



Dawn Michele Bellis  
Secretary, Standards Council

15 April 2016

To: Interested Parties

Subject:

Standards Council Decision (Final):	<b>D#16-2</b>
Standards Council Agenda Item:	<b>SC#16-4-33</b>
Date of Decision:	6 April 2016
Proposed TIA for NFPA 59A, <i>Standard for the Production, Storage and Handling of Liquefied Natural Gas (LNG), 2001 Edition</i>	

Dear Interested Parties:

At its meeting of April 5-6, 2016, the Standards Council considered an appeal on the above referenced matter.

The Council's Final decision is now available and is attached herewith.

Sincerely,

A handwritten signature in cursive script that reads "Dawn Michele Bellis".

Dawn Michele Bellis  
Secretary, NFPA Standards Council

c: D. Berry, S. Everett, L. Fuller, G. Colonna, J. Shapiro  
Members, TC on Liquefied Natural Gas (LNG-AAA)  
Members, NFPA Standards Council (AAD-AAA)  
Individuals Providing Appeal Commentary

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\*NOTE: Participants in NFPA's codes and standards making process should know that limited review of this decision may be sought from the NFPA Board of Directors. For the rules describing the available review and the method for petitioning the Board for review, please consult section 1-7 of the Regulations Governing the Development of NFPA Standards (Regs.) and the NFPA Regulations Governing Petitions to the Board of Directors from Decisions of the Standards Council. Since this Council decision is not "related to the issuance of a document" as referenced in 1.7.2 of the Regs., notice of the intent to file such a petition must be submitted to the Clerk of the Board of Directors within a reasonable time period.



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***SUMMARY OF ACTION (for convenience only; not part of official decision):*** *The Standards Council voted to deny the appeal to overturn the decision not to process the request for a proposed Tentative Interim Amendment (TIA) on the 2001 Edition of NFPA 59A, Standard for the Production, Storage and Handling of Liquefied Natural Gas (LNG).*

***DECISION:***

At its meeting of April 5-6, 2016, the Standards Council considered an appeal from Patricia Outtrim, Vice President, Government and Regulatory Affairs of Cheniere Energy, Inc. regarding the refusal to process a proposed Tentative Interim Amendment (TIA) on the 2001 Edition of NFPA 59A, *Standard for the Production, Storage and Handling of Liquefied Natural Gas (LNG)*. Specifically, the appeal seeks a decision by Council to reverse the Secretary of the Standards Council's decision not to process the requested TIA. The proposed TIA seeks to amend Section 12.1.2.4 of NFPA 59A, 2001 Edition to read as follows:

12.1.2.4 ASME Publications, American Society of Mechanical Engineers, Three Park Avenue, New York, NY 10016-5990.  
ASME Boiler and Pressure Vessel Code, ~~1992~~ 1998 edition, including the 1999 Addenda and applicable Code Interpretation Cases.  
ASME B 31.3, Process Piping, 1996.  
ASME B 31.5, Refrigeration Piping, 1992.  
ASME B 31.8, Gas Transmission and Distribution Piping Systems, 1992.

As background, the Secretary determined not to process the proposed TIA in accordance with Sections 5.3 and 5.10 of the *Regulations Governing the Development of NFPA Standards (Regs)*. Section 5.3 of the *Regs* provides the Secretary with discretion to reject for processing a proposed TIA that does not manifestly appear to be of an emergency nature. Section 5.10 of the *Regs* provides that TIAs shall apply only to the current edition of a Standard and, in some circumstances, to the next edition. Since 2001, there have been four subsequent editions of NFPA 59A issued by the Standards Council.

In her request for the processing of the TIA, Ms. Outtrim stated that at the time the 2001 edition of NFPA 59A was published, it referenced the 1992 edition of the ASME Boiler and Pressure Vessel Code (the ASME Code), but that 1992 edition was not the current edition of the ASME Code at that time. The current edition of the ASME Code at that time was the 1998 edition which included a significant change from the 1992 edition in the pressure vessel test pressure for the maximum allowable operating pressure. The requested

TIA is intended to replace the reference to the 1992 ASME Code with a reference to the subsequent edition of the ASME Code and related Addenda.

The Council has reviewed the entire record concerning this matter and has considered all the arguments put forth in this appeal. Section 5.10 of the *Regs* states that TIAs apply only to the current edition of an NFPA standard and, in some cases, to the next edition. While Section 5.12 of the *Regs* provides some flexibility to the Council in the processing or issuance of TIAs, such discretion has been utilized in rare cases where extraordinary circumstances supported such action. In this case, the Council finds no such circumstances.

The Council does not generally process revisions to previous editions of NFPA standards as previous editions no longer represent the NFPA standard on a given topic. In the present case, the Council has no way to determine if the Technical Committee's decision more than fifteen years ago to include a reference to the 1992 edition of the ASME Code was intentional or inadvertent. Even if inadvertent, the Council is concerned that addressing this matter as requested in the appeal could well have unintended consequences. In addition, the Council finds no evidence of an emergency such that it would entertain the extraordinary action of processing a TIA on a previous edition of an NFPA standard.

The Council has voted to deny the appeal and uphold the decision not to process the TIA which would have amended Section 12.1.2.4 of NFPA 59A, 2001 Edition.

The effect of this action is that the proposed TIA for NFPA 59A, 2001 Edition will not be processed.

All Standards Council members participated in the consideration, deliberation, and vote on this issue.