



*Dawn Michele Bellis*  
*Secretary, Standards Council*

29 April 2021\*

To: Interested Parties

Subject:

Standards Council Decision (Final):	<b>D#21-1</b>
Standards Council Agenda Item:	<b>SC#21-4-18-d</b>
Date of Decision:	15 April 2021
TIA No. 1552 on NFPA 1403, <i>Standard on Live Fire Training Evolutions</i> , 2018 Edition	

Dear Interested Parties:

At its meeting of April 14-15, 2021, 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 black ink that reads "Dawn Michele Bellis".

Dawn Michele Bellis  
Secretary, NFPA Standards Council

cc: S. Everett, S. Gallagher, R. Fash, B. Chase  
Members, TC on Fire Service Training (FIY-AAA)  
Members, NFPA Standards Council (AAD-AAA)  
Individuals Providing Appeal Commentary

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\*NOTE: Participants in NFPA's standards development 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 and the NFPA Regulations Governing Petitions to the Board of Directors from Decisions of the Standards Council. Notice of the intent to file such a petition must be submitted to the Clerk of the Board of Directors within 15 calendar days of the publication date of this Decision.



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**SUMMARY OF ACTION (for convenience only; not part of official decision):** The Standards Council voted to deny this appeal seeking to overturn the Technical Committee ballot results and issue TIA No. 1552 on NFPA 1403, *Standard on Live Fire Training*, 2018 Edition.

**DECISION:**

At its meeting of April 14-15, 2021, the Standards Council considered an appeal from Ryan McGill, IAFF Local 2068. The appeal requests that the Standards Council overturn the Technical Committee ballot results and issue TIA No. 1552 on the 2018 Edition of NFPA 1403, *Standard on Live Fire Training*. Specifically, the appeal requests that the Standards Council issue TIA No. 1552 which seeks to revise Section 4.13.2.

As background, TIA No. 1552 was balloted through the Technical Committee on Fire Service Training (TC) in accordance with the *Regulations Governing the Development of NFPA Standards (Regs)* to determine whether the required three-fourths majority support was achieved on technical merit and emergency nature to establish recommendation for issuance. The ballot failed TC on both technical merit and emergency nature.

When a TIA fails to achieve the recommendation of the responsible committee, the resulting recommendation of the standards development process is to not issue the TIA.

On appeal, the Council accords great respect and deference to the NFPA standards development process. In conducting its review, the Council will overturn the results of that process only where a clear and substantial basis for doing so is demonstrated.

The Council has reviewed the entire record concerning this matter and has considered all the arguments put forth in this appeal. In the view of the Council, this appeal does not present any clear and substantial basis upon which to overturn the results yielded by the NFPA standards development process. Accordingly, the Council has voted to deny the appeal. The effect of this action is that the text of TIA No. 1552 will not be included in NFPA 1403, *Standard on Live Fire Training*, 2018 Edition.

The Council wishes to address the procedural concerns expressed by the Appellant during the hearing. Specifically, the Appellant noted concern that the Technical Committee met to discuss this TIA without publicly posting notice. The Appellant acknowledged he was subsequently afforded an opportunity to discuss the TIA before members of the Technical Committee at a meeting called by the Appellant, which was also not posted publicly. The Council finds that any procedural concern related to the Appellant was not material in this case because the Appellant ultimately had an opportunity to discuss the TIA with the Technical Committee before the ballot was final.

That said, during the course of consideration and ballot on this TIA, there were at least two meetings of the Technical Committee that did not have the benefit of being publicly posted in advance to allow for

broad participation. Also clear from the record is that there is a significant body of data related to training fuels used in live-fire fighter training that has yet to be fully considered by the Technical Committee. Therefore, the Council wishes to encourage interested stakeholders to submit a new TIA to address this matter. Any new TIA(s) submitted will be processed in accordance with the *Regs* and forwarded to Council with recommendation of the responsible committee after balloting.

Council Members John Kovacik and Kenneth Richards recused themselves from the deliberations and vote on the appeal.