



Amy Beasley Cronin  
Secretary, Standards Council

16 October 2009

To: Interested Parties

Subject:

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| Standards Council Decision (Final):                              | <b>D#09-13</b>      |
| Standards Council Agenda Item:                                   | <b>SC#09-8-11-b</b> |
| Date of Decision:  | 6 August 2009       |
| NFPA 501, <i>Standard on Manufactured Housing</i> , 2010 edition |                     |

Dear Interested Parties:

At its meeting of 4-6 August 2009, the Standards Council considered an appeal on the above referenced matter. On August 12, 2009 NFPA issued the Council's decision on the appeal in the form of a "Short Decision" which briefly stated the outcome of the appeal and which indicated that a full decision on the appeal would be issued in due course and sent to all interested parties as soon as it became available.

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

Sincerely,

A handwritten signature in cursive script that reads "Amy Beasley Cronin".

Amy Beasley Cronin  
Secretary, NFPA Standards Council

- c: D. Berry, M. Brodoff, L. Fuller, R. Solomon, J. McGovern  
Members, TC on Manufactured Housing (MAN-AAA)  
Members, NFPA Standards Council (AAD-AAA)  
Individuals Providing Appeal Commentary



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At its meeting of 4-6 August 2009, the Standards Council considered an appeal from Shawn Martin, Plumbing Manufacturers Institute, requesting the acceptance of Comment 501-8 (CAM 501-2) in the 2010 edition of NFPA 501, *Standard on Manufactured Housing*. Specifically, the appellant seeks to delete Section 5.3.2.6 addressing the interior finish of certain materials in bathrooms. The text reads as follows:

5.3.2.6 Interior finish materials on surfaces of plastic bathtubs, shower units, and tub or shower doors shall exhibit a flame spread index not exceeding 50. The smoke developed index shall not be limited.

As background, Proposal 501-13 recommended revisions to Section 5.3.2, *Flame Spread Requirements*, including Section 5.3.2.6, and was accepted by the Technical Committee on Manufactured Housing (TC). Subsequently, Comment 501-8 recommended deletion of the proposed Section 5.3.2.6 in its entirety and was rejected by the TC. A Certified Amending Motion (CAM 501-2) seeking acceptance of Comment 501-8 was made at the 2009 Association Technical Meeting (Tech Session). The motion failed to obtain the support of the general NFPA membership in attendance, which under NFPA rules, would generally mean that the text of Section 5.3.2.6 as modified by Proposal 501-13, would be included in the 2010 edition of NFPA 501. In this unusual case, however, by operation of the default recommendation yielded by the NFPA process and described in a separate appeal before the Council (see Standards Council Decision #09-14 [Agenda Item 09-8-11-a-1]), the text affected by Proposal 501-13, namely Section 5.3.2.6, has been returned to previous edition text that is now found in Section 5.4. To accept Proposal 501-13 would be inconsistent with this result and with the general principle that, where the TC and the Tech Session disagree about moving forward with a proposed change, the previous edition text should be retained and change should await further processing. See Regulations Governing Committee Projects at 4.7.1(c) & (d).

To achieve a consistent and appropriate result, therefore, the Council must uphold this appeal. In doing so, the Council notes that the proposed language that the appellant has challenged, would, if accepted, have significant impact on certain materials that would be used in bathrooms. As recommended in Proposal 501-13, the change to Section 5.3.2.6 was presented as an “editorial rearrangement”, but it clearly was a substantive change of the flame spread index, for which no substantiation was provided. Additionally, the proposed text in 5.3.2.6 appeared to conflict with the requirements of the proposed new Section 5.4, which will keep the bathroom fixture criteria the same as the 2005 edition, with the addition of the optional ASTM 162 test protocol.

In sum, the Council is upholding the appeal, consistent with the default action described in Standards Council Decision #09-14 (Agenda Item 09-8-11-a-1). The effect of this action is that Section 5.3.2.6 will be deleted; the previous edition content of the former Section 5.3.2.6 will be retained in new Section 5.4. This means the flame spread index for materials used for plastic bathtubs, shower units and tub or shower doors will not exceed 200 per Section 5.4, as accepted in Standards Council Decision #09-15 (Agenda Item 09-8-11-c-1).