



Amy Beasley Cronin
Secretary, Standards Council

28 September 2009

To: Interested Parties

Subject:

Standards Council Decision (Final):	D#09-8
Standards Council Agenda Item:	SC#09-8-2-a-1
Date of Decision:	6 August 2009
NFPA 13D, <i>Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes</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 10, 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 black ink that reads "Amy Beasley Cronin".

Amy Beasley Cronin
Secretary, NFPA Standards Council

- c: D. Berry, M. Brodoff, L. Fuller, J. Lake, J. Moreau-Correia
Members, TC on Residential Sprinkler Systems (AUT-RSS)
Members, TCC on Automatic Sprinkler Systems (AUT-AAC)
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 Jonathan Bittenbender of REHAU Unlimited Polymer Solutions, Inc., requesting that the Council uphold the Association action to reject Comment 13D-18 for the 2010 edition of NFPA 13D, *Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes*. Specifically, the appeal requests the reinstatement of deleted words “or passive purge systems not equipped with a fire department connection” in Sections 5.2.1.3 and 5.2.5.3, thereby defining and providing requirements for passive purge systems.

As background, Proposal 13D-15a was accepted by the Technical Committee on Residential Sprinkler Systems (TC) and the Technical Correlating Committee on Automatic Sprinkler Systems (TCC). This proposal defined “passive purge sprinkler system” and “stand alone sprinkler system” and provided requirements for the passive purge systems in a new Section 5.1.4 and associated subsections and annex material. Subsequently, Comment 13D-18 sought to modify the proposal further and deleted the language “or passive purge systems not equipped with a fire department connection” from Sections 5.2.1.3 and 5.2.5.3. This comment was accepted. Thereafter, a Certified Amending Motion (CAM 13D-2) seeking rejection of Comment 13D-18 was made at the 2009 Association Technical Meeting (Tech Session). The amending motion was supported by the NFPA membership. On subsequent balloting of the committees, however, it passed TCC ballot but failed to pass the ballot of the TC.

When a recommended amendment is not approved by the TC, under NFPA rules, 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. In this case, therefore, the default recommendation that comes to the Council is that the new provisions concerning passive purge systems not be included in the new edition. This means deleting the words “or passive purge systems not equipped with a fire department connection” from Sections 5.2.1.3 and 5.2.5.3. In addition, restoring the text to that of the previous edition would also require the deletion of the proposed definitions (and an associated annex note) in Proposal 13D-15a of the new terms “passive purge sprinkler system” or “stand alone sprinkler system.” This is because these terms are not used in the previous edition text and, therefore, no longer would require a definition.

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 any 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. The effect of this action is to return to previous edition text. Specifically, as discussed above, this means that the material added in Proposal 13D-15a is removed, including the definitions, associated requirements for passive purge systems as well as any annex material on the topic.