/DECISION: At its meeting of August 9-10, 2011, the Standards Council considered an appeal from T. David Mills of Savannah River Nuclear Solutions. The appeal requests that the 2012 edition of NFPA 70E®, Standard for Electrical Safety in the Workplace®, be issued with the acceptance of Certified Amending Motion (CAM) 70E-1. This motion sought the acceptance of Comment 70E-14 which proposed adding a new Section 90.5 Enforcement, to NFPA 70E.
	As background, the Technical Committee on Electrical Safety in the Workplace (TC) and the Technical Correlating Committee on National Electrical Code® (TCC) rejected by an overwhelming majority Proposal 70E-12, which sought to add a new Section 90.5 <i>Enforcement</i> . At the Comment stage, Comment 70E-14 was submitted seeking reconsideration of a new Section 90.5 <i>Enforcement</i> , in a revised form. The TC and TCC also rejected this Comment by an overwhelming majority. A Certified Amending Motion seeking to accept Comment 70E-14 was made at the 2011 Association Technical Meeting (Tech Session). The motion failed.
	The appeal requests that the Council overturn the action that was recommended by the full codes and standards development process. This recommendation represents the consensus judgment of the responsible TC and the Technical Correlating Committee on National Electrical Code® (TCC), a judgment that was also supported by a vote of the NFPA membership at the 2011 Tech Session. The appellant has had the opportunity to advocate his position at each stage of the process and failed at every stage to achieve acceptance of 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 recommendation of Comment 70E-14 is not included in the standard.
11-8-4-b and 11-8-4-c	D#11-11/DECISION: At its meeting of August 9-10, 2011, the Standards Council considered two appeals requesting that the 2012 edition of NFPA 70E®, Standard for Electrical Safety in the Workplace®, be issued with the acceptance of Certified Amending Motion (CAM) 70E-2, which sought to accept Comment 70E-107. Specifically, through the acceptance of Comment 70E-107, the appellant seeks to modify the requirements for training documentation. These appeals were from Paul Hamer of Chevron Energy Technology Company, and Kunjukutty Kamalasanan of Saudi Arabian Saipem Company, Ltd.
	As background, the Technical Committee on Electrical Safety in the Workplace (TC) and the Technical Correlating Committee on National Electrical Code® (TCC) accepted Proposal 70E-105 This proposal added a requirement that the training documentation

required by NFPA 70E, section 110.6(E) "shall contain the content of the training." Comment 70E-107 sought to revise the quoted phrase by changing the word "content" to "description." The TC and TCC rejected this Comment by an overwhelming majority. A Certified Amending Motion seeking to accept Comment 70E-105 was made at the 2011 Association Technical Meeting (Tech Session). The motion failed.

The appeals request that the Council overturn the action that was recommended by the codes and standards development process. This recommendation represents the consensus judgment of the responsible TC and TCC, a judgment that was also supported by a vote of the NFPA membership at the 2011 Tech Session. The appellants have failed to achieve acceptance of their position either in the consensus committees or during the Tech Session.

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, these appeals do 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 the recommendation of Comment 70E-107 is not included in the standard.

11-8-4-d and 11-8-4-e

D#11-12/DECISION: At its meeting of August 9-10, 2011, the Standards Council considered two appeals requesting that the 2012 edition of NFPA 70E°, Standard for Electrical Safety in the Workplace° be issued with the acceptance of Certified Amending Motion (CAM) 70E-3, which sought to accept Comment 70E-180. The effect of accepting Comment 70E-180 would be to retain the 2009 edition language for Section 130(B)(1). These appeals were from Paul Hamer of Chevron Energy Technology Company, and Kunjukutty Kamalasanan of Saudi Arabian Saipem Company, Ltd.

As background, the Technical Committee on Electrical Safety in the Workplace (TC) and the Technical Correlating Committee on National Electrical Code® (TCC) accepted in principle Proposal 70E-199 that modified Section 130.1(B)(1) to clarify when the energized work permit is required. Comment 70E-180 sought to reject this Proposal. The TC and TCC rejected this Comment by an overwhelming majority. A Certified Amending Motion seeking to accept Comment 70E-180 was made at the 2011 Association Technical Meeting (Tech Session). The motion failed.

The appeals request that the Council overturn the action that was recommended by the codes and standards development process. This recommendation represents the consensus judgment of the responsible TC and TCC, a judgment that was also supported by a vote of the NFPA membership at the 2011 Tech Session. The appellants have failed to achieve acceptance of their position either in the consensus Committees or during the Tech Session.

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, these appeals do 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 the committee action text from Proposal 70E-199 will be retained as shown in the Technical Committee Reports.

11-8-4-f-1 thru 11-8-j-1

D#11-13/DECISION: At its meeting of August 9-10, 2011, the Standards Council considered five appeals from Paul Hamer of Chevron Energy Technology Company. These appeals requested that the 2012 edition of NFPA 70E°, Standard for Electrical Safety in the Workplace°, be issued as follows: with the acceptance of Certified Amending Motions (CAMs) 70E-4 (which is a Related Motion to CAMs 70E-5 and 70E-6); acceptance of CAM 70E-7, but only if the appeal on 70E-4 is not upheld; and acceptance of CAMs 70E-8, 70E-9 and 70E-10.

As background, the CAMs set forth above sought acceptance of Comments 70E-217, 70E-218 and 70E-224 (related CAMs 70E-4 70E-5, and 70E-6); acceptance of Comment 70E-219 (CAM 70E-7); acceptance of Comment 70E-364 (CAM 70E-8); acceptance of an identifiable part of Comment 70E-322 (CAM 70E-9); and rejection of an identifiable part of Comment 70E-340 (CAM 70E-10). A summary of the general effect of these motions is as follows. CAM 70E-4 and its related motions and CAM 70E-7 would amend or overturn the Technical Committee's action to delete the exception exempting electrical systems operating within specified parameters from having an arc flash hazard analysis performed. CAM 70E-8 would overturn the Technical Committee's action to eliminate the "2*" designation for selecting personal protective equipment from Table 130.7(C)(9) and (C)(10). CAM 70E-9 would revise Table 130.7(C)(9) by adding a new note regarding equipment operating where the available short-circuit current is less than 10 kA. CAM 70E-10 would amend Table 130.7(C)(9) by removing the arc flash boundaries inserted as a result of Technical Committee actions and by adding a new Fine Print Note (Informational Note) on arc flash boundary calculations.

At the 2011 Association Technical Meeting (Tech Session), eleven motions were listed on the agenda for possible presentation during the report on NFPA 70E. Of these eleven possible motions, three were presented to and considered at the Tech Session and these motions failed. None of the remaining eight motions were made, however, because the Tech Session was adjourned during the presentation of the NFPA 70E Report due to the lack of a quorum. The seven Certified Amending Motions listed above were among the remaining motions that were not presented, and they are the subject of this appeal. An eighth Certified Amending Motion, CAM 70E-11, is not the subject of any appeal and is therefore not under consideration.

The principle question relating to these appeals is how potential motions that were not presented to the Tech Session because of the lack of a quorum should be treated on appeal. In this regard, the *Regs Governing Committee Projects (Regs)* provide

direction on how to proceed. The *Regs* at Section 4.8 direct the Standards Council to act on the issuance of all NFPA Documents that have completed processing and been presented for action at a Tech Session. (See *Regs* at 4.8 & 4.8.1). The Council does so based on the entire record of processing, including the reports of the responsible Technical and Technical Correlating Committees (*Regs* at 4.8.1[a]) and any deliberations or recommendations made at the Tech Session (*Regs* at 4.8.1[b] & [c]). Section 4.6.10(b) of the *Regs* goes on to direct that, where there have not been any deliberations or recommendations made due to the lack of a quorum, the Document must still be forwarded to the Council for action under Section 4.8. Specifically, the *Regs* at Section 4.6.10(b) provide as follows:

Where, due to the lack of a quorum at an Association Technical Meeting, the Association fails to make a recommendation concerning a Report or a portion of a Report, the Document shall be forwarded directly to the Council without recommendation for action in accordance with 4.8. Notwithstanding the foregoing, any motions to amend or return the Report that have passed prior to the loss of a quorum shall be processed and forwarded to the Council in accordance with 4.6 and 4.7.

The above-quoted Section 4.6.10(b), by its terms, directs Documents that have not received recommendations at the Tech Session due to the lack of a quorum to be forwarded, without recommendation, to the Standards Council for action pursuant to its Section 4.8 issuance authority. The *Regs*, therefore, clearly authorize the Standards Council to act on the issuance of an NFPA Document even where the NFPA membership, though the failure to maintain a quorum has chosen not to consider and make recommendations on the Document.

There are important reasons why the lack of a quorum at a Tech Session should not prevent issuance of a standard that has reached full consensus within the responsible NFPA Technical Committees. In the NFPA standards development process, as in any ANSI-accredited consensus standards development process, the primary responsibility for developing an NFPA standard belongs with the responsible consensus bodies. In the case of NFPA 70E, these bodies are the Technical Committee on Electrical Safety in the Workplace and, for correlation functions, the Technical Correlating Committee on National Electrical Code (referred to collectively as the Committees). These NFPA Committees are appointed so as to contain a balance of affected interests, and they work, through NFPA procedures, so as to arrive at a consensus of those various interests. The consideration of Documents developed by the consensus Committees at the Tech Session is an important but limited part of the process. It provides an opportunity for the NFPA membership to provide their input to the Committees and, ultimately the Standards Council, through their debate and action on Amending Motions. The powers of the membership are limited, however, and any amendment to revise a Document from an existing edition must be confirmed by a ballot of the responsible Committees. See generally Regs at 4.7.

It is, therefore, the consensus Committees that are the principle focus of consensus within the NFPA process and, where those Committees have achieved full consensus on a new or updated edition of an NFPA standard, it would be anomalous to prohibit

the Document's issuance simply because the NFPA membership has shown insufficient concerns with the proposed Document to convene in sufficient numbers to consider potential Certified Amending Motions. Section 4.6.10(b) makes clear that there is no such prohibition, and that the Standards Council can proceed to consider and act on the issuance of Documents even when the consideration was not undertaken or completed by the NFPA membership due to its failure to maintain a quorum.

Having determined that Documents that have not received full consideration at a Tech Session due to the lack of a quorum must be forwarded to the Council for action on issuance, it remains to determine how to handle the current appeals. The appeals request that the Council issue NFPA 70E with the modifications outlined in the seven CAMs listed above. The appeals are properly before the Council since anyone can appeal to the Council on matters related to the issuance of a Document. (See *Regs* at 1.6.1). The appeals, however, seek action that would require the Council to reject the conclusion of the consensus Committees. The Committees, through the Committee actions challenged by the CAMs, disagreed with the positions of the appellant, and the NFPA membership chose not to weigh in to urge a different result.

In such circumstances, the default action must be the consensus actions of the responsible Committees and, absent compelling circumstances, the Council must respect the consensus reached within the responsible Committees. The Council has reviewed the entire record concerning the appeals and has considered all the arguments put forth by the appellant. The Council has found no compelling circumstances that would cause it to reject the consensus reached by the Committees, which, it is noted, overwhelmingly rejected the positions taken by the appellant. Accordingly, the Council has voted to deny the appeals. Since appeals related to failed CAMs on NFPA 70E that were made prior to the loss of the quorum have also been denied (see Decision Nos. 11-10 and 11-11 and 11-12), the Council has voted to issue the proposed new edition of NFPA 70E as recommended in the Committee Report.

11-8-4-I

It was voted to approve an editorial correction recommended by the Technical Committee on Electrical Safety in the Workplace and the Technical Correlating Committee of the National Electrical Code, to add text to Section 110.2(D)(1)(c) of NFPA 70E as follows:

110.2(D)(1)(c) An employee who is undergoing on the job training for the purpose of obtaining skills and knowledge necessary to be considered a qualified person and who, in the course of such training, has demonstrated an ability to perform specific duties safely at his or her level of training and who is under direct supervision of a qualified person shall be considered to be a qualified person for the performance of those specific duties.

11-8-5

11-8-5-a

It was voted to issue NFPA 90A, Standard for the Installation of Air-Conditioning and Ventilating Systems, with an issuance date of August 11, 2011 and an effective date of August 31, 2011, as acted on at the Association Meeting, with amendments and appeals as indicated in Minute Items 11-8-5-a (D#11-20), 11-8-5-b, and 11-8-5-c (D#11-21).

D#11-20/DECISION: At its meeting of August 9-10, 2011, the Standards Council

December 7, 2011

considered an appeal from William E. Koffel of Koffel Associates, Inc. The appeal requests the Council to revise the text of the new 2012 edition of NFPA 90A, Standard for the Installation of Air-Conditioning and Ventilating Systems, in a manner that was not processed through the NFPA codes and standards process. Specifically, the appellant requests the following revisions to text accepted in Proposal 90A-66: **4.3.12.1.1*** Egress corridors in health care nursing and long term care facilities, detention and correctional, and residential occupancies shall not be used as a portion of a supply, return, or exhaust air system serving adjoining areas unless otherwise permitted by 4.3.12.1.2.1 through 4.3.12.1.2.3. **4.3.12.1.2** Air movement between rooms and egress corridors in hospitals, nursing facilities and ambulatory care facilities shall be permitted where the transfer of air is required for clinical purposes by other standards. A.4.3.12.1.1 See ANSI/ASHRAE/ASHE Standard 170, Ventilation of Health Care Facilities, 2008 edition with approved addendum. The appellant acknowledges that an appropriate Comment seeking this revision was not made and that, therefore, no Amending Motion that specifically proposed his revision could be pursued at the 2011 Association Technical Meeting (Tech Session). A Certified Amending Motion to reject Proposal 90A-66 entirely [CAM 90A-2] was made but failed. The text of TC-accepted Proposal 90A-66, therefore, is the final recommendation of the codes and standards development process. The appeal requests that the Council overturn the action that was recommended by the NFPA codes and standards development process. On appeal, the Council accords great respect and deference to that process. In conducting its review, the Council will overturn the recommendations of that process only where a clear and substantial basis for doing so is demonstrated. Moreover, where the sought after revisions have not been processed by the responsible TC, the Council is especially reluctant to take any action. The Council has reviewed the entire record concerning this matter; has found no basis on which to overturn the results of the process, and has voted to deny the appeal. The effect of this action is that the proposed new edition of NFPA 90A will be issued with the text of Section 4.3.12.1.1 and associated annex, and Section 4.2.12.1.2 as accepted by the TC in Proposal 90A-66. If the appellant or others wish to address the issue raised in this appeal, they can do so in the regular document revision process, or if the issues are believed to be of an emergency nature, a Tentative Interim Amendment (TIA) can be submitted. Amendment No. 90A-1 (CAM 90A-5): Accept Comment 90A-64. This amendment failed to pass the ballot of the Technical Committee. The resulting default action is to return the text related to the amendment to previous edition text. There were no appeals, accordingly the Council rejected the amendment and accepted the default action. **D#11-21/DECISION:** At its meeting of August 9-10, 2011, the Standards Council

11-8-5-b

11-8-5-c

considered an appeal from David W. Ash of Lubrizol Advanced Materials, Inc. The appeal requests the Council to revise the text of the new 2012 edition of NFPA 90A,

Standard for the Installation of Air-Conditioning and Ventilating Systems, in a manner that was not processed through the NFPA codes and standards process.

As background, the Technical Committee on Air Conditioning (TC) accepted in principle Proposal 90A-40 that modified Section 4.3.11.2.6.6. The TC also accepted Proposal 90A-54 that modified 4.3.11.5.5. Comments 90A-21 and 90A-46 were made on Proposals 90A-40 and 90A-54, respectively, and sought to reconsider and reject the respective Proposals. Both Comments were accepted in principle, and the TC, as part of those Committee Actions, generated and accepted revised text for the relevant sections as follows:

4.3.11.2.6.6 Plastic piping and tubing used in plumbing systems shall be permitted to be used within a ceiling cavity plenum when it exhibits a flame spread index of 25 or less and a smoke developed index of 50 or less when tested in accordance with ASTM E84 or UL 723 at full width of the tunnel and with no water or any other liquid in the pipe during the test.

4.3.11.5.5 Plastic piping and tubing used in plumbing systems shall be permitted to be used within a raised floor plenum when it exhibits a flame spread index of 25 or less and a smoke developed index of 50 or less when tested in accordance with ASTM E84 or UL 723 at full width of the tunnel and with no water or any other liquid in the pipe during the test.

(Emphasis added). The appellant is requesting that the Council delete the emphasized text in each of these sections. The appellant could have sought to raise his concerns by filing and pursuing, in accordance with NFPA rules, appropriate Amending Motions at the 2011 Association Technical Meeting (Tech Session). See, for example, Regulations Governing Committee Projects at 4.5.5(b)(3) (motion to reject an identifiable part of a Comment as modified by the TC) or 4.6(c)(2) (motion to return portion of a Report). Such motions may or may not have fully met his needs, but they would have at a minimum given him the opportunity to raise his concerns for consideration and debate within the process. He did not take any action, however, and now brings this appeal asking that the Council itself, without TC or Tech Session review, take the action that was not raised within the process.

On appeal, the Council accords great respect and deference to the NFPA codes and standards development process. The Council will generally uphold the results yielded by that process unless there is a clear and substantial basis for departing from those results. Moreover, in circumstances such as the present, where the TC has reached clear consensus and where no debate and public review of the action requested on the appeal has taken place, the Council is especially reluctant to consider overturning the results of the process. The Council, having reviewed the entire record concerning this matter, has found no basis on which to overturn the results of the process, and has voted to deny the appeal. The effect of this action is that the proposed new edition of NFPA 90A will be issued with the text of Sections 4.3.11.2.6.6 and 4.3.11.5.5 as accepted by the TC in the Committee Report.

It was voted to issue NFPA 99, Health Care Facilities Code, with an issuance date of

August 11, 2011 and an effective date of August 31, 2011, as acted on at the Association Meeting, with amendments and appeals as indicated in Minute Items 11-8-6-a/c(D#11-17), 11-8-6-b (D#11-8), 11-8-6-d, 11-8-6-e, 11-8-6-f, 11-8-6-g, and 11-8-6-h. (See related Minute Items 11-8-22 and 11-8-23)

11-8-6-a and 11-8-6-c

D#11-7/DECISION: At its meeting of August 9-10, 2011, the Standards Council considered two appeals from Malcolm Allison from the National Electric Fuse Association (NEFA) on the 2012 edition of NFPA 99, Health Care Facilities Code as follows.

The first appeal requested that NFPA 99 be issued with the acceptance of Certified Amending Motion (CAM) 99-6, which sought to Return a Portion of a Report in the form of Proposals 99-39, 99-40 and 99-108 and related Comments 99-35, 99-36, 99-37, 99-123 and 99-124. Specifically, the CAM sought to return Section 4.4.2.2 to previous edition text and also return the following definitions to previous edition text: 3.3.26 Critical Branch, 3.3.29 Critical System, 3.3.41 Emergency System, 3.3.43 Equipment System, 3.3.96 Life Safety Branch, and 3.3.153 Quiet Ground.

As background on the first appeal, the Technical Committee on Electrical Systems (TC) and the Technical Correlating Committee on Health Care Facilities (TCC) accepted Committee Proposals 99-39, 99-40 and 99-108 which modified and deleted definitions and modified Section 4.4.2.2. Comments 99-35, 99-36, 99-37, 99-123 and 99-124 further modified the affected text. A Certified Amending Motion seeking acceptance of CAM 99-6 which sought to Return a Portion of a Report in the form of Proposals 99-39, 99-40 and 99-108 and related Comments 99-35, 99-36, 99-37, 99-123 and 99-124 was made at the 2011 Association Technical Meeting (Tech Session). The motion failed.

The second appeal requested that NFPA 99 be issued with the acceptance of CAM 99-10 (which is a Related Motion to CAMs 99-11 through 99-14) to accept Comment 99-115, which sought to reject Proposal 99-107 that would delete the three proposed new sections providing requirements for selective coordination.

As background on the second appeal, the TC and the TCC accepted Committee Proposal 99-107 that would add three proposed new sections (4.4.2.1.2, 4.5.2.1.1, 4.6.2.1.1 [renumbered as 6.4.2.1.2, 6.5.2.1.1 and 6.6.2.1.1 in the 2012 edition]) providing requirements for selective coordination. Comment 99-115 recommended rejection of Proposal 99-107 and was rejected by the TC and TCC. A CAM seeking acceptance of CAM 99-10 which sought to delete the three proposed new sections providing requirements for selective coordination was made at the 2011 Association Technical Meeting (Tech Session). The motion failed.

Both appeals request that the Council overturn the actions that were recommended by the NFPA codes and standards development process. This recommendation represents the consensus judgment of the responsible TC and TCC, a judgment that was also supported by votes of the NFPA membership at the 2011 Tech Session. The appellant has had the opportunity to advocate his position at each stage of the process and failed at every stage to achieve acceptance of his positions. 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 these matters and has considered all the arguments put forth in the appeals. In the view of the Council, these appeals do 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 both appeals. The effect of these actions is that the proposed new edition of NFPA 99 is issued with the modifications approved by the TC and TCC with respect to the items in CAM 99-6, and the document is also issued with the three proposed new sections providing requirements for selective coordination with respect to the items in CAM 99-10.

Without attempting to review each argument that the Council has considered and rejected as part of this appeal, the Council wishes to make several points. First, underlying this appeal is disagreement over whether the selective coordination provisions that are the subject of the appeals are within the jurisdiction of the NFPA 99 committee project or within the jurisdiction of the National Electrical Code (NEC) committee project. The assignment of jurisdictional scopes among technical committee projects is the direct responsibility of the Standards Council. See, generally, NFPA Regulations Governing Committee Projects (Regs) at Section 3.1. In assigning jurisdictional responsibilities among NFPA committees, the Council seeks to maximize coordination and avoid overlap and conflict among NFPA codes and standards. The Council has been aware of coordination issues between the NEC and other NFPA documents with respect to performance requirements for the life safety branch, critical branch and equipment system for emergency systems. In previous Council Decision No. 07-6 (SC#07-7-5-1, July 27, 2007), the Council established the Intercommittee Coordination Task Group on Emergency Electrical Systems to study these issues. The task group has provided useful guidance and recommendations to the relevant technical committees and the Council. (See Standards Council Minute Item 10-3-21, March 2010). Based on the input of the task group and on its own independent assessment, the Council has no difficulty in concluding that the prevention of cascading outages (achieving selective coordination) is a performance requirement belonging to NFPA 99, not an installation requirement within the jurisdiction of the NEC. The NFPA 99 committees, therefore, had the authority to develop the selective coordination performance requirements that have been challenged on this appeal.

Second, the appellant has requested that the Council add new sections in NFPA 99 to clarify that any part of the essential electrical system or any of its branches must comply with the relevant Articles of the NEC. The text proposed was not presented to the TC or the TCC in any form, including as a proposal or comment, therefore, the Council will not consider the new text. The Council notes, however, the new edition of NFPA 99, Section 6.3.2.1 reads as follows:

6.3.2.1 Electrical installation. Installation shall be in accordance with NFPA 70°, *National Electrical Code*°.

Accordingly, the Council believes that NFPA 99 sufficiently refers to NFPA 70°, *National Electrical Code*°, for issues relating to installation, and that this deference is sufficiently clear. There was also a request to remove the word "installation" from the Purpose of NFPA 99 in Section 1.2. Again, this deletion was not presented to the TC or the TCC in any form, including as a proposal or comment, and the Council, therefore, will not consider the new text. The Council notes, however, that the word "installation" only appears in the chapter scope of Chapter 5, Gas and Vacuum Systems, and does not appear in the Chapter 6, Electrical Systems. It is clear that the word "installation" applies to the installation of gas and vacuum systems, and not the installation of electrical systems.

Third, the appellant, in various ways seeks to challenge NFPA's compliance with the American National Standards Institute (ANSI) Essential Requirements (ANSI Essential Requirements.) ANSI is the oversight body for U.S. voluntary consensus standards developers such as NFPA, and the NFPA Regulations Governing Committee Projects (Regs) are approved by ANSI as meeting the ANSI Essential Requirements. It is through adherence to those Regs that NFPA ensures that the principles of openness, fairness and balance reflected in the ANSI Essential Requirements are met. It is difficult to locate in the submissions and presentations of the appellant any provision of the Regs that he contends has been violated. The Council, in any event, has reviewed the entire record before it and has found no violation of the Regs or indeed any unfairness that would implicate the ANSI Essential Requirements.

For example, the appellant spends much effort suggesting improprieties in the composition and activities of the Task Group on Inter-committee Coordination on Emergency Electrical Systems and its sub-groups. It is not clear how the activities of the task group are directly relevant to the appeal. The task group was entirely advisory, it had no decision-making authority, and it was clearly not a consensus body as defined by ANSI. Task groups often contribute input to standards development and there is no requirement that task groups meet any particular requirements such as balance requirements. Cf. *Regs* Section 3.1.3.4 (task groups need not be balanced by interest). In any case, the decisions with which the appellant takes issue were made, not by any task group, but by the TC and TCC and now by this Council.

Fourth, the appellant sought to have the Council accept NEFA's newly submitted application for membership on the Technical Committee on Electrical Systems (HEA-ELS) in the NFPA 99 project. As background, another NEFA nominee's application for this TC was considered at the October 2008 Standards Council meeting, and was rejected by the Council because the interest NEFA represents has only a limited interest in the total scope of the TC. An in-person reconsideration of this and other NEFA applications was heard by the Council in March 2009, and the respective decisions on the various TC applications for several NFPA TCs were reaffirmed. The new application from NEFA seeking membership on HEA-ELS will be reviewed and acted on in the normal course.

Finally, there has been the suggestion that the issues of intercommittee coordination merit the creation of a new task group to conduct further study. The Council does not, at this time, believe that creation of another task group is warranted. The

Council believes that the distinction between performance requirements and installation requirements is reasonably clear and the Council reiterates that "without deciding in advance what the Council would do regarding specific jurisdictional issues relating to this topic, the Council considers the guidance [from the previous task group] to be useful". (See Standards Council Minute Item 10-3-21, March 2010). In this Decision, the Council has concluded that selective coordination (cascading outages) properly falls within the jurisdiction of NFPA 99. The NEC project should proceed, as part of its standards development activities, to harmonize the NEC with the relevant provisions of NFPA 99.

Standards Council Members Jim Pauley and Dick Owen recused themselves during the hearing, deliberation and vote on these issues.

11-8-6-b

D#11-8/DECISION: At its meeting of August 9-11, 2011, the Standards Council considered an appeal from Alan Lipschultz representing the Association for the Advancement of Medical Instrumentation (AAMI). The appeal requested that the 2012 edition of NFPA 99, *Health Care Facilities Code* be issued with the acceptance of Certified Amending Motion (CAM) 99-8, which sought to accept Comment 99-78. Specifically, through the acceptance of Comment 99-78, the appellant seeks to reject Proposal 99-96, resulting in the deletion of the proposed new text as follows:

4.3.2.2.8.3* Operating rooms shall be considered to be a wet procedure location unless a risk assessment conducted by the health care governing body determines otherwise.

A.4.3.2.2.8.3 In conducting a risk assessment, the health care governing body should consult with all relevant parties, including, but not limited to, clinicians, biomedical engineering staff, and facility safety engineering staff.

As background, the Technical Committee on Electrical Systems (TC) and the Technical Correlating Committee on Health Care Facilities (TCC) accepted Committee Proposal 99-96 to add new Section 4.3.2.2.8.3 and associated annex material. Comment 99-78 recommended rejection of Proposal 99-96 and was rejected by the TC and TCC. A Certified Amending Motion seeking acceptance of CAM 99-8 which sought to delete the proposed new section and annex material was made at the 2011 Association Technical Meeting (Tech Session). The motion failed.

The appeal requests that the Council overturn the action that was recommended by the NFPA codes and standards development process. This recommendation represents the consensus judgment of the responsible TC and TCC, a judgment that was also supported by a vote of the NFPA membership at the 2011 Tech Session. The appellant has had the opportunity to advocate his position at each stage of the 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 proposed new Section 4.3.2.2.8.3 and associated annex
	material will be in the 2012 edition of NFPA 99.
	Council Member Jim Pauley recused himself during the hearing, deliberation and vote
	on this issue.
11-8-6-d	Amendment No. 99-1 (CAM 99-16): Accept Comment 99-159. This amendment
	passed the Technical Correlating Committee ballot on correlation, but failed to pass
	the ballot of the Technical Committee. The resulting default action is to return the
	text related to the amendment to previous edition text. There were no appeals,
	accordingly the Council rejected the amendment and accepted the default action.
11-8-6-e	Amendment No. 99-2 (CAM 99-18): Accept Comment 99-236. This amendment
	passed the ballot of the Technical Correlating Committee and Technical Committee,
	and there were no appeals. The Council, therefore, voted to accept the amendment.
11-8-6-f	Amendment No. 99-3 (CAM 99-28): Accept Comment 99-258. This amendment
	passed the ballot of the Technical Correlating Committee and Technical Committee,
	and there were no appeals. The Council, therefore, voted to accept the amendment.
11-8-6-g	Amendment No. 99-4 (CAM 99-40): Accept Comment 99-297. This amendment
	passed the ballot of the Technical Correlating Committee and Technical Committee,
	and there were no appeals. The Council, therefore, voted to accept the amendment.
11-8-6-h	Amendment No. 99-5 (CAM 99-43): Accept Comment 99-325. This amendment
	passed the ballot of the Technical Correlating Committee and Technical Committee,
	and there were no appeals. The Council, therefore, voted to accept the amendment.
11-8-7	It was voted to issue NFPA 101®, Life Safety Code®, with an issuance date of August
	11, 2011 and an effective date of August 31, 2011, as acted on at the Association
	Meeting, with amendments and appeals as indicated in Minute Items 11-8-7-a, 11-8-
	7-b, 11-8-7-b-1 thru 11-8-7-b-2 (D#11-14), 11-8-7-c, 11-8-7-d (D#11-15), and 11-8-7-e.
11-8-7-a	Amendment No. 101-1 (CAM 101-1 and CAM 101-2): Accept Comment 101-24 and
	Comment 101-23. This amendment passed the ballot of the Technical Correlating
	Committee and Technical Committee, and there were no appeals. The Council,
	therefore, voted to accept the amendment.
11-8-7-b	Amendment No. 101-2 (CAM 101-3): Accept Comment 101-89.
	See Appeal Decision in Minute Item 11-8-7-b-1 and 11-8-7-b-2 (D#11-14) for Council
	action on this amendment.
11-8-7-b-1 and	D#11-14/DECISION: At its meeting of August 9-10, 2011, the Standards Council
11-8-7-b-2	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 fireresistance 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.

11-8-7-c

Amendment No. 101-3 (CAM 101-6): Return a Portion of a Report in the form of Proposal 101-193a and related Comment 101-122. This amendment passed the ballot

of the Technical Correlating Committee and Technical Committee, and there were no appeals. The Council, therefore, voted to accept the amendment.

11-8-7-d

D#11-15/DECISION: At its meeting of August 9-10, 2011, the Standards Council considered an appeal from Joseph T. Holland of Hoover Treated Wood Products, Inc. The appeal requests that the 2012 edition of NFPA 101°, *Life Safety Code*°, be issued with the acceptance of Certified Amending Motion (CAM) 101-7. This motion sought to Return a Portion of a Report in the form of Proposals 101-221 and 101-222 and related Comments 101-144c and 101-145. The effect of this motion would be to return Sections 10.2.6.1 through 10.2.6.3 to previous edition text. Section 10.2.6.2 would be deleted since there was no comparable text in the previous edition.

As background, the Technical Committee on Furnishings and Contents (TC) accepted Proposal 101-221 to change "flame spread" to "flame spread index" and "smoke development classification" to "smoke developed index". Proposal 101-222 suggested additional modifications and was rejected. Comment 101-144c was accepted by the TC and incorporated the changes from the accepted Proposal 101-221 and was a comment on the rejected Proposal 101-222. Comment 101-144c modified 10.2.6.1, proposed a new 10.2.6.2 and a modified 10.2.6.3. Comment 101-45 was Accepted in Principle and the Committee Statement referred back to Comment 101-144c. A Certified Amending Motion seeking to Return the Portion of a Report in the form of the aforementioned Proposals and related Comments was made at the 2011 Association Technical Meeting (Tech Session). The motion failed.

The appeal requests that the Council overturn the action that was recommended by the codes and standards development process. This recommendation represents the consensus judgment of the responsible TC and the Technical Correlating Committee on Safety to Life (TCC), a judgment that was also supported by a vote of the NFPA membership at the 2011 Tech Session. The appellant has failed to achieve acceptance of his position either in the consensus committees or during the Tech Session.

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 and modified text of Sections 10.2.6.1 through 10.2.6.3 shown in Comment 101-144c will appear in the 2012 edition of NFPA 101.

Without reviewing all of the arguments made by the appellant, the Council wishes to comment on the appellant's assertion that interior finish was not within the jurisdiction of the TC on Furnishings and Contents. While the TC's title and scope might be more explicit on this point, there is no question that the TC was responsible for the subject of interior finish. No other committee within the Life Safety Code project has interior finish included in its scope statement, and interior finish is

	averagely assigned to the TC on Francishings and Contents by the TCC in the
	expressly assigned to the TC on Furnishings and Contents by the TCC in the Supplemental Operating Procedures. The TC, therefore, clearly acted within its authority. Going forward, however, the Council is requesting the TCC to review the title and scope statement for the TC and recommend appropriate revisions to insure that the TC's jurisdiction is clear.
11-8-7-e	Amendment No. 101-4 (CAM 101-9): Accept Comment 101-206. This amendment passed the ballot of the Technical Correlating Committee and Technical Committee, and there were no appeals. The Council, therefore, voted to accept the amendment.
11-8-8	It was voted to issue NFPA 204, Standard for Smoke and Heat Venting, with an issuance date of August 11, 2011 and an effective date of August 31, 2011, as acted on at the Association Meeting, with no amendments and an appeal as indicated in Minute Item 11-8-8-a (D#11-22).
11-8-8-a	D#11-22/DECISION: At its meeting of August 9-11, 2011, the Standards Council considered an appeal from Richard Schulte of Schulte & Associates. The appeal requested that the 2012 edition of NFPA 204, Standard for Smoke and Heat Venting not be issued, and that the entire report be returned to the Committee.
	As background, a Certified Amending Motion (CAM 204-1) seeking to Return the Entire Report was made at the 2011 Association Technical Meeting (Tech Session). The motion failed.
	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 204 is issued.
	Council Members J.C. Harrington and Jim Milke recused themselves during the deliberation and vote on this issue.
11-8-9	It was voted to issue NFPA 232, Standard for the Protection of Records, with an issuance date of August 11, 2011 and an effective date of August 31, 2011, as acted on at the Association Meeting, with an amendment and no appeals as indicated in Minute Item 11-8-9-a.
11-8-9-a	Amendment No. 232-1 (CAM 232-2): Accept Comment 232-38. This amendment passed the ballot of the Technical Committee, and there were no appeals. The Council, therefore, voted to accept the amendment.
11-8-10	It was voted to issue NFPA 664, Standard for the Prevention of Fires and Explosions in Wood Processing and Woodworking Facilities, with an issuance date of August 11, 2011 and an effective date of August 31, 2011, as acted on at the Association Meeting, with no amendments and with appeals as indicated in Minute Items 11-8-10-a (D#11-23) and 11-8-10-b (D#11-24).

11-8-10-a

D#11-23/DECISION: At its meeting of August 9-10, 2011, the Standards Council considered an appeal from Erdem A. Ural of Loss Prevention Science & Technologies, Inc. The appeal requests that the 2012 edition of NFPA 664, Standard for the Prevention of Fires and Explosions in Wood Processing and Woodworking Facilities, be issued with the acceptance of Certified Amending Motion (CAM) 664-2, which sought to reject Comment 664-5. The effect of rejecting Comment 664-5 would be the return to the ROP definitions for "Deflagrable Wood Dust" and associated annex material and "Dry Nondeflagrable Wood Dust".

As background, the Technical Committee on Wood and Cellulosic Materials Processing accepted Committee Proposal 664-8 adding the new definitions and annex material. The definitions were further modified in Committee Comment 664-5. A Certified Amending Motion (CAM) 664-2 sought to reject Comment 664-5 was made at the 2011 Association Technical Meeting (Tech Session). The motion failed.

The appeals request 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 Committee-approved new definitions, "Deflagrable Wood Dust" and associated annex material and "Dry Nondeflagrable Wood Dust" shown in Comment 664-5 will be in the new edition of NFPA 664.

The Council noted that the appellant presented new information that he said was not available to the Committee during the revision process. It is not for the Council to attempt to evaluate or act on such technical information on its own. Without expressing any view on the technical merits of this information, the Council notes that, if the appellant or others believe that the information is relevant to the content of NFPA 664, they can seek to have it considered along with any proposed revisions during the next regular document revision process, or if the issues are believed to be of an emergency nature, a Tentative Interim Amendment (TIA) can be submitted.

11-8-10-b

D#11-24/DECISION: At its meeting of August 9-10, 2011, the Standards Council considered an appeal from Erdem A. Ural of Loss Prevention Science & Technologies, Inc. The appeal requests that the 2012 edition of NFPA 664, Standard for the Prevention of Fires and Explosions in Wood Processing and Woodworking Facilities, be issued with the acceptance of Certified Amending Motion (CAM) 664-3. This motion sought the acceptance of Comment 664-6, which proposed replacing the term "deflagrable" with the term "explosible" throughout NFPA 664.

As background, the Technical Committee on Wood and Cellulosic Materials Processing (TC) accepted Committee Proposal 664-8 adding the new definitions and annex material for the terms "Deflagrable Wood Dust" and "Dry Nondeflagrable Wood

	Dust." Subsequently, the TC rejected Comment 664-6 that sought to replace the term "deflagrable" with the term "explosible" throughout NFPA 664. A Certified Amending Motion (CAM) 664-3 that sought to accept Comment 664-6 was made at the 2011 Association Technical Meeting (Tech Session). The motion failed.
	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 word "deflagrable" will not be replaced with "explosible" throughout the new edition of NFPA 664.
	The Council noted the appellant's request for the Council to direct the use of common terminology for NFPA dust standards. The Council believes that, with the recent creation of the Technical Committee on Fundamentals, and the recent approval for a single Technical Correlating Committee to oversee the dust documents (see Minute Item 11-3-24), appellants can submit issues of correlation and common terminology for the consideration of these committees as appropriate.
11-8-11	It was voted to issue NFPA 703, Standard for Fire-Retardant Treated Wood and Fire-Retardant Coatings for Building Materials, with an issuance date of August 11, 2011 and an effective date of August 31, 2011, as acted on at the Association Meeting, with no appeals and with an amendment as indicated in Minute Item 11-8-11-a.
11-8-11-a	Amendment No. 703-1 (CAM 703-1): Accept Comment 703-3. This amendment passed the ballot of the Technical Committee, and there were no appeals. The Council, therefore, voted to accept the amendment.
11-8-12	It was voted to issue NFPA 704, Standard System for the Identification of the Hazards of Materials for Emergency Response, with an issuance date of August 11, 2011 and an effective date of August 31, 2011, as acted on at the Association Meeting, with no amendments and an appeal as indicated in Minute Item 11-8-12-a (D#11-9).
11-8-12-a	D#11-9/DECISION: At its meeting of August 9-10, 2011, the Standards Council considered an appeal from Erdem A. Ural of Loss Prevention Science & Technologies, Inc. The appeal requests that the 2012 edition of NFPA 704, Standard System for the Identification of the Hazards of Materials for Emergency Response, be issued with the acceptance of Certified Amending Motion (CAM) 704-2 (which was a Related Motion to 704-1). This motion sought the acceptance of Comment 704-4. The effect of this motion would be to modify the criteria in Table 6.2 on the flammability hazards of dusts, as specified in Proposal 704-10.
	As background, the Technical Committee on Classification and Properties of Hazardous Chemical Data (TC) rejected Proposal 704-10 that sought to modify the criteria in Table 6.2. Comment 704-4 to reconsider Proposal 704-10 was rejected by the TC. Subsequently, CAM 704-2 seeking to accept Comment 704-4 was made at the 2011 Association Technical Meeting (Tech Session). The motion failed.

The appeal requests that the Council overturn the action that was recommended by the entire 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.
It was voted to issue NFPA 720, Standard for the Installation of Carbon Monoxide (CO) Detection and Warning Equipment, with an issuance date of August 11, 2011 and an effective date of August 31, 2011, as acted on at the Association Meeting, without amendments or appeals.
It was voted to issue NFPA 2001, Standard on Clean Agent Fire Extinguishing Systems, with an issuance date of August 11, 2011 and an effective date of August 31, 2011, as acted on at the Association Meeting, with no appeals and with an amendment as indicated in Minute Item 11-8-14-a and other action of the Council as indicated in Minute Item 11-8-14-b.
Amendment No. 2001-1 (CAMs 2001-2): Return a Portion of a Report in the form of Proposal 2001-6 and related Comment 2001-17 and a follow-up motion to Accept Comment 2001-17. This amendment passed the ballot of the Technical Committee, and there were no appeals. The Council, therefore, voted to accept the amendment.
It was voted to approve an editorial correction recommended by the Technical Committee on Gaseous Fire Extinguishing Systems, as follows. During the Tech Session, Certified Amending Motion 2001-2 was approved by the floor, and passed the ballot of the Technical Committee as Amendment 2001-1. See Minute Item 11-8-14-a above. The amendment deleted 5.4.2.5.1. An annex note corresponding to that section that was added by Comment 2001-27, however, was not deleted. As an editorial correction, the Council is deleting this annex note.
It was voted to issue NFPA 2112, Standard on Flame-Resistant Garments for Protection of Industrial Personnel Against Flash Fire, with an issuance date of August 11, 2011 and an effective date of August 31, 2011, as acted on at the Association Meeting, with an amendment and appeals as indicated in Minute Items 11-8-15-a and 11-8-15-a-1 and 11-8-15-a-2 (D#11-6).
Amendment No. 2112-1 (CAM 2112-1): See Appeal Decision in Minute Item 11-8-15-a-1 and 11-8-15-a-2 (D#11-6) for Council action on this amendment.
D#11-6/DECISION : At its meeting of August 9-10, 2011, the Standards Council considered two appeals on the issuance of the 2012 edition of NFPA 2112, Standard on Flame-Resistant Garments for Protection of Industrial Personnel Against Flash Fire. The appellants, Patricia Gleason of Safety Equipment Institute and Jeffrey Stull of International Personnel Protection, Inc., requested that NFPA 2112 be issued with the rejection of Certified Amending Motion (CAM) 2112-1. This motion sought to Return a Portion of a Report in the form of Proposal 2112-7 and related Comment 2112-17. In more practical terms, this appeal seeks to have a requirement added to the new edition of NFPA 2112 that certification organizations must recognize and accept

component testing from other certification organizations.

As background, the Technical Committee on Flash Fire Protective Garments (TC) accepted Proposal 2112-7 that added a new definition and associated new requirements for "Component Recognition." In particular this Proposal required that certification organizations recognize and accept component testing from other certification organizations. Comment 2112-17 was thereafter submitted proposing revisions to the new component recognition material and making component recognition optional only. The TC accepted the Comment in principle, but revised the proposed text to reintroduce a mandate that, within certain specified conditions, a certification organization must recognize the component certification of another certification organization (hereafter, the "component recognition requirement"). This component recognition requirement was thereafter challenged at the 2011 Association Technical Meeting (Tech Session). The challenge was accomplished through CAM 2112-1 which sought to delete the component recognition requirement through the Return a Portion of a Report, specifically Proposal 2112-7 and related Comment 2112-17. The amendment passed the vote of NFPA membership, but failed to pass the subsequent balloting of the TC. This means, under NFPA rules, that no change from the existing edition should occur, or, in effect, that the component recognition requirement and other new material introduced through actions on Proposal 2112-7 and related Comment 2112-17, are not added in the 2012 edition of NFPA 2112.

The appeals request that the Council overturn 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 results of the 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.

In rejecting the appeal, the Council wishes to provide the following guidance going forward. This appeal sought to mandate that certification organizations accept the test results and component recognitions of other certification organizations, including direct competitors, in performing their testing and certification services. The NFPA membership, through its action at the Tech Session, prevented this new provision from going forward. This action and the concerns underlying it reflect, in the Council's view, a correct understanding of the limited role of standards in regulating business and commercial relationships. Specifically, a provision such as the component recognition requirement is not appropriate for inclusion in an NFPA standard. NFPA standards should not include requirements concerning commercial arrangements between competitors, particularly in circumstances such as this where, in addition to other business and commercial considerations, certification places heavy responsibilities and potential liabilities on the certifier to control and police its certification mark. Going forward, NFPA committees should refrain from including

any provision in their standards that requires a certification organization to accept the component testing or recognition of another organization. Finally, on a separate matter, the Council, based on information in the record on this appeal, is requesting the Council's Membership Task Group to review Mr. Stull's committee interest classification and make any recommendations, as appropriate. Council Member Kerry Bell recused himself during the hearings, deliberation and vote It was voted to issue NFPA 5000®, Building Construction and Safety Code®, with an 11-8-16 issuance date of August 11, 2011 and an effective date of August 31, 2011, as acted on at the Association Meeting, with amendments and appeals as indicated in Minute Items 11-8-16-a (D#11-16), 11-8-16-b (D#11-17), 11-8-16-c, and 11-8-16-d. 11-8-16-a D#11-16/DECISION: At its meeting of August 9-10, 2011, the Standards Council considered an appeal from Joseph T. Holland of Hoover Treated Wood Products, Inc. The appeal requests that the 2012 edition of NFPA 5000°, Building Construction and Safety Code be issued with the acceptance of Certified Amending Motion (CAM) 5000-2. This motion sought the acceptance of Comment 5000-45a. The effect of this motion would be to issue NFPA 5000 with the changes as proposed by the Technical Committee on Building Construction (TC) in Comment 5000-45a and reject the modifications proposed by the Technical Correlating Committee on the Building Code (TCC). If the appeal were upheld, fire-retardant-treated wood (FRTW) would be permitted within a ceiling cavity plenum exposed to the airflow. As background, the TC created and accepted Committee Proposal 5000-80a, modifying Sections 7.2.3.2.14 through 7.2.3.2.20. The text accepted in this proposal would, among other things, allow FRTW in plenum spaces. Alluding to correlation problems created by the allowed use of FRTW, the TCC directed the TC to review the proposal during the Comment stage to address the apparent conflicts that the language would create between NFPA 101°, Life Safety Code°, and NFPA 90A, Standard for the Installation of Air-Conditioning and Ventilating Systems. During the Comment stage, the TC created and accepted Comment 5000-45a which extracted substantial material on plenums from NFPA 90A into 7.2.3.2.14 and its associated annex material. The Comment, however, in proposed section 7.2.3.2.14.2.6, continued to allow FRTW to be exposed to the airflow in ceiling cavity plenums (hereafter, "the FRTW provision"). The TCC, in response, reversed the TC's action on the FRTW provision. Specifically, the TCC directed that the action on Comment 5000-45a be changed to Accept in Part and that the FRTW provision be deleted and an extract tag to NFPA 90A added, as follows: **7.2.3.2.14.2.6** Materials within a ceiling cavity plenum exposed to the airflow shall be noncombustible or comply with one of the following. [90A: 4.3.11.2.6]. FRTW shall be permitted within a ceiling cavity plenum exposed to the airflow. The TCC, as the basis for its action, noted that FRTW is not permitted by NFPA 90A in spaces affected by the airflow and that deletion of the FRTW provision would avoid a conflict between NFPA 90A, NFPA 101 and NFPA 5000.

Seeking reconsideration of the TCC action to delete the FRTW provision, a Certified Amending Motion seeking to Accept Comment 5000-45a was made at the 2011 Association Technical Meeting (Tech Session). The motion failed, meaning that, as the appeal comes before the Council, the FRTW provision has been deleted.

The appeal requests that the Council overturn the action that was yielded by the codes and standards development process and reinsert the FRTW provision. 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.

Without attempting to review each argument that the Council has considered and rejected as part of this appeal, the Council wishes to make several points. The decision to remove the text permitting FRTW within a ceiling cavity plenum exposed to the airflow in NFPA 5000 was done by the TCC for correlation and was within the TCC's authority. The construction of materials exposed to airflow in plenums is clearly within the jurisdiction of the Technical Committee on Air Conditioning, as previously determined in Council Decision No. 05-24 (SC#05-7-4, July 29, 2005). The TCC was justified in concluding that Technical Committee on Air Conditioning has, in NFPA 90A, determined that FRTW should not be exposed to the airflow in a plenum. This understanding of the NFPA 90A position on FRTW exposed to the airflow was reconfirmed during the Annual 2008 revision cycle, where the appellant submitted both a Proposal and a Comment seeking to permit FRTW to be exposed to the airflow (Proposal 90A-120 and Comment 90A-13); both were rejected by the Technical Committee on Air Conditioning. Going forward, the Standards Council is requesting that the Technical Committee on Air Conditioning review NFPA 90A and consider whether further clarification of the text on this issue would be useful. If the appellants or others wish to seek further consideration of their positions on the issue, they should direct their advocacy to the Technical Committee on Air Conditioning through the submission of proposed revisions to NFPA 90A in accordance with NFPA procedures.

11-8-16-b

D#11-17/DECISION: At its meeting of August 9-10, 2011, the Standards Council considered an appeal from Jake Pauls of Jake Pauls Consulting Services. The appeal requests that the 2012 edition of NFPA 5000®, *Building Construction and Safety Code*®, be issued with the acceptance of Certified Amending Motion (CAM) 5000-4. This motion sought the acceptance of Comment 5000-137, which proposed to accept Proposal 5000-164. The effect of this motion would be to modify 22.1.7 and 22.1.7.1 to include new provisions on accessibility as follows:

22.1.7 Accessibility (No requirements.)

22.1.7.1 All new buildings or portions thereof used as a one- or two-family dwelling shall comply with ICC/ANSI A117.1, section 1006 Type C

Units (Visitability) unless:

(1) they comply with the requirements in ICC/ANSI A117.1 for Type A or Type B units,

(2) they are a dwelling unit located above another dwelling unit or
(3) they meet the site impracticability test set out in Section 12.33.3.2.4
or the base flood elevation conditions set out in Section 12.33.3.2.5

The background on these proposed new provisions (the accessibility provisions), is as follows. As indicated above the accessibility provisions were proposed initially through Proposal 5000-164. The Technical Committee on Residential Occupancies (BLD-RES) rejected Proposal 5000-164 based in part on the fact that that ICC/ANSI A117.1-2009, Accessible and Usable Buildings and Facilities Standard, which was referenced in the provisions, was not yet available. Concurrently, the Technical Committee on Building Systems (BLD-BSY) considered the same material in Proposal 5000-165 and Accepted in Principle, noting this action was subject to the new edition of ICC/ANSI A117.1 being available for review and confirmation at the Comment phase of the revision process. The Technical Correlating Committee on the Building Code (TCC), in its action on these two proposals, requested that both TCs review the recommendations made in the proposals during the Comment phase once ICC/ANSI A117.1-2009 was available, and the TCC also requested that input be sought from the NFPA's Disability Access Review and Advisory Committee (DARAC).

The new edition of ICC/ANSI A117.1-2009 did not, in the end, become available during the Comment phase. For this and other reasons, when the accessibility provisions were again proposed through Comment 5000-137, BLD-RES rejected the comment along with a related Comment 5000-139. Concurrently, the accessibility provisions were considered by BLD-BSY in Comment 5000-140a. Although the initial action by BLD-BSY was to accept in principle, the action conflicted with that of BLD-RES and the TCC, in accordance with its correlation authority, revised that action to reject stressing that acceptance of the Comment was not appropriate since the 2009 edition of the ICC/ANSI A117.1 standard was not yet available. A Certified Amending Motion seeking to Accept Comment 5000-137 was made at the 2011 Association Technical Meeting (Tech Session). The motion failed. The accessibility provisions, therefore, did not achieve acceptance through the codes and standards 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 NFPA 5000 will not contain the accessibility provisions proposed for Sections 22.1.7 and 22.1.7.1.

The appellant also requested Council to clarify which NFPA 5000 TC has jurisdiction over scoping of the ICC/ANSI A117.1 standard within NFPA 5000. Going forward, the

	Council directs that the following actions be completed prior to the start of the next
	revision cycle, and the findings reported back to Council.
	The TCC is to review the scope of BLD-BSY to determine if that committee has sufficiently broad scope authority over all aspects of accessibility within NFPA 5000 and to determine the extent, if any, that the respective technical committees within the project have the ability or authority to modify recommendations of BLD-BSY for the subject of accessibility in their respective chapters. The TCC should recommend any changes to the scope of BLD-BSY as well as other TCs within the project if it is determined that such changes are in order. As part of this review process, the TCC should consider the input of BLD-BSY, BLD-RES and other TCs within the project, as appropriate. Additionally, the perspective of the NFPA DARAC should also be considered.
	Committee Member Shane Clary recused himself during the deliberation and vote on this issue.
11-8-16-c	Amendment No. 5000-1 (CAM 5000-6): Accept Comment 5000-31 and Comment 5000-32. This amendment passed the ballot of the Technical Correlating Committee and Technical Committee, and there were no appeals. The Council, therefore, voted to accept the amendment.
11-8-16-d	Amendment No. 5000-2 (CAM 5000-7): Accept Comment 5000-183. This amendment passed the ballot of the Technical Correlating Committee and Technical Committee, and there were no appeals. The Council, therefore, voted to accept the amendment.
11-8-17	The Council directed that it be recorded in the minutes as follows:
11-0-17	The 2011 Revision Cycle Consent Documents were issued by the Council through a
	letter ballot with an issuance date of May 31, 2011 and an effective date of June 20,
	2011, as shown below:
	2011, us shown below.
	1 Fire Code
	30 Flammable and Combustible Liquids Code
	30A Code for Motor Fuel Dispensing Facilities and Repair Garages
	59 Utility LP-Gas Plant Code
	80A Recommended Practice for Protection of Buildings from Exterior Fire Exposures
	90B Standard for the Installation of Warm Air Heating and Air-Conditioning Systems
	92 Standard for Smoke Management Systems
	220 Standard on Types of Building Construction
	221 Standard for High Challenge Fire Walls, Fire Walls, and Fire Barrier Walls
	318 Standard for the Protection of Semiconductor Fabrication Facilities
	407 Standard for Aircraft Fuel Servicing
	414 Standard for Aircraft Rescue and Fire-Fighting Vehicles
	790 Standard for Competency of Third-Party Field Evaluation Bodies
	791 Recommended Practice and Procedures for Unlabeled Electrical
	Equipment Evaluation 820 Standard for Fire Protection in Wastawater Treatment and Collection
	820 Standard for Fire Protection in Wastewater Treatment and Collection Facilities
	1081 Standard for Industrial Fire Brigade Member Profession Qualifications

1125 Code for the Manufacture of Model Rocket and High Power Rocket Motors 1141 Standard for Fire Protection Infrastructure for Land Development in Suburban and Rural Areas 1142 Standard on Water Supplies for Suburban and Rural Fire Fighting 2113 Standard on Selection, Care, Use, and Maintenance of Flame-Resistant Garment for Protections of Industrial personnel Against Flash Fire The following documents received Certified Amending Motions but these motions were not pursued by their submitters. These documents were, therefore, forwarded to the Council as Consent Documents and were issued by the Council through a letter ballot with an issuance date of July 10, 2011 and effective date of July 30, 2011. 51A Standard for Acetylene Cylinder Charging Plants 79 Electrical Standard for Industrial Machinery 484 Standard for Combustible Metals 11-8-18 The Council voted to issue proposed Tentative Interim Amendment (TIA) to Section A.1.13.5.2 of the proposed 2012 edition of NFPA 1, Fire Code, (TIA No. 1023). The proposed TIA passed the ballot of the Technical Committee on technical merit and emergency nature. No public comments were received and no appeals were filed. This TIA shall be issued as part of the 2012 edition of NFPA 1 pursuant to the Regulations Governing Committee Projects (Regs) at Section 5.6(c). 11-8-19 **D#11-18/DECISION:** At its meeting of August 9-10, 2011, the Standards Council considered an appeal from James Golinveaux of Tyco Fire Protection Products regarding the issuance of proposed Tentative Interim Amendment (TIA) No. 1028R on the 2010 edition of NFPA 13D, Standard for the Installation of Sprinkler Systems in One-and Two-Family Dwellings and Manufactured Homes. The proposed TIA seeks to modify Sections 8.1.2 and associated annex, add new Sections 8.1.2.1, 8.1.2.2, 8.1.2.3 and associated annex, and revise Section 8.1.3. The effect of the TIA is to specify the number of residential design sprinklers for various sloped and beamed ceiling arrangements. As background, the material proposed in TIA No. 1028R was accepted as Committee Proposal 13D-67 by the Technical Committee on Residential Sprinkler Systems (TC) and the Technical Correlating Committee on Automatic Sprinklers (TCC). NFPA 13D is in the Annual 2012 Revision Cycle, and is currently open for comment. The same material that was the subject of Proposal 13D-67 has also been balloted as a TIA No. 1028R in accordance with the Regulations Governing Committee Projects, to determine if it had the necessary three-fourths majority support on merit and emergency nature to establish a recommendation for issuance. The ballot passed the TC on technical merit, but failed to achieve the necessary support of the TC on emergency nature. The ballot passed the TCC on both merit and emergency nature. Where the ballot does not pass the TC and the TCC on both merit and emergency nature, the recommendation to the Council is to not issue the TIA. The appeal requests that the Council overturn the action recommended by the codes and standards development process, and issue the TIA. The Council has reviewed the entire record concerning this matter and has considered all the arguments put forth in

11-8-20	this appeal. On appeal, the Council generally defers to the responsible TC on technical issues, and here the TC supported the technical merit of the TIA and the TCC supported the correlation merit. The TIA, however, failed the TC ballot on emergency nature by one vote. The question of emergency nature is one on which the Council gives less deference to the judgment of the TC and TCC since evaluation of emergency nature often involves issues of a non-technical nature that the Council itself has an obligation to evaluate to ensure fairness in the treatment of subjects addressed by TIAs. The Council concludes the TIA meets the test of emergency nature and accordingly has voted to uphold the appeal and issue TIA No. 1028R. The Council voted to issue proposed Tentative Interim Amendment (TIA) to Section 5.3.4.2(6)(New) of the 2011 edition of NFPA 25, Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems, (TIA No. 1026). The
	proposed TIA passed the ballot of the Technical Committee on technical merit and emergency nature. No public comments were received and no appeals were filed.
11-8-21	The Council voted not to issue proposed Tentative Interim Amendment (TIA) to Sections 4.3.11.2.6 and 4.3.11.5.5 of the proposed 2012 edition of NFPA 90A, Standard for the Installation of Air-Conditioning and Ventilating Systems, (TIA No. 1022). The proposed TIA passed the ballot of the Technical Committee on technical merit but failed the ballot on emergency nature. No public comments were received and no appeals were filed.
11-8-22	The Council voted to issue proposed Tentative Interim Amendment (TIA) to Chapter 8 of the proposed 2012 edition of NFPA 99, Health Care Facilities Code, (TIA No. 1031) with an editorial correction. The proposed TIA passed the ballot of the Technical Correlating Committee on correlation and emergency nature and the Technical Committee on technical merit and emergency nature. Two public comments were received and no appeals were filed. This TIA shall be issued as part of the 2012 edition of NFPA 99 pursuant to the Regulations Governing Committee Projects (Regs) at Section 5.6(c). See related Minute Item 11-8-6
11-8-23	The Council voted to issue proposed Tentative Interim Amendment (TIA) to Chapter 9 of the proposed 2012 edition of NFPA 99, <i>Health Care Facilities Code</i> , (TIA No. 1032) with an editorial correction. The proposed TIA passed the ballot of the Technical Correlating Committee on correlation and emergency nature and the Technical Committee on technical merit and emergency nature. Three public comments were received and no appeals were filed. This TIA shall be issued as part of the 2012 edition of NFPA 99 pursuant to the <i>Regulations Governing Committee Projects</i> (<i>Regs</i>) at Section 5.6(c). See related Minute Item 11-8-6
11-8-24	D#11-19/DECISION: At its meeting of August 9-10, 2011, the Standards Council considered an appeal from William E. Koffel of Koffel Associates, requesting the issuance of proposed Tentative Interim Amendment (TIA) No. 1024 on the 2012 edition of NFPA 101®, <i>Life Safety Code</i> ®. The effect of the TIA is to add information in Table 8.3.4.2 to achieve consistency between the body of the code and the table with respect to ½-hour fire resistance-rated shaft assemblies and ½-hour fire protection-rated opening protective assemblies for existing elevator hoistways. As background, proposed TIA No. 1024 was balloted through the Technical Committee
	on Fire Protection Features (TC) and the Technical Correlating Committee on Safety to Life (TCC) in accordance with the <i>Regulations Governing Committee Projects (Regs)</i> , to

	determine if it had the necessary three-fourths majority support on merit and emergency nature to establish a recommendation for issuance. The ballot passed the TC on both technical merit and emergency nature; the ballot passed the TCC on merit but failed on emergency nature. No public comments on the proposed TIA were received. Where the ballot does not pass both the TC and the TCC on both merit and emergency nature, the recommendation to the Council is to not issue the TIA.
	The appeal requests that the Council issue the TIA. The Council has reviewed the entire record concerning this matter and has considered all the arguments put forth in this appeal. On appeal, the Council generally defers to the responsible TC on technical issues, and here the TC supported the technical merit of the TIA and the TCC supported the correlation merit. The TIA, however, failed the TCC ballot on emergency nature. The question of emergency nature is one on which the Council gives less deference to the judgment of the TC and TCC since evaluation of emergency nature often involves issues of a non-technical nature that the Council itself has an obligation to evaluate to ensure fairness in the treatment of subjects addressed by TIAs. The Council has no difficulty here in concluding the TIA meets the test of emergency nature and accordingly has voted to uphold the appeal and issue TIA No. 1024.
11-8-25	The Council voted to issue proposed Tentative Interim Amendment (TIA) to Sections 3.3.3 Limited—Combustible Material, 3.3.4 Non-Combustible Materials, 4.1.5, and 4.1.6 of the Proposed 2012 edition of NFPA 220, Standard on Types of Building Construction, (TIA No. 1027). The proposed TIA passed the ballot of the Technical Committee on technical merit and emergency nature. No public comments were received and no appeals were filed. This TIA shall be issued as part of the 2012 edition of NFPA 220 pursuant to the Regulations Governing Committee Projects (Regs.) at Section 5.6(c).
11-8-26	The Council voted to issue proposed Tentative Interim Amendment (TIA) to Table 6.2(a) Row 12 of the 2008 and Proposed 2012 editions of NFPA 820, Standard for Fire Protection in Wastewater Treatment and Collection Facilities, (TIA No. 1025). The proposed TIA passed the ballot of the Technical Committee on technical merit and emergency nature. Two public comments were received and no appeals were filed. This TIA shall be issued as part of the 2012 edition of NFPA 2012 pursuant to the Regulations Governing Committee Projects (Regs) at Section 5.6(c).
11-8-27	At the February/March 2011 meeting, the Council reviewed the request of the Technical Committee (TC) on Commissioning Fire Protection Systems to develop a new document, NFPA 4, Standard for Integrated Testing of Fire Protection Systems. At that time, the Council voted to solicit public comments on the need for the project, information on resources on the subject matter, those interested in participating if established, and other organizations actively involved with the subject. The Council received 20 public comments.
	After review of all the information before it, the Council has voted to approve the development of NFPA 4, Standard for Integrated Testing of Fire Protection Systems. The Council believes that a single Technical Committee ought to be responsible for developing both NFPA 3, Recommended Practice on Commissioning and Integrated Testing of Fire Protection and Life Safety Systems, and the new NFPA 4. The new NFPA 4, however, calls for a review of the committee structure of the current TC and a fresh

consideration of the interests and balance appropriate to a technical committee responsible for both NFPA 3 and NFPA 4. In particular, the new NFPA 4 will need a technical committee makeup that maximizes the ability to provide the coordination among the many documents and responsible committees that will be necessary to make this complex effort a success. Accordingly, the Council intends to reconstitute the TC under a new name and updated committee scope, and it will do so after conducting a full review of the structure and membership of the TC to ensure the expertise and the representation of the membership is appropriate to the expanded tasks before the Committee. The Council is requesting staff to provide it with recommendations concerning the name and scope of the reconstituted TC and to issue a call for members for the TC. All current members of the TC on Commissioning Fire Protection Systems members who are interested are encouraged to submit a committee application so that they can be considered for membership on the newly constituted committee. Anyone wishing to be considered for committee membership should send their application to NFPA no later than September 1, 2011. The Council will review all candidates for the new TC at the October 2011 Council meeting. So as to provide guidance as to the scope of the new NFPA 4 integrated testing document that the Council will be assigning to the new committee to develop, the Council is providing the following draft document scope as follows:

- The standard shall provide the minimum requirements for integrated testing of fire protection and life safety systems. These requirements include protocol for testing procedures, responsibilities for various parties, methods and documentation for verifying the operational readiness and sequence of integrated systems. The standard is designed to ensure that interconnected active and passive fire protection and life safety systems operate as intended.
- The standard shall not require integrated testing but shall provide minimum requirements for integrating testing where such testing is required by another code, standard, or design document or by an Authority Having Jurisdiction.
- The standard shall not provide testing requirements, including test procedures or test frequencies, for individual systems.

Council Member Shane Clary recused himself from the vote on this issue.

11-8-28	This item was administratively withdrawn from the Agenda.
11-8-29	This item was administratively withdrawn from the Agenda.
11-8-30	This item was administratively withdrawn from the Agenda.
11-8-31	The Council heard a report from NFPA Staff on the Professional Qualifications Summit
	that was convened to address the jurisdictional issues between the Fire Fighter
	Professional Qualifications Technical Committee (TC) and the Hazardous Materials
	Response Personnel Technical Committee. The Council received the Report and has
	determined there is no specific action required from the Council at this time. The
	Council believes that the general approach that resulted from the Summit is

acceptable with the exception of Item G of the Report, discussed below. Going forward, specific items requiring Council review and action should be brought to the Council as appropriate.

Item G of the Report requests that Technical Committee Chairs, who currently serve on the Technical Correlating Committee (TCC) with "limited voting" status, be appointed as full voting members. The Council must deny this request since the *Regulations Governing Committee Projects (Regs)* at Section 3.2.6 prohibits Technical Committee Chairs from serving as voting members of the Technical Correlating Committee. Thus, even Chairs' current limited voting status on the TCC appears to be contrary to the *Regs*. In light of this, Item G will be forwarded to the Standards Council Membership Task Group to review the current "limited voting" status of the TC Chairs on the TCC and to recommend reappointment of TC Chairs as non-voting members in accordance with the *Regs*. The Council understands that the Item G recommendation was aimed at increasing the effectiveness of the TCC. The Council is requesting that the TCC consider, within the constraints of the *Regs*, whether there are other recommendations that it might make regarding structure or other items that would meet its needs and promote the effective functioning of the TCC. The Council will review any specific TCC requests as received.

11-8-32

The Council heard a report from the Inspection, Testing and Maintenance Summit Task Group. This Task Group was made up of various NFPA Committee members that participated in the Inspection, Testing and Maintenance Summit held in May of 2010. The Report that was received by the Council requested the Council review and consider the following three areas:

- 1. A request for the Council to revise the scope of the NFPA 72 Technical Committee on Testing and Maintenance of Fire Alarm Systems (SIG-TMS) to include the authority to require limited testing of other interconnected fire protection or life safety systems in accordance with the requirements of standard(s) that have primary jurisdiction of these other systems in order to ensure the integrity of the systems interface.
- 2. A request for the Council to allow the Technical Committee on Testing and Maintenance of Fire Alarm Systems (SIG-TMS) to temporarily revise their scope to include the authority to require complete end-to-end testing of other interconnected fire protection or life safety systems, at the initial acceptance test, in accordance with the requirements of standard(s) that have primary jurisdiction of these other systems. This temporary scope shall be in force only until such time as a standard is available addressing mandatory requirements for complete testing of interconnected systems.
- 3. A request for the Council to issue a general directive for all committees that are involved with systems or components that interconnect with fire alarm and signaling systems to coordinate requirements for both limited and complete end-to-end integrated testing of interconnected systems. This coordination needs to specifically identify and address the interfaces between systems and

provide a degree of consistency and overlap between standards sufficient to ensure that system interfaces are operational and remain intact.

In reviewing this Report, the Council acknowledges that integrated systems and maintenance is an important issue and should be addressed. After review of all the material before them, the Council voted not to take the actions requested in the Report. The Council determined that NFPA 72 Committees (TCs) should stay focused on their individual systems relating to fire alarms and signaling systems. The Council has approved the development of NFPA 4, Standard for Integrated Testing of Fire Protection Systems, which is intended to cover all testing of interconnected systems, including interface testing, integrated testing and end-to-end testing. The Council directs the NFPA 72 Committees to address issues of integrated testing related to its systems by providing input on the content of NFPA 4 through the submission of proposals and comments and through TC member representation that is anticipated will be appointed to the NFPA 4 Committee. During the Proposals stage of the A2012 cycle, the NFPA 72 TC's accepted proposals addressing testing of interconnected systems, including testing at the interface with other systems. These revisions should be rejected by the NFPA 72 TCs during the Comment stage, as they address concepts outside of their scope. This proposed language, along with all of the supporting material, should then be submitted to the NFPA 4 TC, as appropriate, as proposals (public input) during the A2014 cycle.

The Council understands and appreciates the efforts that are being made to consider and address integrated testing. The Council believes, however, that the best and most effective approach to developing requirements on integrated testing is to work, through the process that is now beginning, to develop the new NFPA 4 as a dedicated document on the subject. To that end, the NFPA 4 Committee will require cooperation and input from the related systems Committees and the Council encourages all relevant Committees to participate to the fullest.

11-8-33

In October 2010, the Standards Council, through Standards Council Decision #10-23 (Minute Item 10-10-16, October 29, 2010), voted to establish a new NFPA Technical Committee to develop a standard on gas process safety. This new project was initiated after careful review, including consideration of urgent safety recommendations issued by U.S. Chemical Safety Board regarding two serious explosion incidents. The Council, in its decision, indicated that, "given the importance and timeliness of this project, the Council would consider steps to expedite the development of the new standard."

The Council was subsequently aided in that consideration by action of the NFPA Board of Directors which, by resolution, authorized the NFPA Standards Council to implement the development of a gas process safety standard using the expedited procedures set forth by the American National Standards Institute (ANSI) in Annex B of the ANSI Essential Requirements (the Annex B Procedures). Specifically, the Board resolution, adopted November 13, 2010, reads as follows:

Pursuant to Section 8 of the NFPA Bylaws, the NFPA Board of Directors hereby adopts by reference Annex B of the 2010 ANSI Essential

Requirements entitled *Procedures for the Development of a Provisional American National Standard (ANS) or a Provisional Amendment to an ANS* (the Annex B Procedures). The use of the Annex B Procedures shall be limited to the development of a provisional standard related to gas process safety. The Standards Council shall have responsibility for the implementation of the Annex B Procedures. This authority shall include, without limitation: the authority to determine whether the circumstances set forth in Section B.1 of the Annex B Procedures exists; and the authority to issue any provisional standard developed on gas process safety and submitted to it by the appropriate Technical Committee(s).

Following this Board action, the Standards Council, at its March 2011 meeting, approved the start-up roster and committee scope for the new Technical Committee on Gas Process Safety. In addition, The Council made findings, pursuant to the Annex B Procedures, concerning the emergency need to develop a gas process safety standard as a provisional standard. Finally, the Council directed the new Technical Committee on Gas Process Safety to proceed as soon as possible to develop a provisional standard on gas process safety using the Annex B Procedures and to submit the provisional standard, once developed, to the Standards Council for official issuance. See Council Decision D#11-3 (SC#11-3-21, March 2011).

In a period of only four months, the Technical Committee on Gas Process Safety has convened and, with focus and effort, has developed a gas process safety standard, which it has forwarded to the Council for issuance as directed in Decision D#11-3. Completing the final step in this NFPA effort to respond to significant safety concerns through timely, consensus standards development, the Standards Council has now voted to issue the new provisional standard, entitled NFPA 56 (PS), Standard for Fire and Explosion Prevention During Cleaning and Purging of Flammable Gas Piping Systems, 2012. NFPA 56(PS) shall be considered issued and effective as of August 11, 2011.

In accordance with the Annex B Procedures at Section B.1.7, the processing of a provisional standard, once approved, must be initiated within 45 days, and shall be in accordance with the standards developer's accredited procedures. Accordingly, the Council has approved the Technical Committee's request to enter NFPA 56 (PS) into the Annual 2013 Revision Cycle, where it shall be processed as a regular NFPA standard in accordance with the NFPA Regulations Governing the Development of NFPA Standards. See related Minute Item 11-8-34 and Minute Attachment 11-8-33.

11-8-34

The Council approved the request of the Technical Committee (TC) on Gas Process Safety to revise the scope of the Committee.

Approved Committee Scope: This committee shall have primary responsibility for documents on the commissioning and maintenance of fuel flammable gas piping systems having normal operating pressures of greater than 2 psig used in commercial, industrial, and power plant applications, extending from the point of delivery to the equipment isolation or shutoff valve except for those already covered by the NFPA

	National Fool Con Tarkwind Committee and Joseph NEDA Hodge and
	National Fuel Gas Technical Committee and/or the NFPA Hydrogen
	Technologies Technical Committee.
	See related Minute Item 11-8-33
11-8-35	The Council considered the request of the Chair of the Technical Committee (TC) on Fire Service Training to modify the Council directive to develop a new document on thermal imaging cameras. As background, this proposed new document is intended to be used as a training document for fire service personnel in the selection, operation, care, use, and maintenance of thermal imagers. This new training document will be used in conjunction with NFPA 1801, <i>Standard on Thermal Imagers for the Fire Service</i> . In August 2010 (See Minute Item 10-8-30), the Council approved a request to develop the new training document and gave the responsibility of developing a public review draft jointly to the TC on Fire Service Training and the TC on Electronic Safety Equipment Technical. Final responsibility for the document would then reside with the TC on Fire Service Training. It now appears that the TC on Electronic Safety Equipment has, due to its work load, been unable to assist in the development of the public review draft. The Chair of the TC on Fire Service Training has, therefore, requested that the TC on Fire Service Training be permitted to proceed to develop the draft on its own. The Council has voted to approve this request. After the draft has been produced, the TC on Fire Service Training should approve it for public review through a letter ballot in accordance with the <i>Regs</i> at 4.3.1.1. The TC on Fire Service Training can then make a request to the Council to enter an appropriate revision cycle.
11-8-36	The Council approved the request of NFPA Staff to revise the scope and title of the Technical Committee (TC) on Cleanrooms. The Council made editorial changes to the proposed scope to further clarify the TCs' responsibilities. The Council also approved changing the name of the TC to Technical Committee on Semiconductor and Related Facilities.
	Approved Committee Name: Technical Committee on Semiconductor and Related Facilities
	Approved Committee Scope: This Committee shall have primary
	responsibility for documents on the fire protection for cleanrooms (now
	semiconductor manufacturing facilities). fabrication facilities and
	comparable fabrication processes for semiconductor, display panel,
	photovoltaic, and related facilities. When bulk gas systems are involved
	the responsibility begins at a point downstream of the source valve.
11-8-37	The Council approved the request of the Technical Committee (TC) on Data Exchange
	for the Fire Service to enter a new document, NFPA 950, Standard for Data
	Development and Exchange for the Fire Service into the Fall 2014 revision cycle. The
	Council approved the establishment of this proposed new document in October of
11.0.00	2007. See Minute Item 07-10-14.
11-8-38	The Council approved the request of the Technical Committee (TC) on Public Safety
	Telecommunicator Professional Qualifications for a revision cycle change for NFPA
	1061, Standard for Professional Qualifications for Public Safety Telecommunicator
11.0	from the Fall 2011 ROC to the Fall 2012 ROP. See related Minute Item 11-8-40
11-8-39	The Council approved the request of the Technical Committee (TC) on Fire Fighter
	Professional Qualifications for a revision cycle change for NFPA 1005, Standard for

	Drofessional Auglifications for Marine Fire Fighting for Land Based Fire Fighters from
	Professional Qualifications for Marine Fire Fighting for Land-Based Fire Fighters from Fall 2011 ROC to Fall 2013 ROP revision cycle.
11-8-40	·
11-8-40	The Council approved the request of the Technical Committee (TC) on Public Safety Telecommunicator Professional Qualifications to revise the scope of the Committee.
	Approved Committee Scope: This Committee shall have primary
	responsibility for documents on the professional qualifications for public
	safety communications positions.
	See related Minute Item 11-8-38
11-8-41	The Council approved the request of the NEC Technical Correlating Committee to approve revisions made to the 2003 NEC® Manual of Style.
11-8-42	The Council discussed the use of electronic devices at Association Technical Meetings
	and has recommended that the devices be used for every vote (not just those that
	would normally require a hand-count) at the Association Technical Meetings.
11-8-43	Heard a Report of the Policy and Procedures Task Group.
11-8-44	The Council considered the Membership Task Group's recommendations on pending
	applications for Technical Committee membership and took appropriate action on
	each. Changes in Technical Committee membership approved by the Council can be
	found in Minute Attachment 11-8-44.
11-8-44-b	It was voted to approve the start-up roster of Technical Committee (TC) on Fundamentals of Combustible Dusts.
11-8-44-c	Several names were submitted as candidates to Chair NEC Code Making Panel 16.
	When reviewing the candidates, there was discussion about the submission of a
	candidate who was categorized as "Manufacturer". After a lengthy discussion, the
	Council arrived at the conclusion that the Council sees no reason to change its
	longstanding practice to not appoint a manufacture as a Chair of an NEC Code-Making
	Panel (Panel 1 was a recognized exception) because of the NEC's strong focus on
44.0.45	products.
11-8-45	The Council approved the schedules for processing Committee Reports in the Fall
11-8-46	2013 and the Annual 2014 revision cycles for the new Re-Engineering Process.
11-8-40	The Council approved the dates and places for upcoming meetings, as follows:
	October 17-18, 2011
	(TG Meeting 8:00 AM on October 17) Savannah, GA
	(10 Meeting 6.00 / WY on October 17)
	March 5-6, 2012
	(TG Meeting 8:00 AM on March 5) San Juan, PR
	August 6-9, 2012
	(TG Meeting 12:00 PM on August 6) Quincy, MA
	October 29-30, 2012
	(TG Meeting 8:00 AM on October 29) Santa Fe, NM
11-8-47	The Council considered the request of the E. Phillips, Chair of the Southern Regional
	Fire Code Development Committee that NFPA establish a new document on Model
	False/Nuisance Alarm Reduction. After review of all the material before them, the
	Council voted not to proceed with the development of this document because of

other activities surrounding this topic at present. Currently NFPA is exploring a project to develop a user's guide to NFPA 72 for the fire service, and the Fire Protection Research Foundation is in discussions with industry, International Association Fire Chiefs and the United States Fire Administration about the possibility of a project to develop a risk based decision support tool for communities to address the unwanted alarm issue. The Council believes it is premature to initiate this document at this time. If, after the activities described above have concluded, there is reason to reconsider the desirability of a document, proponents can resubmit their request at that time.

11-8-48

At its March 2011 meeting, the standards Council issued several TIAs relating to ongoing review of the use of antifreeze in sprinkler systems. The extensive background and activities leading up to the development and issuance of these TIAs is set forth in the Council's decision issuing the TIAs and in decisions and minute items cited in that decision. See Standards Council Decision 11-5 (SC #11-3-3-e, 11-3-4-e and 11-3-5-d, March 1, 2011). The TIAs were developed by the responsible technical committees and the Council emphasized in its decision issuing the TIAs that, while the Council had initially taken action to address the antifreeze questions pending further technical committee consideration, the technical issues concerning the content of NFPA codes and standards are generally for the responsible consensus-based technical committees to determine.

In issuing the TIAs, the Council stressed, in the following terms, that the sprinkler committees' consideration of issues related to antifreeze was not an end:

In voting to issue these TIAs, the Council stresses that the sprinkler committees' consideration of issues related to antifreeze is not at an end. The sprinkler standards are in the Annual 2012 revision cycle, and that the content of the new TIAs will be considered as Proposals during the process. The Fire Protection Research Foundation report discussed areas where future research might be needed, as, for example, in the area of commercial applications. It is anticipated that further research will be conducted and information developed that will aid the sprinkler committees in their continuing consideration of issues raised by the use of antifreeze in sprinkler systems.

To aid the work of the sprinkler committees, and for its own information, the Council requested the sprinkler committees, representatives of the relevant sprinkler industries, the Fire Protection Research Foundation and others with relevant information to provide reports to the Council at its August 2011 meeting "identifying research needs, planned or ongoing research, and any other activities or developments related to the use of antifreeze in sprinkler systems."

In response to the Council's request, the Council has received a single report from the Chair of the Technical Correlating Committee (TCC) on Sprinklers on potential research paths that may need to be taken as it pertains to antifreeze usage in sprinkler systems. The Council also heard an oral presentation from Executive Director of the Fire Protection Research Foundation on her efforts to explore potential research paths with potential funders. Disappointingly, the Council received no

submissions from other interested parties. Nevertheless, it was never the Council's intention to itself evaluate or analyze the information that it was seeking. Rather it was attempting to assist the interested parties in maintaining their focus on and commitment to the ongoing task of providing the responsible NFPA technical committees with research and data to support effective standards development. While no action of the Council is required at this time, the Council expects the interested parties will continue investigation and research aimed at ensuring the safety of freeze protection in sprinkler systems and the incorporation of such new information as may be developed into subsequent editions of the sprinkler standards.

As suggested above, it is not the Council's role to identify all of the gaps in research that may exist and it has not undertaken to evaluate or analyze all the information presented or to construct any research plan. While some of the research being discussed may be aimed at showing that the antifreeze limits are more stringent than necessary, attention should also be maintained on identifying any additional research needed to ensure the adequacy of all the current antifreeze limits. In this regard, and without suggesting that other avenues of research may also be advisable, the Council notes that the TCC Chair's report and from the previously submitted research reports prepared for the Fire Protection Research Foundation point to at least one gap that needs to be filled. Specifically, it appears that the data that has been generated in the recent research on residential sprinklers has been extrapolated to standard spray sprinklers (i.e., commercial sprinklers). Standard spray sprinklers have different characteristics than residential sprinklers and research appears to be necessary to verify that the extrapolation of the data obtained on residential sprinklers is either valid for standard spray sprinklers or needs adjustment.

The Council is requesting that interested parties report back to the Council on or about March, 2012. Council meeting on plans and progress toward filling the gap identified above as well as on other research activities that are being considered, planned or undertaken.

Council Member Roland Huggins recused himself from the vote on this issue.

11-8-49

The Council approved the request of the Technical Committee (TC) on Gaseous Fire Extinguishing Systems for a revision cycle change for NFPA 12, *Standard on Carbon Dioxide Extinguishing Systems* from Fall 2013 to Fall 2014 revision cycle; NFPA 12A, *Standard on Halon 1301 Fire Extinguishing Systems* from Annual 2013 to Fall 2014 revision cycle; and NFPA 2001, *Standard on Clean Agent Fire Extinguishing Systems* from Annual 2014 to Fall 2014 revision cycle.

Respectfully submitted,

Lorda Filler

Linda J. Fuller Recording Secretary

NFPA Standards Council