



Amy Beasley Cronin
Secretary, Standards Council

15 September 2009

To: Interested Parties

Subject:

Standards Council Decision (Final):	D#09-19
Standards Council Agenda Item:	SC#09-8-24-d
Date of Decision*:	6 August 2009
TIA No. 951 on NFPA 101 [®] , <i>Life Safety Code</i> [®] , 2009 edition	

Dear Interested Parties:

At its meeting of 4-6 August 2009, the Standards Council considered an appeal on the above referenced matter.

Attached is the final decision of the Standards Council on this matter.

Sincerely,

A handwritten signature in black ink that reads "Amy Beasley Cronin".

Amy Beasley Cronin
Secretary, NFPA Standards Council

c: D. Berry, M. Brodoff, L. Fuller, R. Coté, D. Matthews
Members, TC on Fundamentals (SAF-FUN)
Members, TCC on Life Safety Code (SAF-AAC)
Members, NFPA Standards Council (AAD-AAA)
Individuals Providing Appeal Commentary

*NOTE: Participants in NFPA's codes and standards making process should know that limited review of this decision may be sought from the NFPA Board of Directors. For the rules describing the available review and the method for petitioning the Board for review, please consult section 1.7 of the NFPA Regulations Governing Committee Projects and the NFPA Regulations Governing Petitions to the Board of Directors from Decisions of the Standards Council. Since this Council decision is not "related to the issuance of a document" as referenced in 1.7.2 of the Regulations Governing Committee Projects, 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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At its meeting of 4-6 August 2009, the Standards Council considered an appeal from Marcelo Hirschler of GBH International, requesting the issuance of proposed Tentative Interim Amendment (TIA) No. 951 on the 2009 edition of NFPA 101[®], *Life Safety Code*[®]. The proposed TIA seeks to modify Sections 43.10.4.6.2 and 43.10.5.5 which address the replacement of outdated terminology. Specifically, if the TIA were to be issued, “flame spread classification” would be replaced with “flame spread index”.

Proposed TIA 951 was balloted through the Technical Committee on Fundamentals (TC) and the Technical Correlating Committee on Safety to Life (TCC) in accordance with the *NFPA 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 and the TCC on correlative merit, but failed to achieve the necessary support of either the TC or the TCC on emergency nature. No comments were received. Where the ballot does not pass the TC and TCC on merit and emergency nature, the default recommendation to the Council is to not issue the TIA.

The appeal requests that the Standards Council overturn the action that was recommended by the full NFPA codes and standards development process. On appeal, the Standards 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 a clear and substantial basis on which to overturn the results recommended by the NFPA codes and standards development process. Accordingly, the Council has voted to deny the appeal and to not issue the TIA. The effect of this action is that “flame spread classification” will not be replaced with “flame spread index” in Sections 43.10.4.6.2 or 43.10.5.5.